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HONOURING CANADA'S LEGACY IN AFGHANISTAN: RESPONDING TO THE HUMANITARIAN CRISIS AND HELPING PEOPLE REACH SAFETY

Report of the Special Committee on Afghanistan

Sukh Dhaliwal, Chair

**JUNE 2022
44th PARLIAMENT, 1st SESSION**

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Chair**

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NOTICE TO READER

Reports from committees presented to the House of Commons

Presenting a report to the House is the way a committee makes public its findings and recommendations on a particular topic. Substantive reports on a subject-matter study usually contain a synopsis of the testimony heard, the recommendations made by the committee, as well as the reasons for those recommendations.

To assist the reader:

A list of acronyms used in this report is available on page ix

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THE SPECIAL COMMITTEE ON AFGHANISTAN

has the honour to present its

FIRST REPORT

Pursuant to the Order of Reference of Wednesday, December 8, 2021, the committee has studied the situation in Afghanistan and has agreed to report the following:

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LIST OF ACRONYMS

CAF	Canadian Armed Forces
G7	Group of Seven
GAC	Global Affairs Canada
ICRC	International Committee of the Red Cross
IHL	International Humanitarian Law
ISIS-K	Islamic State-Khorasan
IRCC	Immigration, Refugees and Citizenship Canada
LGBTQI+	Lesbian, Gay, Bisexual, Transgender, Queer and Intersex
NATO	North Atlantic Treaty Organization
NGO	Non-governmental organization
OCHA	United Nations Office for the Coordination of Humanitarian Affairs
RAP	Resettlement Assistance Program
SIM	Special Immigration Measures
UCI	Unique Client Identifier
UN	United Nations
UNICEF	United Nations Children's Fund
UNHCR	United Nations High Commissioner for Refugees
U.S.	United States
WFP	World Food Program

LIST OF RECOMMENDATIONS

As a result of their deliberations committees may make recommendations which they include in their reports for the consideration of the House of Commons or the Government. Recommendations related to this study are listed below.

Recommendation 1

That the Government of Canada re-examine its whole-of-government review of lessons learned from Afghanistan to ensure the review addresses all aspects of the government's performance in Afghanistan from February 2020 onwards, including in relation to its contingency planning and the information and assessments that informed those plans and decisions, and incorporates all departmental "after-action" analysis that has been completed, as well as the findings and recommendations from this study. Furthermore, that the Government of Canada, while protecting any security clearance requirements, share the full outcome of its review with all relevant departments and agencies, and summarize the review's main findings in its response to this Special Committee's report. 31

Recommendation 2

That, when signs point to an emerging crisis in another country that implicates Canada's interests, the Government of Canada quickly establish a structure of interdepartmental coordination, communication, and planning, as well as streamlined leadership and decision-making authority across departments, with one person responsible, to ensure a coherent and timely response. That, to facilitate such crisis management efforts in the future, the Government of Canada confirm the roles and responsibilities of each department and minister, as well as the way in which allied and partner governments and non-governmental actors are to be engaged. Unless otherwise directed by the Prime Minister, the Minister of Foreign Affairs and Global Affairs Canada are the lead minister and department for evacuation operations..... 31

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Recommendation 6

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That the Government of Canada ensure that Global Affairs Canada continues to monitor the humanitarian environment in Afghanistan, and that it take action with its partners in response to any credible reports that humanitarian assistance is being impeded or that the *de facto* authorities are limiting the roles of women humanitarian actors or the services and support they deliver. 40

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HONOURING CANADA'S LEGACY IN AFGHANISTAN: RESPONDING TO THE HUMANITARIAN CRISIS AND HELPING PEOPLE REACH SAFETY

INTRODUCTION

On 15 August 2021, the government and security forces of the Islamic Republic of Afghanistan collapsed, and panic took hold in the streets of the last territory that had been under its control: the capital, Kabul. Returning to power—via military force—was the Taliban, a group whose repressive rule had horrified the world in the late 1990s and who had harboured the Al Qaida terrorists that carried out the attacks of 11 September 2001. The republic's collapse unleashed shockwaves within Afghanistan and around the world. It signified the abrupt end of a nearly 20-year effort, which had seen hundreds of thousands of international coalition troops serve—with thousands fallen or wounded—as well as billions of dollars spent on security force training, reconstruction and development.¹ As the situation on the ground unravelled, a multinational air bridge was formed. Many were rescued amid volatile and dangerous conditions. However, when the final evacuation flight departed Kabul at the end of August 2021, left behind were people who had tried—with the coalition's encouragement—to advance security, freedom, opportunity and dignity in their country. Within Afghanistan, there is now a tableau of vulnerability; millions of people trying to avoid hunger, destitution, or retaliation.

Afghanistan is not only one of the many crises in distant parts of the world; Canada has a legacy there. Consequently, the Taliban's takeover has deep emotional significance for Canadians, as well as implications for Canadian public policy. At the peak of Canada's mission in Afghanistan, "approximately 2,950 Canadian soldiers and over 120 civilian personnel were deployed to Afghanistan."² Cumulatively, more than 40,000 members of the Canadian Armed Forces (CAF) served in Afghanistan between December 2001 and

1 Adela Suliman, "[Nearly 20 years of war, 10 days to fall: Afghanistan, by the numbers](#)," *The Washington Post*, 20 August 2021; North Atlantic Treaty Organization (NATO), [NATO and Afghanistan](#), 8 April 2022; and Special Inspector General for Afghanistan Reconstruction, [What We Need to Learn: Lessons from Twenty Years of Afghanistan Reconstruction](#), August 2021.

2 Government of Canada, [Canada's Engagement in Afghanistan: Fourteenth and Final Report to Parliament](#), 2012, p. 5.



March 2014, as part of operations—at different times and with different mandates—in Kabul and Kandahar. Taken together, the counterterrorism, stabilization, combat, support, and training missions undertaken by Canada were its largest military deployment since the Second World War, with 158 members of the CAF and one Canadian diplomat losing their lives in service.³ Furthermore, Canada has provided \$3.8 billion in international assistance to Afghanistan since 2001.⁴

Over almost 20 years of international partnership with Afghanistan, many Afghans experienced improved access to healthcare and education. They were also able to participate in efforts—however flawed and incomplete—to build a democracy that was connected to the world. It is these gains that are now at risk.

To learn lessons from what transpired and to determine how Canada can help Afghan people who worked alongside the thousands of Canadian Armed Forces, diplomatic and development personnel who served in the country, the House of Commons created a Special Committee on Afghanistan (the Special Committee). It was mandated,

...to conduct hearings to examine and review the events related to the fall of Afghanistan to the Taliban, including, but not limited to, the government's contingency planning for that event and the subsequent efforts to evacuate, or otherwise authorize entry to Canada of, Canadian citizens, and interpreters, contractors and other Afghans who had assisted the Canadian Armed Forces or other Canadian organizations, and that the special committee conduct its work with the primary objective of assessing the humanitarian assistance to be put in place by Canada to assist the Afghan people [...].⁵

The Special Committee was instructed to present a final report within six months of its creation on 8 December 2021.

To accomplish this task, the Special Committee has received testimony and briefs from a range of individuals and organizations, including those that are trying to meet humanitarian needs in Afghanistan. It has heard moving stories and appeals from people with family and colleagues who have been unable to leave Afghanistan or are in

3 Government of Canada, [Afghanistan 2001–2014](#); and Government of Canada, [The Canadian Armed Forces Legacy in Afghanistan](#), archived.

4 Global Affairs Canada, “[Afghanistan](#),” *Minister of Foreign Affairs appearance before the Committee of the Whole – Portfolio list – Briefing material*, 7–8 December 2021.

5 House of Commons, Special Committee on Afghanistan (AFGH), 44th Parliament, 1st Session, “Mandate,” [About](#).

precarious situations in neighbouring countries, and those who are trying to help them. The Special Committee was also briefed on the government's response by Global Affairs Canada, Immigration, Refugees and Citizenship Canada, and the Department of National Defence and Canadian Armed Forces.

The report that follows is structured in two parts. The first is retrospective, examining the August 2021 evacuation from Kabul and the events that led up to it, including the assessments and decisions that were made. The second part is forward-looking. It details the humanitarian situation inside Afghanistan, and the efforts to bring Afghan nationals who are at risk to safety, as well as the impediments that are being encountered. The dedicated focus on this one country, at a time of great instability in the world, reflects the obligations that stem from Canada's years of military, development and diplomatic involvement in Afghanistan and the enormity of needs and vulnerabilities that exist.

PART I: LOOKING BACK

The Fall of Afghanistan to the Taliban

On 14 April 2021, President Joe Biden announced that the United States (U.S.) would begin the final withdrawal of its forces from Afghanistan on 1 May 2021, in keeping with the 29 February 2020 agreement his country—under the administration of President Donald Trump—had reached with the Taliban in Doha, Qatar.⁶ The rationale for intervening in Afghanistan in October 2001 had been “to ensure Afghanistan would not be used as a base from which to attack [the U.S.] homeland again,” an objective that President Biden said had been “accomplished.” The United States could not, he remarked, “continue the cycle of extending or expanding our military presence in Afghanistan, hoping to create ideal conditions for the withdrawal, and expecting a

⁶ In essence, the 29 February 2020 Doha agreement had initiated the phased withdrawal of all foreign forces from Afghanistan in exchange for guarantees from the Taliban that Afghanistan would not again become a source of security threats to the United States and its allies. See United States, Department of State, *Agreement for Bringing Peace to Afghanistan between the Islamic Emirate of Afghanistan which is not recognized by the United States as a state and is known as the Taliban and the United States of America*, 29 February 2020.



different result.” Following consultations within his administration and with allies and partners, President Biden concluded that it was “time to end America’s longest war.”⁷

After declaring that “there is no military solution to the challenges Afghanistan faces,” the North Atlantic Treaty Organization (NATO) Allies announced on the same day that they too would begin the withdrawal of Resolute Support Mission forces by 1 May 2021. The NATO withdrawal was to be completed “within a few months.”⁸

Even though the involvement of foreign troops was coming to an end, the hope was that an intra-Afghan peace process would result in a settlement. The Taliban had committed, through the Doha Agreement, to start such negotiations, which had been intended to see discussion of a ceasefire, as well as a political roadmap for the country.

Nevertheless, negotiations between representatives of the Afghan republic and the Taliban—which commenced in September 2020—did not result in meaningful progress.⁹

In May 2021, the Taliban intensified its military offensive against the Afghan government and began to increase the territory under its control. By mid-July 2021, the Taliban reportedly “controlled about half the districts in Afghanistan, at least six international border crossings with their revenue-generating customs posts, and long stretches of highways throughout the country.”¹⁰

The first provincial capital to fall to the Taliban, on 6 August 2021, was Zaranj in Nimroz province, on Afghanistan’s western border with Iran.¹¹ The next day, the Taliban captured its first capital in northern Afghanistan, the capital of Jowzjan province. By 12–13 August 2021, the country’s second- and third-largest cities—Kandahar and Herat—fell

7 The White House, [*Remarks by President Biden on the Way Forward in Afghanistan*](#), Treaty Room, 14 April 2021. At the height of the international coalition’s presence, in 2011, there were some 97,000 U.S. troops and 41,000 NATO troops in Afghanistan. By the time of Joe Biden’s inauguration on 20 January 2021, there were approximately 3,500 U.S. troops, 5,400 NATO troops and 6,300 contractors in Afghanistan. See United States, Senate, Committee on Armed Services, [*Hearing to Receive Testimony on the Conclusion of Military Operations in Afghanistan and Plans for Future Counterterrorism Operations*](#), Transcript, Alderson Court Reporting, 28 September 2021, pp. 23 and 25.

8 NATO, [*North Atlantic Council Ministerial Statement on Afghanistan*](#), 14 April 2021. The NATO-led International Security Assistance Force had ended in December 2014, the culmination of a gradual transfer of responsibility for the security of Afghanistan to the Afghan National Defence and Security Forces. At that point, NATO transitioned from its counterinsurgency mission to the Resolute Support Mission, which was focused on training, advising and assisting the Afghan forces and related institutions.

9 Steve Coll and Adam Entous, “[*The Secret History of the U.S. Diplomatic Failure in Afghanistan*](#),” *The New Yorker*, 10 December 2021.

10 Special Inspector General for Afghanistan Reconstruction, [*Quarterly Report to the United States Congress*](#), 30 October 2021, p. 68.

11 *Ibid.*, p. 69.

under Taliban control, along with Lashkar Gah in Helmand province. Then, with the capture of Mazar-e Sharif, the Taliban completed their takeover of northern Afghanistan.¹² On 15 August 2021, Afghanistan's President, Ashraf Ghani, fled by helicopter to Uzbekistan, before relocating to the United Arab Emirates.¹³ Taliban forces entered Kabul, assuming control of government buildings and the presidential palace. In all, therefore, the Taliban captured 33 of 34 provincial capitals within 10 days.¹⁴

President Biden maintained the 31 August 2021 deadline for ending the U.S. military mission in Afghanistan, which he had announced on 8 July 2021, saying that he was not prepared to extend "a forever exit." The decision to end the military airlift operation by that deadline, the president indicated, reflected a "unanimous recommendation" of his civilian and military advisors.¹⁵ On 26 August 2021, a member of the Islamic State-Khorasan (ISIS-K), a terrorist group that competes with the Taliban for power and influence in Afghanistan, had detonated a suicide vest at one of the entrances to the Hamid Karzai International Airport (the Kabul airport), killing 13 U.S. troops and an estimated 150 Afghan civilians.¹⁶ It was understood that the Taliban's tacit cooperation with coalition forces around the security perimeter of the airport would end on 1 September 2021. In all, during the 18-day period of the multinational "air bridge" it facilitated and defended, the United States flew 387 military sorties and enabled 391 non-U.S. military sorties to evacuate 124,334 people.¹⁷

Canada's Non-Combatant Evacuation Operation

When the need for an evacuation became clear, Canada was in a different position than some of its allies because there had been no Canadian military mission in Afghanistan since 2014. Canada did not, therefore, have military assets on the ground.¹⁸ The CAF was

12 Ibid., p. 71.

13 Ibid., p. 72.

14 *The situation in Afghanistan and its implications for international peace and security: Report of the Secretary-General*, United Nations General Assembly and United Nations Security Council, A/76/328-S/2021/759, 2 September 2021, para 4.

15 The White House, *Remarks by President Biden on the End of the War in Afghanistan*, State Dining Room, 31 August 2021.

16 United States, Department of Defense, Office of the Inspector General, *Operation Freedom's Sentinel: Lead Inspector General Report to the United States Congress, July 1, 2021–September 30, 2021*, p. 40.

17 United States, Department of Defense, *Secretary of Defense Austin and Chairman of the Joint Chiefs of Staff Gen. Milley Press Briefing on the End of the U.S. War in Afghanistan*, Transcript, 1 September 2021.

18 AFGH, *Evidence*, 9 May 2022, 1840 (Hon. Anita Anand, Minister of National Defence).



approved to support the evacuation on 30 July 2021.¹⁹ In essence, this complex mission involved, in the words of General Wayne D. Eyre, Chief of the Defence Staff, projecting combat power “from Canada into a contested environment on the other side of the world where we had not had a military presence for seven years.”²⁰ Canada was able to do so because of its strategic airlift and communications capabilities, as well as its network of partners and allies and embedded staff around the world.²¹ The people the CAF were tasked with evacuating included Canadians and Canadian-entitled persons, as well as interpreters who had worked with the Canadian Armed Forces and Afghans who had worked for the Canadian embassy over the years.²² Military and civilian chartered flights began on 4 August 2021 but were subsequently disrupted when Kabul fell to the Taliban.²³

On 15 August 2021, the Government of Canada announced the decision to “temporarily suspend” Canada’s diplomatic operations in Kabul. The rapidly evolving situation was posing “serious challenges” to Canada’s ability to ensure the safety and security of its diplomatic mission. Canadians still in Afghanistan were instructed to “leave immediately while commercial flights [were] available.”²⁴

CAF flights resumed from the Kabul airport on 19 August 2021 as part of the U.S.-led “air bridge,” with the last flight departing on 26 August 2021. Canada and other allies needed to repatriate their personnel and aircraft first so that the United States could complete its own withdrawal and, finally, cease defending the airport. The Honourable Anita Anand, Minister of National Defence, told the Special Committee that Canadian personnel “stayed as long as possible at great personal risk.”²⁵ The conditions in Kabul were described by the CAF as having been “tenuous, chaotic and desperate.”²⁶ In all, Canada transported and facilitated the transport of approximately 3,700 evacuees.²⁷

19 Government of Canada, [*Operation Aegis*](#).

20 AFGH, [*Evidence*](#), 9 May 2022, 1925 (General Wayne D. Eyre, Chief of the Defence Staff, Canadian Armed Forces, Department of National Defence).

21 Ibid.

22 Ibid., [*1950*](#).

23 Government of Canada, [*Operation Aegis*](#).

24 Global Affairs Canada, [*Canada temporarily suspends operations at Embassy of Canada to Afghanistan*](#), Statement, 15 August 2021.

25 AFGH, [*Evidence*](#), 9 May 2022, 1835 (Hon. Anita Anand).

26 AFGH, [*Evidence*](#), 9 May 2022, 2010 (Vice-Admiral J.R. Auchterlonie, Commander of the Canadian Joint Operations Command, Department of National Defence).

27 The Special Committee was informed that almost 3,000 of those approximately 3,700 people were evacuated between 19 and 26 August 2021. See Ibid.

Those evacuees “include Canadian citizens and permanent residents, their family members, citizens of allied countries, persons with a lasting connection to Canada and [A]fghan nationals at risk accepted for resettlement in Canada or by [Canada’s] allies.”²⁸

The Government of Canada’s travel advisory for Afghanistan now indicates that travelling throughout Afghanistan “is extremely dangerous, including in Kabul.” There are, according to the advisory, “checkpoints on all roads and throughout cities.” What is more, “[s]ome borders are closed or may close without notice. Border crossing is risky.”²⁹

Contingency Planning and Signs of Collapse

The Special Committee received conflicting information regarding whether the fall of Kabul—and, thus, Afghanistan—to the Taliban was the culmination of a political and security situation that was clearly unravelling, or a surprise.

Reid Sirrs, former Ambassador of Canada to Afghanistan, told the Special Committee that the “complete collapse of the Afghan forces and the Taliban’s rapid takeover of Afghanistan came as a surprise to everyone.”³⁰ Jennifer Loten, Director General of International Crime and Terrorism at Global Affairs Canada (GAC), similarly conveyed that the speed at which the U.S. departure from Afghanistan converted into the Taliban’s control of the country surprised the world. She said: “I don’t think any of us would have predicted an August [2021] fall of Kabul.”³¹

Owing to Canada’s limited presence on the ground in Afghanistan, Canada relied on allies for “a lot” of its intelligence, according to the Chief of the Defence Staff, General Eyre.³² There was a deterioration in the country, he said, from the announcement of the U.S. withdrawal. In the words of General Eyre, as of 1 April 2021, “our intelligence assessed that the Afghan government was facing a likely defeat, and as time progressed,

28 Government of Canada, [*Operation Aegis: Technical Briefing – August 26, 2021*](#).

29 Government of Canada, “Safety and security,” [*Afghanistan*](#), last updated 6 April 2022.

30 AFGH, [*Evidence*](#), 21 March 2022, 1950 (Reid Sirrs, Former Ambassador of Canada to Afghanistan, Global Affairs Canada).

31 AFGH, [*Evidence*](#), 4 April 2022, 1940 (Jennifer Loten, Director General, International Crime and Terrorism, Global Affairs Canada).

32 AFGH, [*Evidence*](#), 9 May 2022, 1840 (Gen Wayne D. Eyre). Further to the issue of Canada’s reliance on allied intelligence, Minister of Foreign Affairs Mélanie Joly commented that, by mid-July 2021, “all remaining allied military and intelligence assets in Afghanistan were confined to Kabul.” See AFGH, [*Evidence*](#), 2 May 2022, 1835 (Hon. Mélanie Joly, Minister of Foreign Affairs).



the timeline for that defeat reduced as well.”³³ In subsequent remarks, General Eyre expanded on the nature of the expected defeat, namely that, “should western forces withdraw, the Taliban would likely decisively defeat the [Afghan National Defense and Security Forces], capture most major urban areas and re-establish Taliban control over most of Afghanistan.”³⁴ By 8 July 2021, the CAF assessed that a “maximum” of six months remained before that eventuality. At the same time, General Eyre stressed that intelligence assessments reflect probabilities and not absolute certainties.³⁵

The Special Committee was given a general sense of how the government’s contingency planning evolved. The Honourable Harjit Sajjan, speaking about his former role as Minister of National Defence (2015–2021), indicated that Global Affairs Canada had submitted a request for assistance from the CAF to ensure the security of embassy personnel in Afghanistan. That request, which was necessary for any troops to be deployed, was “authorized in early April [2021].”³⁶ The CAF’s strategic advisory team was in place as of 24 April 2021 with instructions to provide warning and advice to Canada’s head of mission—i.e., Ambassador—regarding embassy security.³⁷ Minister Sajjan said that, later, because conditions in the country were “drastically deteriorating,” the CAF team—which was expanded—“changed its system of support toward the evacuation of as many people as possible at that time.”³⁸ In reply to another question about timing, Minister Sajjan remarked that Canada’s “evacuation started as soon as we felt the situation was deteriorating.”³⁹

Ambassador Sirrs provided further details about the government’s contingency planning and the core assessments that were informing decision-making at the time. He said:

Up until a few days before the decision to temporarily suspend embassy operations, Canada and the international community were expecting difficult times in August and September, but not a complete takeover of the capital. In fact, we expected the Afghan military to defend the city until the onset of winter, allowing time for negotiations to continue.

With this in mind, we were considering options to maintain a skeletal presence throughout the fall so we could continue essential programming as well as support

33 AFGH, *Evidence*, 9 May 2022, 1840 (Gen Wayne D. Eyre).

34 Ibid., [1905](#).

35 Ibid.

36 AFGH, *Evidence*, 4 April 2022, 1845 (Hon. Harjit S. Sajjan, Minister of International Development).

37 AFGH, *Evidence*, 9 May 2022, 1905 (Gen Wayne D. Eyre).

38 AFGH, *Evidence*, 4 April 2022, 1845 (Hon. Harjit S. Sajjan).

39 Ibid., [1925](#).

possible evacuation efforts. With the support of [the] special advisory team from the Canadian Armed Forces we were able to continually update our concepts of operation for maintaining a presence in the country to a temporary suspension of operations and implementation of a non-combatant evacuation operation. This team was also instrumental in securing space in the air bridge that became an essential bridge for getting so many people out of the capital.⁴⁰

Commenting on the extent and pace of evacuation efforts that Canada had carried out prior to the collapse of the Afghan republic, Ambassador Sirrs indicated that planning for a special immigration measures policy “went back into March [2021].”⁴¹ He also commented that the republic’s authorities had “started barring people who did not have passports or their Afghan *tazkiras*—national identity cards—on the planes.”⁴² Those constraints reflected a larger political context, according to Ambassador Sirrs, wherein the president of the Afghan republic “did not want Afghans leaving because he felt that there would be a brain drain, and we retorted that we needed to have part of the brain come with us so that they could come back and build the country later on.”⁴³ Minister Anand echoed this point, noting that the “former Afghan government was concerned that a mass exodus of people would signal a lack of confidence among its citizens.”⁴⁴

Looking back on these events, testimony and information provided by other witnesses suggested that signs may have been missed and time to evacuate people, when more options were available, may have been lost.

40 AFGH, [Evidence](#), 21 March 2022, 1950 (Reid Sirrs).

41 Ibid., [1955](#). When asked about efforts that were made to get interpreters to safety after Canada’s military mission had ended, Reid Sirrs referenced special immigration programs from 2009 and 2012 that had run their course. He said that when he arrived in Afghanistan in 2014, for a previous posting, “it appeared that there were those who had missed out and had appealed for another round of the program.” According to Reid Sirrs, he and then Ambassador Deborah Lyons “made a recommendation to Ottawa to elevate this at [what was then Citizenship and Immigration Canada], … to basically see if there was an opportunity to open the program again. The minister at the time decided that, no, sufficient time had been granted, and so the matter wasn’t pursued any further.” See Ibid., [2005](#). The Special Committee also received copies of letters that the Honourable Erin O’Toole, Member of Parliament, sent to the Minister of Immigration between 2015 and 2017 regarding Canada’s former interpreters. A March 2017 reply from then Minister Ahmed Hussen confirmed that the special measures had ended and that the individual in question could review the eligibility requirements for Canada’s other immigration programs. Correspondence received by AFGH, 6 May 2022.

42 AFGH, [Evidence](#), 21 March 2022, 2000 (Reid Sirrs). General Eyre indicated that the passport requirement had prevented a number of Canada’s evacuation flights prior to 15 August 2021 from departing at full capacity. See AFGH, [Evidence](#), 9 May 2022, 1855 (Gen Wayne D. Eyre).

43 AFGH, [Evidence](#), 21 March 2022, 1950 (Reid Sirrs).

44 AFGH, [Evidence](#), 9 May 2022, 1835 (Hon. Anita Anand).



The United Nations Refugee Agency (UNHCR) was asked about the contingency planning it was doing for Afghanistan and the region, which was completed in December 2020 and shared with governments—including the Government of Canada—in early 2021.⁴⁵ The document noted that the situation in Afghanistan, “including a complex peace process and the withdrawal of international forces and a volatile security environment has given rise to an unpredictable trajectory.” The UNHCR was preparing for two possible scenarios. The first was increased internal displacement caused by escalating conflict, political instability, and a stalled peace process. The second scenario was heightened conflict and a breakdown of the peace process, which would saturate the absorption capacity of communities, “resulting in exponential internal displacement and outflows of Afghans seeking international protection in neighbouring countries.”⁴⁶

When asked whether action should have been taken earlier, Stephen Peddle—who retired from the Canadian Armed Forces as a senior intelligence officer with the rank of major—replied:

The moment that President Donald Trump announced to the world that America was leaving Afghanistan, I think anyone who was in Afghanistan knew the writing was on the wall as to what was going to happen. The question was when, and then President Biden gave a date.

There were lots of opportunities long before July or August 2021 to bring all the Afghans who helped us, who we had records of, over to Canada. There is no excuse whatsoever for us to have waited until August 2021, when we knew that Afghanistan was folding. There's no excuse whatsoever for waiting that long.⁴⁷

Wazhma Frogh, founder of the Women & Peace Studies Organization—Afghanistan, told the Special Committee that the collapse of the Afghan republic and the fall of Kabul to the Taliban “didn’t just happen overnight.” In her view, the 2020 agreement between the United States and the Taliban, and not 15 August 2021, was “the start of Afghanistan’s political surrender.” With the Doha agreement, she said, legitimacy was given to the

45 AFGH, *Evidence*, 31 January 2022, 2010 (Indrika Ratwatte, Director, Regional Bureau of Asia and the Pacific, Office of the United Nations High Commissioner for Refugees).

46 The United Nations Refugee Agency (UNHCR), *Afghanistan Situation: Emergency Preparedness and Response Plan 2021*. Document provided to AFGH, 4 March 2022.

47 AFGH, *Evidence*, 28 February 2022, 2015 (Stephen Peddle, As an Individual).

Taliban, while representatives from the Afghan republic were not included as signatories. That was, she said, “when things started getting much worse in local communities.”⁴⁸

Major-General (retired) David Fraser referenced a letter that he and others sent in early July 2021 “to the implicated ministers asking them to create a pipeline to evacuate vulnerable Afghans.”⁴⁹ In his view, “[i]f three retired generals without access to intelligence saw this coming in July, there could have been a lot more people evacuated out of Afghanistan before Kandahar fell and before Kabul fell.”⁵⁰

That was not the only letter that was sent or appeal that was made. Wendy Long, Director of Afghan-Canadian Interpreters, had started writing letters in November 2018 to Canada’s then Minister of Immigration, Ahmed Hussen. She told the Special Committee:

As the Doha peace talks progressed, the pleas for an immigration process mounted and concerns started coming in from veterans worried about those left behind. Some veterans had spent thousands of dollars in attempts to get interpreters here, without results, adding to their mental anguish.⁵¹

After compiling files on Afghans who had been part of the Canadian mission, Wendy Long’s organization and 15 other international advocacy groups sent an open letter to Prime Minister Justin Trudeau on 1 June 2021, as well as to then Minister of Immigration Marco Mendicino, then Minister of Foreign Affairs Marc Garneau, then Minister of National Defence Harjit Sajjan, and other NATO leaders.⁵² The letter warned that time was “running out to protect NATO’s local Afghan allies.”⁵³ Furthermore, the signatories suggested that,

48 AFGH, [Evidence](#), 28 March 2022, 2045 (Wazhma Frogh, Founder, Women & Peace Studies Organization – Afghanistan). Dr. Lauryn Oates even suggested that the fall of Afghanistan “was not inevitable.” In the view of her organization, “The response of the international community, led by the U.S. and including Canada and other governments that followed suit, played a role in enabling this outcome, when governments rather should have united to prevent it.” See AFGH, [Evidence](#), 7 February 2022, 2000 (Dr. Lauryn Oates, Executive Director, Canadian Women for Women in Afghanistan).

49 AFGH, [Evidence](#), 14 February 2022, 1945 (Major-General (Retired) David Fraser, Afghan Strategic Evacuation Team, As an Individual).

50 Ibid., [2005](#).

51 AFGH, [Evidence](#), 28 February 2022, 1850 (Wendy Long, Director, Afghan-Canadian Interpreters).

52 Ibid.

53 Afghan-Canadian Interpreters, et al., [Letter to the Right Honourable Justin Trudeau](#), 1 June 2021.



Without a coordinated effort to guarantee the protection of the Afghan local staff that supported its partner nations, NATO risks betraying its own promise that the “drawdown will be orderly, coordinated, and deliberate.”⁵⁴

In addition to the people who had played a direct role supporting military and diplomatic missions, there was also growing concern for people who were associated with the larger project of building democracy and advancing women’s rights in Afghanistan. These concerns were reflected in a letter that was written to Minister Mendicino on behalf of the Afghan Women’s Organization Refugee & Immigrants Services. Asma Faizi, the organization’s president, explained that they had been approached “by women parliamentarians and activists from inside Afghanistan” concerning “the dire situation they were in.”⁵⁵ Dated 26 July 2021, the letter urged the Canadian government to “take immediate action to protect Afghan women and girls” since the situation had taken “a dark turn with the withdrawal of US and NATO military forces.” Furthermore, the letter communicated the organization’s understanding that the Taliban had “reoccupied more than half of Afghanistan and the gains that have been made in the past 20 years, particularly by women, are now at dire risk.”⁵⁶

Evacuating Canada’s Afghan Allies and the Process Involved

During a meeting in June 2021 with Immigration, Refugees and Citizenship Canada (IRCC), Wendy Long’s organization,

stressed that we needed a fast and effective means to get people assessed initially and then more completely processed in either Canada or elsewhere. We stressed that there was no time or money for passports if people didn’t already have them, and we recommended a refugee-type approach. Most applicants had no access to laptops or printers, and any process would have had to be cellphone-based, since any other method would expose the applicant to identity theft, fraud or death.⁵⁷

Nevertheless, testimony suggested that the process that unfolded was administratively and logically complex. The special program to resettle Afghan nationals who have an

54 Ibid.

55 AFGH, *Evidence*, 14 February 2022, 1855 (Asma Faizi, President, Afghan Women’s Organization Refugee and Immigrant Services).

56 Afghan Women’s Organization, written responses to questions, 4 March 2022

57 AFGH, *Evidence*, 28 February 2022, 1850 (Wendy Long).

enduring connection to the Government of Canada was announced on 23 July 2021.⁵⁸ Corey Shelson, who served in the Canadian Armed Forces from 2002 until 2015, including as a combat engineer troop commander, characterized the application process as “bureaucratic.” From his perspective,

providing forms that could be opened only in Adobe Acrobat Pro DC and requiring that they be signed, scanned and returned, demonstrated a lack of sensitivity to the situation on the ground and placed affected individuals at undue risk.⁵⁹

The initial communications the Government of Canada sent, without being translated into Pashto or Dari, showed—in Mr. Shelson’s view—a further “lack of sensitivity,” as did the reliance on email.⁶⁰

This perspective was supported by Stephen Peddle, who made the following observation about the risks involved as people were trying to escape a war zone:

These folks, who didn’t have Internet access, were in provinces outside of Kabul. To get Internet access, they were going to Internet cafés—which at that point, no doubt, had Taliban or sympathizers—to fill out paperwork articulating how they helped Canada join the war against the Taliban, so that they could eventually get their immigration approved and get on those planes.⁶¹

Even when people made it through the paperwork, there was confusion about next steps. Describing the experience of the family members of his former interpreter, Stephen Peddle said:

When, eventually, they got through that screening process and were making their way on their own to Kabul for evacuation, they had little or no detail as to what was going to happen next, when the planes were leaving and how to get on those planes.⁶²

58 Immigration, Refugees and Citizenship Canada (IRCC), [Government of Canada offers refuge to Afghans who assisted Canada](#), News release, 23 July 2021. A second, “humanitarian,” program was launched on 13 August 2021. It is for Afghan women leaders, human rights defenders, persecuted religious or ethnic minorities, journalists, and LGBTI individuals in need of resettlement. See IRCC, [Canada expands resettlement program to bring more Afghans to safety](#), News release, 13 August 2021.

59 AFGH, [Evidence](#), 28 February 2022, 1940 (Corey Shelson, As an Individual).

60 Ibid.

61 AFGH, [Evidence](#), 28 February 2022, 1950 (Stephen Peddle).

62 Ibid.



The family was “trying to navigate through Taliban checkpoints to get to Kabul.” However, according to Mr. Peddle, once they arrived, there were no clear directions for “how to get on those planes.”⁶³

Corey Shelson also described the challenges generated by the “chaotic” conditions that had taken hold around Kabul’s airport.⁶⁴ The seeming lack of a direct communication channel at the airport gates between those seeking to flee and the Canadian government personnel and armed forces who were deployed there did not, according to his testimony, help. Mr. Shelson asked Members of the Special Committee to envision themselves in the following situation:

You have a few young kids, your wife, a two-year-old, a three-year-old and a four-year-old, and you get a call at four o’clock in the morning to pack up your family and get to the airport because your plane to Canada is coming. You grab your kids, throw them in a taxi and get all the way to the airport, and you wait, and you wait and you wait.⁶⁵

Wendy Long characterized Canada’s special program for Afghan interpreters and others who had supported Canada’s mission in Afghanistan as “the most generous and all-encompassing of any NATO member country.”⁶⁶ Ultimately, however, “for so many, Canada had left too little time to do the job right,” she said. Once Afghanistan had fallen to the Taliban on 15 August 2021, “[a]ny hope for a swift but orderly evacuation went out the window, effectively leaving thousands behind again.”⁶⁷

Oliver Thorne, Executive Director of the Veterans Transition Network, was even more candid. He suggested that the Government of Canada “was not prepared for the collapse of the Afghan government and the resulting humanitarian crisis.” In Mr. Thorne’s view, the “result was a hasty announcement of an immigration program that IRCC was not sufficiently prepared for or staffed to execute.”⁶⁸

63 Ibid.

64 AFGH, *Evidence*, 28 February 2022, 2020 (Corey Shelson).

65 Ibid.

66 AFGH, *Evidence*, 28 February 2022, 1850 (Wendy Long).

67 Ibid.

68 AFGH, *Evidence*, 14 February 2022, 1955 (Oliver Thorne, Executive Director, Veterans Transition Network). The staffing issue was also highlighted by Corey Shelson who said that “when the special immigration program was announced, the IRCC had only two people to triage inbound emails.” Additional resources, according to him, were not in place “until September [2021], which was already after the evacuation ended.” See AFGH, *Evidence*, 28 February 2022, 1940 (Corey Shelson).

Roles and Responsibilities During the Evacuation

GAC confirmed to the Special Committee that it is the lead department “for international consular situations and emergencies” like the one that unfolded in Afghanistan. That lead is “established under Canadian law.”⁶⁹ IRCC has the “mandate in terms of responsibilities for immigration” into Canada.⁷⁰ National Defence and the CAF supported the evacuation operation from Kabul pursuant to a request for their assistance that GAC and IRCC had made on 27 July 2021.⁷¹

In reference to the actual evacuation period, Cindy Termorshuizen, GAC’s Associate Deputy Minister of Foreign Affairs, characterized the collaboration between National Defence, IRCC, and GAC as having been “excellent.”⁷² Embedded in GAC’s emergency watch and response centre were officials from National Defence and the CAF, as well as IRCC. She said that then Minister of Foreign Affairs Marc Garneau was briefed “on a daily basis.”⁷³ General Eyre also mentioned daily interdepartmental task force meetings that were held at the level of assistant deputy ministers during that time, as well as meetings of deputy ministers and the Chief of the Defence Staff that took place approximately every second day.⁷⁴

Even so, what happened in Afghanistan was not a typical consular emergency. There were unique challenges posed by this case, which necessitated the evacuation of thousands of vulnerable non-Canadians from a landlocked country that was in situation of active conflict and on the verge of being taken over by a hostile actor—the Taliban. Speaking generally about the challenges involved with Afghanistan, the Honourable Sean Fraser, Minister of Immigration, Refugees and Citizenship, acknowledged that he does not think “that permanent, ordinary refugee resettlement programs are particularly well designed to respond to crises as they occur in real time.”⁷⁵

Testimony from some witnesses suggested that the number of Canadian government entities involved in responding to the deteriorating situation in Afghanistan, and the

69 AFGH, [Evidence](#), 2 May 2022, 2005 (Cindy Termorshuizen, Associate Deputy Minister of Foreign Affairs, Global Affairs Canada).

70 AFGH, [Evidence](#), 4 April 2022, 2015 (Paul Thoppil, Assistant Deputy Minister, Asia Pacific, Global Affairs Canada).

71 AFGH, [Evidence](#), 9 May 2022, 1925 (General Wayne D. Eyre).

72 AFGH, [Evidence](#), 2 May 2022, 1930 (Cindy Termorshuizen).

73 Ibid., [2000](#).

74 AFGH, [Evidence](#), 9 May 2022, 1945 (Gen Wayne D. Eyre).

75 AFGH, [Evidence](#), 25 April 2022, 1950 (Hon. Sean Fraser, Minister of Immigration, Refugees and Citizenship).



gaps between their distinct responsibilities, may have exacerbated the difficulties that were encountered in what was an already extremely challenging environment. Wendy Long stated: “There was no effective partnership.” In her view, the CAF, IRCC and GAC “were not looking at it as a mission that all three entities should have been taking part in for the end goal of getting our people to Canada.”⁷⁶

Corey Shelson detailed his understanding of interdepartmental roles and responsibilities during the evacuation as follows:

IRCC was the department that applications would go through, and they were the ones who were calling people to the airport by email. The Canadian Forces were, in my understanding, manning the gates, and GAC had to approve the people who would get inside. So you had three different departments that weren’t all talking to each other. We had folks getting called to the airport, but when they got there, their visa had the names of only some of the people, therefore GAC wouldn’t let them in. You had IRCC not talking to GAC; CAF being told—and I spoke with several MPs, including Mr. Mendicino, who told me that the Canadian Armed Forces on the ground would have discretion at the gate. That never occurred. If your name wasn’t on a GAC list, you did not get through the gate.⁷⁷

When asked if Canada had evacuated any Afghans who managed to make it through any of the airport gates, but who were not on a GAC or IRCC list, General Eyre replied in the affirmative. He said that CAF personnel on the ground “made decisions at times to take Afghans who weren’t on the list because they were part of a vulnerable community or there was sufficient evidence to believe that, yes, there was some link with Canada.”⁷⁸ Yet despite this, there were many reports of families being separated. Some did not manage to get on the evacuation flights because their spouse and/or some of their children were not on the list.

Explaining why the decision was made to close Canada’s embassy on 15 August 2021, Ambassador Sirrs referenced information he had received on 12 August 2021, which led him “to believe that the security of the embassy and all the people who worked within its compound was at risk of attack from the Taliban.”⁷⁹ A “special consular team” was deployed to the Kabul airport a few days after the embassy closed to assist with the broader evacuation efforts.⁸⁰ Nevertheless, Ambassador Sirrs acknowledged that the

76 AFGH, *Evidence*, 28 February 2022, 1910 (Wendy Long).

77 AFGH, *Evidence*, 28 February 2022, 2020 (Corey Shelson).

78 AFGH, *Evidence*, 9 May 2022, 1900 (Gen Wayne D. Eyre).

79 AFGH, *Evidence*, 21 March 2022, 1950 (Reid Sirrs).

80 Ibid.

pressure on the airport—by that time the only exit point from the country—was so high that Canada could not “sustain any more volume to go through.”⁸¹ As he described the operation of the U.S.-led air bridge, “Canada only had so many time slots to get planes in, load them and get people out.”⁸² The Special Committee was informed that Canada was given one slot per day.⁸³

A more critical perspective of the embassy’s role was put forward by David Lavery, a retired non-commissioned officer of the CAF who had gone on to serve with the UN Department of Safety and Security and then entered the private sector. Mr. Lavery was in Kabul working on behalf of several of the veteran and volunteer-based organizations that testified before the Special Committee, after those organizations had approached him in early July 2021. Lavery’s team offered to provide support and updates to GAC, IRCC and the CAF, but that elicited “little to no response or interest.” Furthermore, Mr. Lavery suggested that the “ambassador and his team’s non-presence had a significant impact on getting out our Canadian Afghan applicants and families.”⁸⁴

That point was echoed by Major-General (retired) Dean Milner, who was Canada’s final commander in Kandahar and the commander when Canada’s overall military mission in Afghanistan ended in 2014. In his opinion, “moving the embassy out was embarrassingly way too fast.”⁸⁵ Speaking more broadly, Major-General (retired) Milner believes that the absence of “clear leadership” within government and “a clear plan” to guide its efforts resulted in an outcome where “we only managed to pull out maybe about 15% to 17% of those critical interpreters who soldiered alongside us.”⁸⁶

Major-General (retired) David Fraser also emphasized the importance of clear lines of decision-making and coordination. During the evacuation, and after, he and his colleagues urged the government “to create an interdepartmental task force with one leader.” There is a need, according to Major-General (retired) Fraser, for there to be “one minister” who has “the pre-eminent authority and responsibility” to manage across the departments that are involved in getting people to safety.⁸⁷

81 AFGH, *Evidence*, 21 March 2022, 2015 (Reid Sirrs).

82 Ibid.

83 AFGH, *Evidence*, 9 May 2022, 1945 (VAdm J.R. Auchterlonie).

84 AFGH, *Evidence*, 28 February 2022, 1900 (David Theodore Lavery, As an Individual).

85 AFGH, *Evidence*, 14 February 2022, 2005 (Major-General (Retired) Dean Milner, Afghan Strategic Evacuation Team, As an Individual).

86 Ibid., [2000](#).

87 AFGH, *Evidence*, 14 February 2022, 2010 (Major-General (Retired) David Fraser).



The Special Committee's Observations and Recommendations

Even if the exact point at which the Taliban's ascendancy became inevitable could not have been predicted with certainty, the Special Committee believes that greater prudence—and, therefore, a more proactive approach—was warranted in response to Afghanistan's clearly worsening trajectory. Testimony underscored the peril facing those who were associated with the international coalition. Given the Taliban's history and the long campaign it fought against coalition forces and the Afghan republic, the risks were known. The Special Committee acknowledges the complexities and danger involved with the operation of the air bridge from Kabul, and it commends those who made it possible. At the same time, it believes that, long before 15 August 2021, the risks associated with the Taliban should have compelled greater urgency and a more systematic policy and planning effort across the Canadian government to help people reach safety before it became much harder to do so.

When it comes to Canada's machinery of government, this study has shown that Canada has the capacity to act and systems to coordinate efforts once a situation reaches the level of a full-fledged crisis. However, what was less clear is if the government is equipped, structured, and instructed to act in the same cohesive and timely manner in response to situations that require foresight and action over longer time horizons, before a worst-case scenario has taken hold. Such an approach, as was called for with Afghanistan, requires not only the exchange of information between departments and the harnessing of institutional memory, but clear leadership and decision-making to guide all aspects of Canada's response. In the words of Warda Meighen, Partner, Landings LLP, "We have to be prepared before the moment requires it."⁸⁸

Some departments have conducted an internal lessons-learned exercise or after-action review.⁸⁹ However, the results of those exercises were not communicated to the Special Committee, and it was not clear that a formal, comprehensive, and whole-of-government review has been completed.⁹⁰ As noted, Afghanistan was Canada's largest military deployment since the Second World War. The country is also arguably where Canada made its most significant direct contribution to a state-building and development effort in a fragile state. Given this involvement and the anguish that the

88 AFGH, *Evidence*, 20 May 2022, 1425 (Warda Meighen, Partner, Landings LLP).

89 AFGH, *Evidence*, 2 May 2022, 2005 (Cindy Termorshuizen); and AFGH, *Evidence*, 9 May 2022, 1940 (Gen Wayne D. Eyre).

90 AFGH, *Evidence*, 9 May 2022, 1940 (Bill Matthews, Deputy Minister of National Defence, Department of National Defence). On the question of an interdepartmental lessons-learned exercise, General Eyre stated: "We provided input to a [Privy Council Office]-led post-operation review. I have not seen the output of that." See AFGH, *Evidence*, 9 May 2022, 1940 (Gen Wayne D. Eyre).

Taliban's return to power has caused for so many, the Special Committee believes that what transpired in Afghanistan requires full review and putting in place best practices for the future to be shared with Canadians. It should be treated with the highest scrutiny by the Government of Canada and the greatest possible candor.

Recommendation 1

That the Government of Canada re-examine its whole-of-government review of lessons learned from Afghanistan to ensure the review addresses all aspects of the government's performance in Afghanistan from February 2020 onwards, including in relation to its contingency planning and the information and assessments that informed those plans and decisions, and incorporates all departmental "after-action" analysis that has been completed, as well as the findings and recommendations from this study. Furthermore, that the Government of Canada, while protecting any security clearance requirements, share the full outcome of its review with all relevant departments and agencies, and summarize the review's main findings in its response to this Special Committee's report.

Recommendation 2

That, when signs point to an emerging crisis in another country that implicates Canada's interests, the Government of Canada quickly establish a structure of interdepartmental coordination, communication, and planning, as well as streamlined leadership and decision-making authority across departments, with one person responsible, to ensure a coherent and timely response. That, to facilitate such crisis management efforts in the future, the Government of Canada confirm the roles and responsibilities of each department and minister, as well as the way in which allied and partner governments and non-governmental actors are to be engaged. Unless otherwise directed by the Prime Minister, the Minister of Foreign Affairs and Global Affairs Canada are the lead minister and department for evacuation operations.

Recommendation 3

That the Government of Canada ensure that Immigration, Refugees and Citizenship Canada creates an emergency mechanism ready to be deployed in the event of future humanitarian crises, which would allow the Minister to activate quickly, and according to need, various measures such as the lifting of biometric data requirements, the introduction of special visas, the establishment of refugee sponsorship programs, and the establishment of air gateways.



Recommendation 4

That the Government of Canada ensure it has the ability to surge resources to relevant embassies and departments, and to reallocate personnel within those departments, as necessary, when conditions in another country that implicates Canada's interests are deteriorating.

PART II: LOOKING FORWARD

Humanitarian Needs in Afghanistan

While needs in Afghanistan have intensified significantly since August 2021, Afghanistan's people were facing hardships and vulnerabilities even before the internationally supported government collapsed. This context was framed by Asma Faizi, who said:

Afghans find themselves at the intersection of four decades of war imposed on them, political and economic instability, corruption, widespread human rights abuses, a global pandemic, back-to-back droughts in the past four years and a harsh winter.⁹¹

Within that overall picture, women and children are “at the front line and are disproportionately affected.”⁹²

The collapse of the government triggered the suspension of international assistance from bilateral and multilateral donors and development banks.⁹³ The Afghan state and economy were heavily dependent on those flows. The World Bank had assessed that Afghanistan's economy was “shaped by fragility and aid dependence.”⁹⁴ Grants were financing some 75% of total public expenditure and were responsible for around 45% of Afghanistan's gross domestic product in 2020.⁹⁵ With the abrupt return to power of the

91 AFGH, *Evidence*, 14 February 2022, 1835 (Asma Faizi).

92 Ibid.

93 In 2020–21, Canada provided \$199 million to Afghanistan, mostly in the form of development assistance, making the country the 2nd-highest overall recipient of Canadian international assistance. See Government of Canada, *Statistical Report on International Assistance: Fiscal Year 2020–2021*, 2022, pp. 6 and 26. Since the Taliban takeover in August 2021, Canada has only provided humanitarian assistance to Afghanistan. See Government of Canada, “Afghanistan,” *Minister of International Development Briefing Book*, October 2021.

94 World Bank Group, *Afghanistan Development Update, April 2021: Setting Course to Recovery*, 2021, p. 4.

95 The World Bank report further notes that, “[w]hile overall aid levels remained exceptionally high, this largely reflected high security grants, with per capita civilian grant levels comparable to other low-income countries.” See The World Bank, *Afghanistan Development Update, April 2022: Towards Economic Stabilization and Recovery*, 2022, p. 1.

Taliban, Afghanistan—whose currency reserves held abroad were frozen⁹⁶—experienced a significant fiscal contraction at the same time as it essentially became cut-off from the international banking and payments systems. That occurred because the Taliban have long been subject to sanctions in relation to terrorism.

The overall result for the country has been “near economic and institutional collapse, including an inability to provide most basic services and pay civil servant salaries.”⁹⁷ The net effect for the Afghan people is that prices have increased, livelihoods have disappeared, and household resources have been exhausted.⁹⁸ This crisis, in the words of Asma Faizi, has been “fuelled by both a lack of response on the part of the international community and the Taliban’s inability to be an inclusive and representative government for all its people.”⁹⁹

When the Special Committee began its study, the World Food Programme (WFP) indicated that approximately half of Afghanistan’s population—some 23 million people—were facing acute food insecurity.¹⁰⁰ That was being seen “across all 34 provinces.” What is more, urban residents were “suffering from food insecurity at similar rates to rural communities” for the first time.¹⁰¹ For the March–May 2022 period, it was estimated that 19.7 million people in Afghanistan were still facing high levels of acute food insecurity. The reduction from previous months was mainly driven by the significant scale-up of humanitarian food assistance to the country.¹⁰²

96 On 11 February 2022, President Biden [issued](#) an [executive order](#) that blocked, consolidated and split the US\$7 billion in assets belonging to Afghanistan’s central bank that were held in the United States. Half has been set aside for the eventual benefit of the Afghan people through a trust fund, the parameters of which are still to be determined, and the other half is attached to litigation that had been brought forward by the families of victims of the September 2001 terrorist attacks, [assuming](#) the court in New York hearing those claims gives its permission to proceed in this manner.

97 Doctors Without Borders, [brief](#), 29 March 2022.

98 United Nations Office for the Coordination of Humanitarian Affairs (OCHA), [Humanitarian Response Plan: Afghanistan](#), Humanitarian Programme Cycle 2022, January 2022; and OCHA, [Humanitarian Needs Overview: Afghanistan](#), Humanitarian Programme Cycle 2022, January 2022.

99 AFGH, [Evidence](#), 14 February 2022, 1835 (Asma Faizi).

100 The number of people – 22.8 million – in Afghanistan who were projected to be facing acute food insecurity (crisis or emergency levels) for the November 2021 to March 2022 period represented an almost 35% increase from the same season the year before. See Integrated Food Security Phase Classification, [Afghanistan: IPC Acute Food Insecurity Analysis, September 2021–March 2022](#), October 2021.

101 World Food Programme (WFP), [brief](#), 11 March 2022.

102 Integrated Food Security Phase Classification, [Afghanistan: IPC Acute Food Insecurity Analysis, March–November 2022](#), May 2022.



To encapsulate the enormity of this situation, John Aylieff, Regional Director for Asia and the Pacific at the WFP, said: “Today, millions of people in Afghanistan—young children, families and communities—stand at the precipice of inhumane hunger and destitution.”¹⁰³ Of the 23 million people who required food assistance, nearly 9 million were “one step away from famine,” while some 1 million children were “at risk of perishing this year from acute malnutrition.”¹⁰⁴

In addition to severe food insecurity, Afghanistan’s healthcare system is under strain. Dr. George Varughese, Principal Adviser for Humanitarian and Development Assistance with the United Nations Assistance Mission in Afghanistan, described “severe shortages of medical supplies, fuel to heat hospitals and food and money for staff.” Those shortages have emerged while Afghanistan’s health care system “is confronting five outbreaks: acute watery diarrhea, measles, polio, malaria and COVID-19.”¹⁰⁵

Dr. Jason Nickerson, Humanitarian Representative to Canada for Doctors Without Borders, discussed those shortages and strains in concrete terms. He highlighted the case of a doctor, who had not received a salary for five months, working at a public hospital in Afghanistan where a Caesarean section had to be performed with the light from a mobile phone because “the hospital could not pay for fuel for the generator anymore.”¹⁰⁶ In the view of Dr. Nickerson: “Recent funding announcements still leave the health system with far fewer funds than before, and will not improve a health system that was already failing.”¹⁰⁷

Gender inequality is another long-standing challenge in Afghanistan. In 2020, prior to the Taliban takeover, Afghanistan ranked 169th out of 189 countries on the UN Development Programme’s Gender Inequality Index. As one sign of that inequality, “Afghan women were more likely to be severely food insecure than Afghan men, especially if they were from female-headed households (71.5% v 61.2%).”¹⁰⁸

103 AFGH, [Evidence](#), 31 January 2022, 1900 (John Aylieff, Regional Director, Asia and the Pacific, World Food Programme).

104 Ibid.

105 AFGH, [Evidence](#), 31 January 2022, 1955 (Dr. George Varughese, Principal Adviser, Humanitarian and Development Assistance, United Nations Assistance Mission in Afghanistan).

106 AFGH, [Evidence](#), 7 February 2022, 1835 (Dr. Jason Nickerson, Humanitarian Representative to Canada, Doctors Without Borders).

107 Ibid.

108 World Food Programme, [brief](#), 11 March 2022.

The vulnerabilities facing women and girls are intensifying. Dr. Varughese expressed concern that “gender inequality continues to shape the humanitarian crisis.”¹⁰⁹ Other testimony supported that concern. Of the 3.4 million people who are displaced within Afghanistan, some 80% are women and children.¹¹⁰ Another indicator of heightened vulnerabilities is that “nearly 100% of female-headed household[s] reported facing insufficient food consumption” in February 2022.¹¹¹ Furthermore, it is estimated that 60% of the 4 million Afghan children who are out of school are girls. In addition to lost education, such children face protection risks, including child marriage, child labour and—potentially—trafficking.¹¹²

Many people in Afghanistan are also living with some level of disability, with barriers “amplified for women and girls.”¹¹³ Mines Action Canada observed that, for persons with disabilities “who fear for their lives, the challenging routes out of the country are impassable without assistance.” Furthermore, persons with disabilities, who were already more likely to be living in poverty, lost their monthly government pensions.¹¹⁴

“Today, millions of people in Afghanistan—young children, families and communities—stand at the precipice of inhumane hunger and destitution.”

John Aylieff,
Regional Director for Asia and
the Pacific at the WFP

Amid an economy that has been deprived of “oxygen,”¹¹⁵ some people are confronting impossible—and terrible—decisions. That includes reported instances of “families selling their daughters for future marriage in return for payment.”¹¹⁶ Dr. Sima Samar, former Chairperson of the Afghanistan Independent Human Rights Commission, asked the

109 AFGH, [Evidence](#), 31 January 2022, 1955 (Dr. George Varughese).

110 AFGH, [Evidence](#), 31 January 2022, 1950 (Indrika Ratwatte).

111 World Food Programme, [brief](#), 11 March 2022.

112 AFGH, [Evidence](#), 7 February 2022, 1840 (Manuel Fontaine, Director, Office of Emergency Programmes, United Nations Children’s Fund).

113 Mines Action Canada, [brief](#), 2 March 2022.

114 Ibid.

115 AFGH, [Evidence](#), 31 January 2022, 1900 (John Aylieff).

116 AFGH, [Evidence](#), 31 January 2022, 2005 (Michael Messenger, President and Chief Executive Officer, World Vision Canada).



Special Committee to imagine “the level of desperation needed to sell your children or your organs to feed the rest of the family.”¹¹⁷

Prioritizing and Reaching the Most Vulnerable

The United Nations (UN) system, with its partners, launched an appeal that aims to reach 22.1 million of the 24.4 million people in Afghanistan who are expected to need assistance this year. According to the UN’s humanitarian response plan, doing so will require US\$4.44 billion from donors. That figure represents the largest appeal for a single country the UN system has ever made.¹¹⁸ Some US\$2.4 billion was pledged at a high-level donors’ conference.¹¹⁹ As of 23 May 2022, the appeal had received actual funding for around 30% (or US\$1.34 billion) of its identified requirements.¹²⁰

The Government of Canada provided \$47.1 million in humanitarian disbursements for Afghanistan and neighbouring countries in 2021 and an additional \$94.2 million as of March 2022.¹²¹ The Honourable Harjit Sajjan, Minister of International Development, told the Special Committee that Canada’s “humanitarian response since August [2021] is the largest it has ever been for Afghanistan.”¹²² More than half of Canada’s humanitarian assistance has gone to the WFP, while Canada has also supported programs being delivered by the United Nations Children’s Fund, the International Organization for Migration, and the International Committee of the Red Cross.

The international organizations appearing before the Special Committee emphasized that humanitarian assistance is being directed to the benefit of the Afghan people. John

117 AFGH, [Evidence](#), 28 March 2022, 1945 (Sima Samar, Former Chairperson, Afghanistan Independent Human Rights Commission, As an Individual).

118 United Nations, “[Afghanistan: UN launches largest single country aid appeal ever](#),” *UN News*, 11 January 2022. The US\$1 billion raised for the September 2021 flash humanitarian appeal for Afghanistan may have averted catastrophe. From that funding, according to Dr. Varughese of the UN Assistance Mission in Afghanistan, 18 million people in Afghanistan “received life-saving assistance.” See AFGH, [Evidence](#), 31 January 2022, 1955 (Dr. George Varughese).

119 “[Financial announcements](#),” *Afghanistan Conference 2022: High-Level Pledging Event on Supporting the Humanitarian Response in Afghanistan*, 1 April 2022.

120 OCHA, Financial Tracking Service, [Afghanistan Humanitarian Response Plan 2022](#), accessed 23 May 2022.

121 Global Affairs Canada (GAC), written responses to questions, 14 April 2022. For additional context, see GAC, [Canada announces additional humanitarian assistance to Afghanistan and neighbouring countries](#), News release, 26 August 2021; GAC, [Canada announces \\$56 million in urgent humanitarian assistance for people of Afghanistan](#), News release, 21 December 2021; and GAC, [Canada announces additional \\$50 million in humanitarian assistance for Afghanistan](#), News release, 31 March 2022.

122 AFGH, [Evidence](#), 4 April 2022, 1835 (Hon. Harjit Sajjan).

Aylieff said that the WFP has “insisted from day one on full independence of [its] actions.” He added that assistance “is based on an independent assessment of needs” and is only distributed by the WFP’s implementing partners. There are monitors present, Mr. Aylieff noted, “at every single distribution.” Operating in this manner allows the WFP to maintain its “operational independence,” in keeping with humanitarian principles.¹²³

Accountability measures were also addressed by Patrick Hamilton, Head of Regional Delegation for the United States and Canada, International Committee of the Red Cross (ICRC). His organization is supporting 28 provincial-level hospitals in Afghanistan for “everything from the payment of salaries through to the running costs and medical provisions.”¹²⁴ According to Mr. Hamilton, the ICRC signed a memorandum of understanding with Afghanistan’s new health authorities to clarify that funding will not be channelled through the health ministry itself but will be used to pay the salaries of hospital staff directly. The ICRC has its own monitoring mechanisms, but also “engaged a German-Dutch third party monitoring company” to ensure that the program’s funding “is delivered directly to the intended recipients.”¹²⁵ While the ICRC is “very conscious of the need to avoid trespassing over the various sets of counter-terror legislation” that exist, Mr. Hamilton observed that, under the present circumstances, they must engage with the *de facto* (Taliban) authorities to ensure access to the people the ICRC is seeking to assist and protect.¹²⁶

Responding to a humanitarian crisis with significant human rights dimensions, according to Dr. Lauryn Oates, Executive Director of Canadian Women for Women in Afghanistan, will “require observing the fine balance of delivering meaningful assistance on the ground while not recognizing a regime that is not legitimate and is based on an ideology of violence and nihilism.” She believes that “Canada must at every turn vocally demand that the rights of women be upheld.”¹²⁷

Complementary to that view, Khalidha Nasiri, Executive Director of the Afghan Youth Engagement and Development Initiative, recommended that Canada increase its investment “in humanitarian aid groups that are focused on helping women and girls.” In a situation where mass impoverishment is being forecasted, she said, the people who

123 AFGH, [Evidence](#), 31 January 2022, 1920 (John Aylieff).

124 AFGH, [Evidence](#), 31 January 2022, 1905 (Patrick Hamilton, Head of Regional Delegation, United States and Canada, International Committee of the Red Cross).

125 Ibid., [1925](#).

126 Ibid., [1930](#).

127 AFGH, [Evidence](#), 7 February 2022, 2000 (Dr. Lauryn Oates).



are “most at risk” must be prioritized.¹²⁸ Barbara Grantham, President and Chief Executive Officer of CARE Canada, emphasized that “local women’s leadership is critical to delivering humanitarian aid, especially in marginalized communities, and it must be prioritized in the response efforts.”¹²⁹

According to testimony, as of early 2022, international humanitarian organizations were able to operate throughout Afghanistan. The WFP reported having “unhindered access” to Afghanistan’s 34 provinces.¹³⁰ Martine Flokstra, Operations Manager for Doctors Without Borders, characterized the situation as being “very fluid,” but indicated that security conditions were allowing her organization to continue activities “at times more easily than before the transition of power.”¹³¹ Manuel Fontaine, Director of the Office of Emergency Programmes for the United Nations Children’s Fund (UNICEF), similarly conveyed that, while there were some variations at the regional level, UNICEF personnel were finding it easier to “move around and assess needs and see the reality of the needs on the ground.”¹³² Nevertheless, he cautioned that the situation “could deteriorate quickly.”¹³³

While the WFP’s female staff were “back at work without conditions,” some were required to have “a male escort in certain areas,” but that was also the case before the Taliban’s takeover.¹³⁴ About 95% of the UNHCR’s female staff were also “back in the office as part and parcel of colleagues who visit the field, do field assessments and approach communities to look at their needs.”¹³⁵ However, speaking to the conditions facing women-led non-governmental organizations (NGOs) in Afghanistan, Barbara Grantham said: “While it’s possible in some provinces, the full participation of women humanitarian staff remains limited, which risks marginalizing women and girls even further.”¹³⁶

128 AFGH, [Evidence](#), 7 February 2022, 2015 (Khalidha Nasiri, Executive Director, Afghan Youth Engagement and Development Initiative).

129 AFGH, [Evidence](#), 7 February 2022, 1905 (Barbara Grantham, President and Chief Executive Officer, CARE Canada).

130 AFGH, [Evidence](#), 31 January 2022, 1900 (John Aylieff).

131 AFGH, [Evidence](#), 7 February 2022, 1935 (Martine Flokstra, Operations Manager, Doctors Without Borders).

132 AFGH, [Evidence](#), 7 February 2022, 1855 (Manuel Fontaine).

133 Ibid., [1935](#).

134 AFGH, [Evidence](#), 31 January 2022, 1920 (John Aylieff).

135 AFGH, [Evidence](#), 31 January 2022, 2015 (Indrika Ratwatte).

136 AFGH, [Evidence](#), 7 February 2022, 1905 (Barbara Grantham).

Humanitarian assistance is supposed to reach the population on the basis of need. However, Dr. Sima Samar mentioned a report that some Hazara districts were “receiving very little” of the relief program because “the Hazara-headed NGOs were not included in the distribution.”¹³⁷

The Special Committee’s Observations and Recommendations

After considering the vulnerabilities outlined above, the Special Committee notes that 10 Canadian humanitarian organizations are calling for Canada to ensure that “increased commitments in 2022 reflect the drastically escalating needs” in Afghanistan.¹³⁸ Furthermore, the Special Committee is cognizant that, notwithstanding the relocation and resettlement efforts it believes must remain a priority, there are—in the words of Khalil Shariff, Chief Executive Officer of the Aga Khan Foundation Canada—“tens of millions of Afghans who will continue to remain in the country indefinitely.”¹³⁹

The Special Committee is also aware that humanitarian assistance is designed to provide basic protection and relief from suffering; it cannot take the place of a functioning economy. In this regard, the Special Committee is mindful of Patrick Hamilton’s assessment that the centre of the “catastrophe” facing the Afghan population is “the situation of economic paralysis and the total absence of liquidity today in the Afghan market.”¹⁴⁰ Nevertheless, and however unsatisfying a conclusion this may be, it does not appear that the complex factors contributing to Afghanistan’s economic paralysis will be quickly or easily resolved. A designated terrorist entity’s control of an entire state apparatus—and one that had previously been supported by extensive international assistance—is an unprecedented situation. While those complexities are being navigated

137 AFGH, [Evidence](#), 28 March 2022, 1945 (Sima Samar). Hazaras are one of Afghanistan’s ethnic minorities; they have suffered persecution, particularly under Taliban rule in the 1990s. See AFGH, [Evidence](#), 7 February 2022, 1950 (Ali Mirzad, Senior Government Affairs and Relations Advisor, Canadian Hazara Humanitarian Services). According to Global Affairs Canada, despite the Taliban promise to protect the Hazara population, “there has been a recent spike in deadly attacks against Hazara and Shi'a Muslim communities by the Islamic State-Khorosan Province.” The department further notes that these attacks “come in addition to broader issues of persecution, discrimination, forced conversions and targeted attacks that ethnic and religious minorities face in Afghanistan at the hands of armed groups.” Global Affairs Canada, written responses to questions, 30 May 2022.

138 [Brief](#) submitted jointly by Action Against Hunger Canada, Canadian Foodgrains Bank, Canadian Red Cross Society, CARE Canada, Cooperation Canada, Human Concern International, Islamic Relief Canada, Presbyterian World Service & Development, Save the Children Canada, and World Vision Canada, 11 March 2022.

139 AFGH, [Evidence](#), 21 March 2022, 2010 (Khalil Shariff, Chief Executive Officer, Aga Khan Foundation Canada).

140 AFGH, [Evidence](#), 31 January 2022, 1905 (Patrick Hamilton).



by the international community, basic needs can be met, and humanitarian principles upheld.

Recommendation 5

That the Government of Canada instruct Global Affairs Canada to allocate—at minimum—Canada’s fair share of funding toward the United Nations humanitarian appeals for Afghanistan, with funding being increased should needs increase markedly.

Recommendation 6

That the Government of Canada ensure, as part of its response to the humanitarian crisis in Afghanistan, that Global Affairs Canada supports trusted organizations whose primary focus is vulnerable populations, while also ensuring that its humanitarian assistance is reaching the most vulnerable populations in Afghanistan—of all ages, abilities, genders, ethnicities and religions—on the basis of need.

Recommendation 7

That the Government of Canada ensure that Global Affairs Canada continues to monitor the humanitarian environment in Afghanistan, and that it take action with its partners in response to any credible reports that humanitarian assistance is being impeded or that the *de facto* authorities are limiting the roles of women humanitarian actors or the services and support they deliver.

Recommendation 8

That the Government of Canada work with its allies and the international financial institutions in support of Afghanistan’s economic stability through an approach that is focused on helping the Afghan people.

The Impact of Sanctions on Aid Delivery

Canadian humanitarian organizations who testified to the Special Committee urgently called for the Government of Canada to provide clarity and assurances in relation to Canada’s sanctions and anti-terrorism financing law and regulations. Otherwise, they cannot operate in Afghanistan.

The UN Security Council has, for years, maintained sanctions—asset freezes and travel bans—on individuals and entities associated with the Taliban.¹⁴¹ After 15 August 2021, there was significant uncertainty regarding the transactions, interactions and activities connected with Afghanistan that would be permissible.¹⁴²

On 22 December 2021, the UN Security Council decided through Resolution 2615—the drafting of which was spearheaded by the United States—that “humanitarian assistance and other activities that support basic human needs in Afghanistan” do not violate the Council’s sanctions regime.¹⁴³ The Council also specified that “the processing and payment of funds, other financial assets or economic resources, and the provision of goods and services necessary to ensure the timely delivery of such assistance or to support such activities are permitted.”¹⁴⁴ Notwithstanding this humanitarian carve-out, the Council also strongly encouraged relevant actors “to use reasonable efforts to minimize the accrual of any benefits,” whether directly or through diversion, to individuals and entities that have been designated for sanctions.¹⁴⁵

John Aylieff of the WFP told the Special Committee that,

The sanctions carve-out by the UN Security Council has helped immensely to give us the space to operate, and that’s all we really needed: the space to operate in a context of where even paying the utility bill of our offices, just to give an example, would otherwise have been at risk of breaching sanctions.¹⁴⁶

Put succinctly, the carve-out has been “critical.”¹⁴⁷

141 United Nations Security Council, “[Security Council Committee established pursuant to resolution 1988 \(2011\)](#),” *Sanctions*. Certain individuals are exempted from the travel ban until 20 June 2022 so long as travel is required for participation in peace and stability discussions related to Afghanistan. See United Nations Security Council, “[Travel exemptions in effect](#),” 1988 Sanctions Committee, *Sanctions*. Briefing the Security Council on 9 September 2021, Special Representative Deborah Lyons indicated that, of the 33 names in the *de facto* administration announced by the Taliban, “many are on the United Nations sanctions list, including the prime minister, the two deputy prime ministers, and the foreign minister.” See United Nations Assistance Mission in Afghanistan, *Briefing by Special Representative Deborah Lyons to the Security Council*, New York, 9 September 2021.

142 Helen Durham and Christopher Harland, “[Carve-out in Kabul: hard won resolution lifts humanitarian roadblock in Afghanistan](#),” *Humanitarian Law & Policy*, International Committee of the Red Cross, 3 February 2022.

143 United Nations Security Council, *Resolution 2615 (2021)*, 22 December 2021, para 1.

144 Ibid.

145 Ibid.

146 AFGH, *Evidence*, 31 January 2022, 1930 (John Aylieff).

147 Ibid.



Nevertheless, Michael Messenger, President and Chief Executive Officer of World Vision Canada, characterized Canada as being “out of step.”¹⁴⁸ Canada’s *Regulations Implementing the United Nations Resolutions on Taliban, ISIL (Da’esh) and Al-Qaida* were last amended in 2020 and, therefore, have not been adjusted following the UN Security Council’s adoption of Resolution 2615.¹⁴⁹

The regulations prohibit a person from knowingly providing any property or financial services to—or for the benefit of—any person or entity associated with the Taliban.¹⁵⁰ The Canadian Red Cross observed that the regulations were “written at a point when the Taliban were a nonstate armed group, not as the effective government ruling Afghanistan, as is the case now.”¹⁵¹ There is a provision in the regulations for an exemption certificate to be issued;¹⁵² such a certificate must be issued if the UN Security Council did not intend for the activity in question to be prohibited.¹⁵³ Nevertheless, the Canadian Red Cross submitted that the exemption provision does not “specifically concern humanitarian action,” and that “the application process can be lengthy and may not be successful.”¹⁵⁴ Furthermore, the provision “does not mitigate the risk under other legal requirements, such as Canadian charities law and the *Canadian Criminal Code*.”¹⁵⁵

The Taliban and the affiliated Haqqani Network were listed as terrorist entities under Canada’s *Criminal Code* in 2013.¹⁵⁶ Witnesses appearing before the Special Committee

148 AFGH, *Evidence*, 31 January 2022, 2005 (Michael Messenger).

149 *Regulations Implementing the United Nations Resolutions on Taliban, ISIL (Da’esh) and Al-Qaida (SOR/99-444)*.

150 Ibid., s. 2.

151 Canadian Red Cross, *brief*, 28 March 2022, p. 3.

152 *Regulations Implementing the United Nations Resolutions on Taliban, ISIL (Da’esh) and Al-Qaida (SOR/99-444)*, s. 9(1).

153 Ibid., s. 9(2).

154 Canadian Red Cross, *brief*, 28 March 2022, p. 3. The brief notes that non-applicability clauses have been included in other cases (p. 5). Canada’s autonomous sanctions legislation, the *Special Economic Measures Act*, allows for regulations to exclude specified persons, property, goods, services and transactions (s. 4(3)). The regulations imposing sanctions on individuals and entities in Burma exclude from their scope any goods or services provided by United Nations agencies, the International Red Cross or Red Crescent Movement, and non-governmental organizations that have a grant or contribution agreement with the Government of Canada “for the purpose of safeguarding human life, disaster relief, democratization, stabilization or providing food, medicine, medical supplies or equipment or development assistance.” See *Special Economic Measures (Burma) Regulations (SOR/2007-285)*, s. 18.

155 Canadian Red Cross, *brief*, 28 March 2022, p. 3.

156 Government of Canada, *Canadian Sanctions Related to Terrorist Entities, including Al-Qaida and the Taliban*; and Public Safety Canada, “Taliban,” *Currently listed entities*.

have drawn attention to the restrictions stemming from subsection 83.03(b) of the *Criminal Code*, which makes a person guilty of an indictable offence and liable to imprisonment for up to 10 years if they, directly or indirectly, collect property, provide or invite a person to provide, or make available property or financial or other related services “knowing that, in whole or part, they will be used by or will benefit a terrorist group.”¹⁵⁷

According to the 10 Canadian humanitarian organizations that submitted a joint brief to the Special Committee,

The initial interpretations provided by Global Affairs Canada indicated that Canadian organizations are thus arguably prohibited from using any Canadian funding (governmental or non-governmental) to directly or indirectly pay ordinary and incidental taxes linked to humanitarian work, including taxes on rent, salaries, vendors or imports in Afghanistan as the Taliban is perceived to be equivalent [to] the de facto government.¹⁵⁸

This view seems to have been confirmed by the Honourable Mélanie Joly, Minister of Foreign Affairs. She indicated that the way in which the relevant sections of the *Criminal Code* had been drafted—in the wake of the terrorist attacks of 11 September 2001—and are now being interpreted, has created a situation where organizations cannot provide any form of indirect aid to the Taliban.¹⁵⁹

The 10 Canadian humanitarian organizations emphasize, with respect to operations in Afghanistan, that not paying taxes “would increase organizational risk, impede the ability to operate and carry out programs, and access required work permits, visas and

157 *Criminal Code*, R.S.C. 1985, c. C-46, [s. 83.03\(b\)](#). Doctors Without Borders also believes there are “legal risks” present for humanitarian organizations in section 83.08 of the *Criminal Code*, which prohibits dealings or transactions connected to a terrorist group or the provision of financial services to, for the benefit of, or at the direction of a terrorist group, as well as section 83.19, which prohibits the facilitation of terrorist activity. See Doctors Without Borders, [brief](#), 29 March 2022, p. 5.

158 [Brief](#) submitted jointly by Action Against Hunger Canada, Canadian Foodgrains Bank, Canadian Red Cross Society, CARE Canada, Cooperation Canada, Human Concern International, Islamic Relief Canada, Presbyterian World Service & Development, Save the Children Canada, and World Vision Canada, 11 March 2022.

159 AFGH, [Evidence](#), 2 May 2022, 1855 (Hon. Mélanie Joly). A memorandum written by four lawyers, which was provided to the Special Committee and Canada’s Minister of Justice, argues – according to the reasoning it lays out – that the simple payment of regular taxes or fees to Afghan authorities would not violate section 83.03(b) of the *Criminal Code*. See Landings LLP, [brief](#), 1 June 2022.



documentation.”¹⁶⁰ To the knowledge of these 10 organizations, “there are no exemptions from the Canadian government that would entirely eliminate risk for Canadian organizations to authorize the prohibited activities.”¹⁶¹

The situation was detailed in the testimony of Barbara Grantham of CARE Canada, who told the Special Committee that,

The current framing of the Criminal Code, as interpreted by the government, is that the risk of prosecution under the code would be entirely borne by humanitarian organizations like CARE if we were to proceed without an exemption or some form of workaround, or a change to the legislation as the current Criminal Code sits. All of those are options. We have been working actively with counterparts inside the Government of Canada to endeavour to bring those options to bear, but the reality is that the timeline here does not jive with the timeline you have heard ... in terms of the short-term acute nature of this crisis.

... Canada is the only significant donor/funder, sovereign funder, to Afghanistan that has not provided some form of exemption or change to its Criminal Code framework that enables the humanitarian organizations from those countries to operate.¹⁶²

Speaking from the perspective of UNICEF, which is part of the UN system and thus enjoys distinct privileges and immunities, Manuel Fontaine observed that Canada’s legislative restrictions are still affecting UN agencies because Canadian funding “can only be used for expenses outside of Afghanistan.” Consequently, according to Mr. Fontaine, if a UN agency tries “to work with NGOs or civil society locally, you cannot do it with Canadian funding, and that’s a problem.”¹⁶³

In their joint submission, the 10 Canadian humanitarian organizations noted that other donors “have recently made exemptions and/or guidelines in order to get aid into

160 [Brief](#) submitted jointly by Action Against Hunger Canada, Canadian Foodgrains Bank, Canadian Red Cross Society, CARE Canada, Cooperation Canada, Human Concern International, Islamic Relief Canada, Presbyterian World Service & Development, Save the Children Canada, and World Vision Canada, 11 March 2022.

161 Ibid.

162 AFGH, [Evidence](#), 7 February 2022, 1905 (Barbara Grantham).

163 AFGH, [Evidence](#), 7 February 2022, 1910 (Manuel Fontaine). The *Criminal Code* provisions apply to Canadian officials when they are making agreements with international aid organizations, which is reflected in how those agreements are designed. See AFGH, [Evidence](#), 2 May 2022, 1935 (Cindy Termorshuizen). For example, Global Affairs Canada explained that Canadian funding to UNICEF is being used to purchase ready-to-use therapeutic food, which is procured outside of Afghanistan. Consequently, the procurement is “not impacted by the tax code of Afghanistan,” and is “not affected by [Canada’s] counterterrorism law.” See AFGH, [Evidence](#), 4 April 2022, 1945 (Stephen Salewicz, Director General, International Humanitarian Assistance, Global Affairs Canada).

Afghanistan, or have adopted a more pragmatic and flexible approach.”¹⁶⁴ Barbara Grantham and Michael Messenger emphasized that theirs were the only national chapters—of the CARE and World Vision networks, respectively—whose operations in Afghanistan have not resumed.¹⁶⁵ World Vision Canada, for example, had two containers “full of packets of ready-to-use therapeutic food … to treat children facing the severest forms of malnutrition… [that] can literally bring children back from the brink of death by starvation.” The organization could not ship them to Afghanistan, despite the pleas from their team on the ground. Each container can help more than 900 children.¹⁶⁶ Programs for which Canadian organizations are the sole external funder will likely be forced to close.¹⁶⁷

Barbara Grantham was asked how CARE’s non-Canadian implementing partners ensure that funding reaches women and girls in need, and not the Taliban. In reply, she cited the organization’s presence in Afghanistan since 1961, its “deep historical trusted relationships with partners and leaders,” and its “extensive monitoring systems.” Ms. Grantham also noted the establishment of an Afghan women advisory group, which she said is advising CARE’s humanitarian country team on its engagement with the Taliban. That provides, in her words, an “interlocutor” between themselves “as civil society organizations and the Taliban to ensure that the intent of what we’re there to achieve and the monitoring systems in place are working to our satisfaction and in a way that fulfills the commitments we have made to the people of Afghanistan.”¹⁶⁸

The Special Committee was informed that the Government of Canada is providing funding for Afghanistan through “a small number of very trusted partners” that have “established measures in place to minimize the risks of misappropriation or diversion of humanitarian assistance and to make sure these emergency relief items go to the people they are intended for.”¹⁶⁹ As noted previously, those partners comprise UN humanitarian

164 [Brief](#) submitted jointly by Action Against Hunger Canada, Canadian Foodgrains Bank, Canadian Red Cross Society, CARE Canada, Cooperation Canada, Human Concern International, Islamic Relief Canada, Presbyterian World Service & Development, Save the Children Canada, and World Vision Canada, 11 March 2022.

165 AFGH, [Evidence](#), 7 February 2022, 1905 (Barbara Grantham); and AFGH, [Evidence](#), 31 January 2022, 2005 (Michael Messenger).

166 AFGH, [Evidence](#), 31 January 2022, 2005 (Michael Messenger).

167 Mennonite Central Committee Canada, [brief](#), 18 May 2022.

168 AFGH, [Evidence](#), 7 February 2022, 1930 (Barbara Grantham).

169 AFGH, [Evidence](#), 4 April 2022, 1950 (Stephen Salewicz).



agencies and the ICRC. Global Affairs Canada recognizes that Canadian law currently “precludes Canadian NGOs from being active.”¹⁷⁰

When asked how other countries have been able to facilitate broader humanitarian action in Afghanistan,¹⁷¹ Christopher MacLennan, Deputy Minister of International Development, indicated that “some countries have put in special measures that allow them to permit things such as a licencing scheme or a way of permitting certain activities that otherwise would be deemed to be a contravention of the code.”¹⁷² Canada’s legislative framework does not contain such a mechanism.¹⁷³ While Minister Sajjan said he could not provide a timeline for resolving this issue, he assured the Special Committee that Global Affairs Canada “is working with Justice and Public Safety to figure out the best step to move forward.”¹⁷⁴

According to Amy Avis, General Counsel for the Canadian Red Cross, what would be most helpful “is some sort of expressed permissibility with regard to the ability to take humanitarian action.”¹⁷⁵ To get there, the Canadian Red Cross has suggested that action could be taken in the immediate term through the issuance of “a Ministerial statement and/or interpretative bulletin” that would outline Canada’s implementation of UN Security Council Resolution 2615.¹⁷⁶ Furthermore, the sanctions regulations could be revised to include a non-applicability clause for the provision of humanitarian assistance. Regarding the *Criminal Code*, the organization suggests that “clarity” could be provided to the humanitarian sector “on permissible action.”¹⁷⁷ In the longer term, if it was

170 Ibid., [2010](#).

171 While U.S. sanctions on the Taliban and the Haqqani Network remain in place, the U.S. Treasury has issued a series of “general licenses” that have clarified and expanded the scope of permissible activities in relation to Afghanistan. The U.S. Treasury has also posted detailed responses to “frequently asked questions.” For its part, Australia’s Department of Foreign Affairs and Trade announced that, pending amendment of the relevant regulation, Australia was implementing the UN Security Council’s humanitarian exemption immediately, “relying on section 2B of the *Charter of the United Nations Act 1945*.” Accordingly, the statement declared, assistance or activities covered by the Security Council’s exemption “do not constitute an offence under Australian sanctions laws.” The United Kingdom amended its regulations to indicate that its financing prohibition does not cover the delivery of humanitarian assistance or “other activities that support basic human needs in Afghanistan.” The European Union similarly amended its regulation.

172 AFGH, Evidence, 4 April 2022, 1915 (Christopher MacLennan, Deputy Minister, International Development, Global Affairs Canada).

173 Ibid., [1900](#).

174 AFGH, Evidence, 4 April 2022, 1920 (Hon. Harjit Sajjan).

175 AFGH, Evidence, 14 February 2022, 1915 (Amy Avis, General Counsel, Canadian Red Cross).

176 Canadian Red Cross, brief, 28 March 2022, p. 1.

177 Ibid.

determined to be necessary as part of ensuring that the relevant sections of the *Criminal Code* are tailored and specific “to the types of activities and context that constitute support of terrorist entities,” an express carve-out could be inserted for legitimate humanitarian action.¹⁷⁸

Michael Messenger of World Vision indicated that,

Based on external legal advice, our understanding is that the Minister of Public Safety could provide an exemption to the restrictive provisions through section 83.09 of the Criminal Code. In fact, we believe he and his department have an urgent obligation to do so.¹⁷⁹

Doctors Without Borders is advocating for a solution that is not limited to the case of Afghanistan. They suggest that the Government of Canada should provide,

clear reference and written guidance to all concerned parties (including financial institutions, law enforcement, and others) that counterterrorism and sanctions measures are not intended to have adverse effects on the civilian population, and that they comply with protections afforded to impartial humanitarian organizations and their personnel, and civilians, under international humanitarian law (IHL).¹⁸⁰

The organization is also calling for “permanent and well-framed humanitarian exemptions” to be included in the relevant sections of the *Criminal Code*, *United Nations Act* and *Special Economic Measures Act*, in compliance with international humanitarian law.¹⁸¹

The Special Committee’s Observations and Recommendations

The Special Committee recognizes that there must be strong prohibitions in place against terrorist entities. The Taliban should not be supported by Canadian actors, whether they be governmental or non-governmental. At the same time, given that Canada’s objective is to provide relief to the most vulnerable Afghan people, the ability to do so should not be impeded, either directly or indirectly. The United Nations Security Council, through Resolution 2615, has provided clear parameters for humanitarian assistance to be delivered in Afghanistan, a decision that is being implemented by Canada’s allies. In response to Minister Joly’s openness to consider solutions emanating

178 Ibid., p. 7.

179 AFGH, *Evidence*, 31 January 2022, 2005 (Michael Messenger).

180 Doctors Without Borders, *brief*, 29 March 2022, p. 2.

181 Ibid.



from this study,¹⁸² the Special Committee wants to communicate that it does not believe that Canada taking its own policy, regulatory and legislative steps to facilitate legitimate humanitarian action would equate to legitimization of the Taliban. The Special Committee, as noted, appreciates the complexity of this situation. However, it is concerned that many months have passed since the Taliban takeover in Afghanistan, while the needs of the population are known to be dire. As Barbara Grantham stated: “The unfortunate thing is that the sense of urgency that we feel is not aligned with the timeline the government seems to feel is possible. We're running against a clock of weather, famine and malnutrition.”¹⁸³

Recommendation 9

That the Government of Canada act immediately to implement United Nations Security Council Resolution 2615.

Recommendation 10

That the Government of Canada act immediately to ensure that registered Canadian organizations have the clarity and assurances needed—such as carve-outs or exemptions—to deliver humanitarian assistance and meet basic needs in Afghanistan without fear of prosecution for violating Canada’s anti-terrorism laws.

Recommendation 11

That the Government of Canada review the anti-terrorism financing provisions under the *Criminal Code* and urgently take any legislative steps necessary to ensure those provisions do not unduly restrict legitimate humanitarian action that complies with international humanitarian principles and law.

Broader Forms of Engagement

After the events of August 2021, Western governments emphasized that the Taliban would be judged by their actions and not by their words promising amnesty for those the Taliban fought against. The goal—ultimately—remains an Afghanistan that is part of the international community. Nevertheless, testimony suggested that the reality of the Taliban’s rule is entrenching Afghanistan’s international isolation.

182 AFGH, *Evidence*, 2 May 2022, 1900 (Hon. Mélanie Joly).

183 AFGH, *Evidence*, 7 February 2022, 1915 (Barbara Grantham).

From the perspective of journalist Sally Armstrong, who has covered the situation in Afghanistan since the 1990s, it has become clear that the Taliban “have not moderated.” Making this point, she noted that, as the Taliban took control of villages, they “demanded a list of all the girls over the age of 14 and all the widows under the age of 44 to give to their soldiers because, according to them, they’re allowed four each that God told them they had the right to have.”¹⁸⁴

Alison MacLean, a documentary filmmaker who completed “four combat camera embeds with six NATO countries” in Afghanistan, described the peril that women who served in the Afghan republic’s security forces now face.¹⁸⁵ That includes “a former policewoman, who was eight months pregnant, [and] was dragged out of her home and executed in front of her children and neighbours.”¹⁸⁶ Friba Rezayee, Founder and Executive Director, Women Leaders of Tomorrow, said that members of Afghanistan’s female sports teams “have been threatened by the Taliban with a punishment of 110 lashings in public or the death penalty.”¹⁸⁷

Heather Barr, Associate Women’s Rights Director at Human Rights Watch, indicated that the human rights situation in Afghanistan has gone from “extremely bad to even worse, with new signs of this every day, including extrajudicial killings and abductions, censorship and intimidation of the media, and violations of women’s rights.”¹⁸⁸ Summarizing all the restrictions that have been imposed on women and girls, from classrooms to workplaces and civic spaces, Ms. Barr conveyed that the Taliban are “systemically violating women’s rights to work, study, protest, speak, travel, access health care, live free from violence and have a political voice.” In her assessment: “There’s no reason to think there aren’t more crackdowns coming.”¹⁸⁹

The Government of Canada’s assessment of the human rights situation in Afghanistan is equally negative. Minister Joly underlined her concern about the “backsliding” that has been observed in relation to the rights of Afghan women and girls.¹⁹⁰ In general, she

184 AFGH, [Evidence](#), 28 March 2022, 1935 (Sally Armstrong, Journalist, As an Individual).

185 AFGH, [Evidence](#), 28 March 2022, 1830 (Alison MacLean, Documentarian, Producer of *Burkas2Bullets*, As an Individual).

186 Ibid., [1850](#).

187 AFGH, [Evidence](#), 28 March 2022, 2040 (Friba Rezayee, Founder and Executive Director, Women Leaders of Tomorrow).

188 AFGH, [Evidence](#), 28 March 2022, 1950 (Heather Barr, Associate Women’s Rights Director, Human Rights Watch).

189 Ibid.

190 AFGH, [Evidence](#), 2 May 2022, 1840 (Hon. Mélanie Joly).



said, reports are pointing to a climate of growing violence and rights abuses, with civilians, journalists, human rights defenders, and former members of the Afghan republic's government and security forces being targeted.¹⁹¹ Even though the Taliban had promised an amnesty for people who had served the republic, the situation has, in fact, deteriorated since August 2021.¹⁹²

On 23 March 2022, the Taliban reneged on their commitment to allow all girls to attend secondary schools (i.e., education above the sixth grade). Minister Joly, along with the foreign ministers of France, Germany, Italy, Japan, Norway, the United Kingdom and the United States, as well as the High Representative of the European Union, noted that the decision was taken despite “months of work by the international community to support teacher stipends based on an expectation that schools would be open for all, with the higher interest of Afghan students and teachers in mind.” The foreign ministers declared that the decision “will have an inevitable impact on the Taliban’s prospects of gaining political support and legitimacy either at home or abroad.”¹⁹³

Minister Sajjan, who had described an “appalling regression” in the gains made in Afghanistan since the Taliban takeover,¹⁹⁴ told the Special Committee that Canada is “strongly advocating with our like-minded partners to make sure that there is no restriction of girls going to school.” He emphasized that, “[e]ven going up to grade 12 is not acceptable to us; it has to be unconditional.”¹⁹⁵ Minister Sajjan also indicated that, if the authorities allow unconditional access to education, “that will make it better for them in terms of what further steps we as an international community can take for Afghanistan.”¹⁹⁶

According to the UN Assistance Mission in Afghanistan, on 7 May 2022, the *de facto* Taliban authorities announced that “all women must cover their faces in public, that women should only leave their homes in cases of necessity, and that violations of this

191 Ibid.

192 Ibid., [1850](#).

193 Global Affairs Canada, [*Statement on the recent Taliban Decision to Deny Afghan Girls the Right to an Education*](#), Statement, 24 March 2022.

194 AFGH, [*Evidence*](#), 4 April 2022, 1835 (Hon. Harjit S. Sajjan).

195 Ibid., [1915](#).

196 Ibid., [1925](#). The requirement for women to be accompanied by a male chaperone to travel longer distances is another restriction imposed by the Taliban that Minister Sajjan characterized as being “unacceptable” to Canada. See Ibid., [1930](#).

directive will lead to the punishment of their male relatives.”¹⁹⁷ The G7 foreign ministers expressed their “strongest opposition” to this directive. With the Taliban imposing “increasingly restrictive measures that severely limit half the population’s ability to fully, equally and meaningfully participate in society,” the G7 ministers underlined that the “Taliban are further isolating themselves from the international community.”¹⁹⁸

Addressing the post-August 2021 situation in Afghanistan in broad terms, some witnesses emphasized that normalization of the Taliban should be resisted. Dr. William Maley, Emeritus Professor at Australian National University, and Representative for Canadian Hazara Humanitarian Services, told the Special Committee that the Taliban “tick every box that you need to tick in defining a group as a terrorist group.” In his view, it is “very important that diplomacy not be conducted in a way that normalizes their participation in international society.”¹⁹⁹ Dr. Lauryn Oates had raised this concern, noting the signal that normalization could send to other groups that are watching how the world is responding to the Taliban.²⁰⁰

To avoid normalization, but to reckon with the current reality of the Taliban’s *de facto* governance of millions of people, other testimony advised engagement that is carefully calibrated. After describing her work with women who remain in Afghanistan, Wazhma Frogh told the Special Committee that it is her “continued advocacy that we need to engage with the Taliban, but that does not mean recognition.” There is, she insisted, “a need for tight criteria attached to our engagement.” That involves “public diplomacy and putting pressure.” In Ms. Frogh’s view, it “should also mean supporting national and international organizations.”²⁰¹

From the perspective of Asma Faizi, political pressure should be focused on achieving “an inclusive and representative government that respects human rights and allows the people to define what they want for the future of Afghanistan.”²⁰²

197 United Nations Assistance Mission in Afghanistan, [UNAMA Statement on the Hijab Directive by Taliban Authorities](#), 7 May 2022.

198 Global Affairs Canada, [G7 Foreign Ministers’ Statement on the situation of women and girls in Afghanistan](#), 12 May 2022.

199 AFGH, [Evidence](#), 7 February 2022, 2035 (Dr. William Maley, Emeritus Professor, Australian National University, and Representative, Canadian Hazara Humanitarian Services).

200 AFGH, [Evidence](#), 7 February 2022, 2040 (Dr. Lauryn Oates).

201 AFGH, [Evidence](#), 28 March 2022, 2120 (Wazhma Frogh).

202 AFGH, [Evidence](#), 14 February 2022, 1840 (Asma Faizi).



The testimony of Dr. Sima Samar also advised a firm stance in relation to human rights. She insisted that, if the “Taliban wants to be recognized by the international community, they have obligations and they have to accept human rights.” In her view, “[t]here should not be a negotiation on human rights with the Taliban. It should be clear.”²⁰³

Heather Barr argued that Canada, France, Germany, and Sweden have a “special responsibility to Afghan women and girls” because they are the four countries that contributed troops to the international coalition in Afghanistan after 2001, and they are also the countries that have adopted a feminist foreign policy.²⁰⁴ From Ms. Barr’s perspective,

The crisis happening in Afghanistan right now is the most serious women’s rights crisis in the world. It’s the most serious women’s rights crisis the world has faced since 1996, when the Taliban took over the last time. If feminist foreign policy doesn’t mean standing with Afghan women right now, in this crisis, it begs the question of what feminist foreign policy means, and risks the conclusion, “Not much.”²⁰⁵

Dr. Oates raised similar questions and concerns in relation to Canada’s significant past involvement in Afghanistan and the application of its current foreign policy lens. At the time of her testimony, it was “not coming across that Afghanistan is a priority foreign policy issue for Canada.” She said: “A Canadian moral stance is missing.”²⁰⁶ Khalidha Nasiri also felt that Canada must “take on a much bigger and vocal role in the response to the crisis.”²⁰⁷

Heather Barr outlined four steps toward a coordinated, global approach to Afghanistan, and one in which Canada could assume a leadership role. The first step is to “deny the Taliban legitimacy,” including by ending the UN Security Council exemption on the travel ban for their leaders, avoiding meetings with them outside Afghanistan, and sending gender-balanced delegations to meet with them. The second is to do everything possible—including speaking out quickly and firmly—when human rights defenders in Afghanistan are abused, abducted, or detained. The third is to ensure that funding decisions do not perpetuate discriminatory policies, including in the educational sector. Fourth, is to avoid punishing the Afghan people for the Taliban’s decisions. Ms. Barr

203 AFGH, *Evidence*, 28 March 2022, 1955 (Dr. Sima Samar).

204 AFGH, *Evidence*, 28 March 2022, 1950 (Heather Barr).

205 Ibid.

206 AFGH, *Evidence*, 7 February 2022, 2000 (Dr. Lauryn Oates).

207 AFGH, *Evidence*, 7 February 2022, 1945 (Khalidha Nasiri).

believes that humanitarian needs can be met while pressure is maintained on the Taliban in relation to human rights.²⁰⁸

To organize, direct and amplify the Government of Canada's efforts, some witnesses called for the appointment of a special envoy²⁰⁹ or ambassador-at-large for Afghanistan.²¹⁰ Wazhma Frogh called for the envoy to be a woman. In her view, that would enable focused engagement with the authorities, along the lines outlined above, as well as support for the women's organizations that remain active in the country.²¹¹

Minister Joly subsequently informed the Special Committee that David Sproule, who had been announced as the department's senior official for Afghanistan,²¹² is now permanently in a special envoy role.²¹³ As is the case with Canada's allies, Mr. Sproule is operating out of Doha, Qatar, where such representatives have been engaging with the Taliban's *de facto* foreign minister. Operating in that manner, according to Minister Joly, allows Canada "to engage without recognizing the legitimacy of the Taliban government." Recognition, she insisted, is a "red line" that Canada does not want to cross.²¹⁴

In addition to ensuring that it is engaging without legitimizing the Taliban, testimony also suggested that Canada's foreign policy will need to consider the fluid security context

208 AFGH, [Evidence](#), 28 March 2022, 1950 (Heather Barr).

209 AFGH, [Evidence](#), 14 February 2022, 1910 (Aziz Amiri, President, Canada Afghanistan Business Council).

210 AFGH, [Evidence](#), 7 February 2022, 1955 (Ali Mirzad). There are Special Representatives and Envoys for Afghanistan from the European Union, France, Germany, Italy, Norway, the United Kingdom, and the United States. See United States, Department of State, Office of the Spokesperson, [Communiqué of the Special Representatives and Envoys for Afghanistan](#), 8 April 2022.

211 AFGH, [Evidence](#), 28 March 2022, 2120 (Wazhma Frogh). Minister Joly told the Special Committee that her department is exploring how it can concretely continue its support to Afghan women and Afghan human rights defenders. See AFGH, [Evidence](#), 2 May 2022, 1840 (Hon. Mélanie Joly). The Equality Fund is calling for Canada to "provide support and resources to women-led and LGBTQI organizations operating in Afghanistan and to Afghan women participating in discussions on the future of Afghanistan outside of the country." Furthermore, the Equality Fund wants Canada to "develop mechanisms to consult with Afghan women leaders (in all their diversity) and representatives of women's and LGBTQI organizations both inside and outside of Afghanistan on a regular basis." See Equality Fund, [brief](#), 18 May 2022.

212 Government of Canada, [More than 3,000 Evacuees Arrive in Canada from Afghanistan](#), Statement, 3 September 2021.

213 AFGH, [Evidence](#), 2 May 2022, 1845 (Hon. Mélanie Joly).

214 Ibid., [1855](#).



within Afghanistan and the regional dimensions at play.²¹⁵ Dr. Julian Spencer-Churchill, Professor of Political Science at Concordia University, told the Special Committee that, for issues ranging from refugee assistance to counterterrorism, “[a]ll of it depends on Pakistan.”²¹⁶

The Special Committee’s Observations and Recommendations

To date, the evidence suggests that the Taliban have not transitioned in any meaningful way from being an ideologically rigid and violent movement to a political body that intends to govern in a way that fulfills core international expectations. The Special Committee agrees that the Government of Canada should not recognize or legitimize Taliban governance. Nevertheless, and while the situation is fraught with complexity and emotion, the Special Committee does not believe that Canada’s approach to Afghanistan can be limited exclusively to humanitarian concerns. It is the Special Committee’s view that, anchored by its feminist foreign policy and guided by the red lines it has established, the Government of Canada can engage actively with its partners and allies on Afghanistan policy, including at the regional level, while also finding ways to support the voices of tolerance, justice and moderation that remain within Afghanistan.

Recommendation 12

That the Government of Canada advocate for the end of the United Nations Security Council exemption on the travel ban for Taliban leaders.

Recommendation 13

That the Government of Canada continue to insist that girls and women throughout Afghanistan have permanent access to all levels of education.

Recommendation 14

That, as a condition of Canada’s ongoing engagement with Afghanistan’s *de facto* authorities, the Government of Canada’s special envoy insist on being able to communicate with Afghan civil society organizations and women leaders who are in

²¹⁵ The Special Committee heard from Global Affairs Canada that “several of the terrorist organizations currently on the ground in Afghanistan have no interest in the Taliban’s ability to develop the capacity to govern and to become a stable presence.” Therefore, in addition to the risk of Afghanistan being used as a haven by organizations like Al Qaida, there is also the possibility of violence and volatility “generated from tensions between these organizations.” See AFGH, [Evidence](#), 4 April 2022, 1940 (Jennifer Loten).

²¹⁶ AFGH, [Evidence](#), 28 February 2022, 2120 (Dr. Julian Spencer-Churchill, Professor, Concordia University, Political Science, As an Individual).

Afghanistan, without them facing any risk of reprisals. Furthermore, that the Government of Canada, in its response to this report, detail how it is monitoring, supporting, and advocating for the rights of women and girls in Afghanistan.

Canada's Refugee Resettlement Effort

The Government of Canada has committed to welcoming 40,000 Afghans by 2024.²¹⁷ According to Minister Fraser, on a per capita basis, Canada's commitment is "the most substantial refugee resettlement effort from Afghanistan globally right now."²¹⁸

Nevertheless, as the Special Committee finalized its report, Canada was less than half-way toward meeting its objective. As of 1 June 2022, 14,645 people had arrived in Canada since August 2021 under all programs.²¹⁹ That number comprises 6,735 people who assisted the Government of Canada (from the 14,910 applications that had been received), as well as 7,910 Afghan nationals who arrived through a separate humanitarian program.

As a concrete example of the work yet to be done, the Special Committee was informed that National Defence and the CAF had received some 7,500 inquiries from Afghans wanting to participate in Canada's special immigration measures, about 3,800 of whom were validated as having an enduring relationship with the CAF. Of those, 900 individuals have been accepted by IRCC, plus family members who met the criteria. For GAC, the department assessed more than 5,500 individuals, resulting in the positive referral of more than 3,600.²²⁰ According to National Defence and GAC, their role ends once the validation is completed and the file is forwarded to IRCC.²²¹

At the time of the writing of this report, IRCC has yet to provide a response to the Special Committee on the status of the rest of the 2,900 applications. Meanwhile, applicants with confirmation emails from National Defence that referrals have been made to IRCC have yet to receive any response. The same applies to the GAC-referred cases. Furthermore, the Special Committee has yet to receive responses from the departmental officials of GAC, National Defence, and IRCC to 10 undertakings requested by members. (Appendix A contains a list of the undertakings to which there has been no

217 Immigration, Refugees and Citizenship Canada, written responses to questions, 3 June 2022.

218 AFGH, *Evidence*, 25 April 2022, 1920 (Hon. Sean Fraser).

219 Government of Canada, *#WelcomeAfghans: Key figures*.

220 Global Affairs Canada, written responses to questions, 30 May 2022.

221 Ibid; AFGH, *Evidence*, 9 May 2022, 1920 (Gen Wayne D. Eyre); and AFGH, *Evidence*, 9 May 2022, 1920 and 1955 (Bill Matthews).



response from officials.) Not only is the lack of response disrespectful to the work of Special Committee Members, but it inhibits the ability of the Members to do their work, as directed by the House of Commons.

Immigration Programs for Afghan Nationals Launched in 2021

Before exploring the challenges and impediments that are affecting Canada's ability to meet its target, this section of the report first describes the new policy measures that the Government of Canada has initiated.

Three special programs were launched in 2021. The first program, referred to as the special immigration measures (SIM), focuses on Afghans who assisted the Government of Canada.²²² The second one is a humanitarian program for other specified groups of Afghans who are facing risks under the Taliban.²²³ The third program is a family reunification pathway for the extended family members of former Afghan interpreters.²²⁴

The SIM program was announced on 23 July 2021. It is designed for interpreters who worked with the Canadian Armed Forces, cooks, drivers, cleaners, construction workers, security guards and locally engaged staff employed at the Embassy of Canada to Afghanistan, as well as their family members.²²⁵ The SIM defines a family member as: a spouse, a dependant child (unmarried and less than 22 years of age) and a grandchild. The definition also includes "de facto dependants," specified as individuals who need financial or emotional support or are living with the family as a member of the household.

For the SIM, Global Affairs Canada and the Department of National Defence are used as referral agencies. Applicants are then processed by IRCC, which indicated early on that those benefitting from the SIM would be treated like government-assisted refugees. The

222 Immigration, Refugees and Citizenship Canada (IRCC), [Government of Canada offers refuge to Afghans who assisted Canada](#), News release, 23 July 2021; and Government of Canada, [Immigration program for Afghans who assisted the Government of Canada](#).

223 IRCC, [Canada expands resettlement program to bring more Afghans to safety](#), News release, 13 August 2021. Government of Canada, [Humanitarian program for Afghan nationals in need of resettlement: About the program](#).

224 IRCC, [Canada announces new measures for extended families of Afghan interpreters](#), Notice, 24 November 2021. Government of Canada, [Permanent residence for extended family of former Afghan interpreters: Who can apply](#).

225 IRCC, [Government of Canada offers refuge to Afghans who assisted Canada](#), News release, 23 July 2021.

first individuals to benefit from this program arrived in Canada on 4 August 2021.²²⁶ Minister Fraser told the Special Committee that approximately 18,000 individuals will come to Canada under this program.²²⁷

Launched on 13 August 2021, the humanitarian program is focused on Afghan women leaders, human rights defenders, persecuted religious or ethnic minorities, journalists and individuals who helped Canadian journalists, and LGBTI individuals in need of resettlement.²²⁸ To be eligible for this program, Afghan nationals must be outside Afghanistan. Under the program, privately sponsored refugees are referred to IRCC by a sponsorship agreement holder or an organization or a “group of five.”²²⁹ Government-assisted refugees need to be referred to IRCC by referral organizations with which the Government of Canada has agreements, such as the United Nations High Commissioner for Refugees (UNHCR), Front Line Defenders and ProtectDefenders. Minister Fraser explained to the Special Committee that such referral organizations have experience in assessing vulnerability in situations of mass displacement.²³⁰ The minister also mentioned that IRCC is using the Employment Mobility Pathway Pilot wherein referral partners help Canada select refugees based on their skills and work experience.²³¹

Finally, in December 2021, IRCC created a new family reunification program for extended family members of former interpreters and staff who supported Canada’s combat mission in Kandahar,²³² and who came to Canada as permanent residents under the 2009 and 2012 public policies for Afghan interpreters.²³³ Eligible family members include parents and grandparents, as well as siblings and half-siblings and their spouses

226 IRCC, [Canada welcomes first Afghan refugees resettled through the special immigration program](#), Statement, 4 August 2021.

227 AFGH, [Evidence](#), 25 April 2022, 1915 (Hon. Sean Fraser).

228 IRCC, [Canada expands resettlement program to bring more Afghans to safety](#), News release, 13 August 2021. Government of Canada, [Humanitarian program for Afghan nationals in need of resettlement: About the program](#).

229 Government of Canada, [Groups of Five: About the process](#).

230 AFGH, [Evidence](#), 25 April 2022, 1915 (Hon. Sean Fraser).

231 *Ibid.* Also see Government of Canada, [Employment Mobility Pathways Pilot](#).

232 IRCC, [Canada announces new measures for extended families of Afghan interpreters](#), Notice, 24 November 2021.

233 Government of Canada, [Government of Canada creates special immigration measures to recognize contribution of Afghan staff in Kandahar](#), News release, 15 September 2009. To be eligible, applicants had to demonstrate that they faced individualized and extraordinary risk or had suffered serious injury as a result of their work with the Canadian government. Approximately 800 Afghan nationals were resettled to Canada under these policies: official numbers were published in the Department of Citizenship and Immigration’s annual report to Parliament in 2011 (when the first Afghans arrived), in [2012](#) (198 persons) and in [2013](#) (533 persons).



and children.²³⁴ As is the case with the two other special programs, the family reunification program requires that applicants must have been in Afghanistan as of 22 July 2021.

Obstacles on the Path to Safety

Witnesses described the challenges and fears Afghans are facing, both as they live in hiding in Afghanistan, waiting for a moment to flee, and as they reside in a third country, waiting for their applications to be processed. Witnesses also highlighted problems that were common to the three special programs, including poor communication from IRCC, the requirement for biometrics and a perceived lack of resources at IRCC to handle the volume of cases. In addition, witnesses described problems specific to each individual program.

The biggest obstacle to reaching Canada is that it is now difficult to leave Afghanistan. Minister Fraser informed the Special Committee that some 10,000 people “have already been through the eligibility approval process and are still in the country now.”²³⁵

While waiting to find a way out, many Afghans live in hiding and in fear.²³⁶ Djawid Taheri, Lawyer, told the Special Committee that “targeted individuals” are “still inside the country and moving from safe house to safe house to save their lives and evade the Taliban.”²³⁷ Safiullah Mohammed Zadeh, a former interpreter with the Canadian Armed Forces, indicated that a colleague had lost 11 family members since the Taliban takeover and he described his own family situation:

I have four brothers, and two of them went missing when the Taliban took over.... Their children and the rest of their families and my family are on the move from one house to another, from one city to another, from one province to another. It has been seven months, and we have moved to four or five provinces. It's been six or seven weeks since I have spoken to them.²³⁸

234 Government of Canada, [Permanent residence for extended family of former Afghan interpreters: Who can apply](#).

235 AFGH, [Evidence](#), 25 April 2022, 1945 (Hon. Sean Fraser).

236 AFGH, [Evidence](#), 7 February 2022, 1955 (Ali Mirzad); AFGH, [Evidence](#), 7 February 2022, 1945 (Khalidha Nasiri); AFGH, [Evidence](#), 11 April 2022, 1535 (Ghulam Faizi, Former Interpreter, Canadian Armed Forces, As an Individual); AFGH, [Evidence](#), 11 April 2022, 1540 (Hameed Khan, Former Interpreter, Canadian Armed Forces, As an Individual); and AFGH, [Evidence](#), 11 April 2022, 1705 (Safiullah Mohammad Zahed, Former Interpreter, Canadian Armed Forces, As an Individual).

237 AFGH, [Evidence](#), 28 March 2022, 1840 (Djawid Taheri, Lawyer, As an Individual).

238 AFGH, [Evidence](#), 11 April 2022, 1640 (Safiullah Mohammad Zahed).

For those who do attempt the journey out of Afghanistan, the path is perilous. Katherine Moloney, Representative for Afghan Families, Tenth Church, told the Special Committee that,

There is risk both to get to the border and at the border. It's a harrowing journey for people to make, knowing that they are on hit lists, that they are being hunted and that if they are identified they can be killed. It's an incredibly difficult journey, but one that many families choose to make in the hope that they can be resettled.²³⁹

Other challenges relate to documentation. Each neighbouring country sets its own entry and exit requirements, which may shift over time and may include a valid Afghan passport and a visa. However, some Afghans have had no other choice than to destroy their identity documents to avoid Taliban reprisals. In many cases, obtaining a passport, which is usually necessary to acquire a visa, is not a realistic option. This point was made by Brian Macdonald, Executive Director of Aman Lara, who indicated that two-thirds of the people his organization is trying to help do not have passports. He added:

To get a passport, Afghans are effectively telling the Taliban that they want to get away from them. Imagine: You're trying to flee the Taliban, but to do so you need to travel to an office that's controlled by the Taliban and give your name, the names of your family members, your address and all the fingerprints and photos of your family to the Taliban. Doing this exposes our people to great danger. As well, getting a visa to a third country is another obstacle. It exposes these families to another level of risk, and it can be expensive and time-consuming.²⁴⁰

In addition to the difficulties of obtaining a visa, the options for which have been narrowed by the limited number of embassies operational in Kabul, Wazhma Frogh noted that the Taliban have “stopped women from travelling as well.” Consequently, she said: “We don’t have any hope of getting to the third countries.”²⁴¹

People cannot apply to Canada’s humanitarian program directly. To be eligible, individuals must make it outside Afghanistan and then register with the UNHCR and be referred by a partner agency or by the UNHCR. However, because people who are notionally eligible under the humanitarian program “cannot get out of Afghanistan,”

239 AFGH, [Evidence](#), 28 March 2022, 1925 (Katherine Moloney, Representative for Afghan Families, Tenth Church).

240 AFGH, [Evidence](#), 28 February 2022, 1855 (Brian Macdonald, Executive Director, Aman Lara).

241 AFGH, [Evidence](#), 28 March 2022, 2050 (Wazhma Frogh).



they are “stuck in an unimaginable catch-22,” according to Eleanor Taylor, Deputy Executive Director of Aman Lara.²⁴²

Minister Joly and officials from Global Affairs Canada emphasized that they have been engaging diplomatically with Canadian allies and regional governments on these issues. Pakistan is key in this regard because it is the primary land route for people fleeing Afghanistan. Pakistan had been admitting undocumented refugees until November 2021, after which its requirements changed. Paul Thoppil, Assistant Deputy Minister, Asia Pacific, Global Affairs Canada, indicated that Canada’s mission in Islamabad is engaging “constantly” with Pakistan’s government in pursuit of a “sustainable protocol” for the Torkham gate border crossing between Afghanistan and Pakistan. The objective is to ensure that single travel documents issued to Afghans by the Government of Canada will be accepted.²⁴³ However, Mr. Thoppil reminded the Special Committee that Pakistan had already been hosting millions of Afghan refugees prior to 15 August 2021 and that they are concerned about having to manage a significant outflow of people.²⁴⁴

In terms of travel options from within Afghanistan, Mr. Thoppil indicated that evacuation charter flights from Kabul were not a viable option at this time because the Taliban want the airport “to resume normally scheduled commercial airline traffic.”²⁴⁵ In addition to engaging with Pakistan about single journey travel documents, Ghulam Faizi, a former Interpreter for the Canadian Armed Forces, wants Canada to engage “with the Qatari government about securing chartered flights from Kabul airport to Doha or [the United Arab Emirates],” because—he said—“Qatar controls airports in Afghanistan currently.”²⁴⁶

Even if people manage to cross the border, making it out of Afghanistan does not guarantee safety or relief. Heather Barr told the Special Committee that, in Pakistan, people who have valid visas must renew them every 60 days. Afghans without a valid visa cannot rent a place to live and cannot work, nor can they send their children to

242 AFGH, *Evidence*, 28 February 2022, 1900 (Eleanor Taylor, Deputy Executive Director, Aman Lara).

243 AFGH, *Evidence*, 2 May 2022, 1955 (Paul Thoppil). Minister Fraser told the Special Committee that the Government of Canada “can issue single journey travel documents after a person completes [the] process and is eligible and approved to come to Canada.” While that can be done, he indicated that there are no plans “to start issuing travel documents before a person has completed the process of becoming approved.” See AFGH, *Evidence*, 25 April 2022, 2010 (Hon. Sean Fraser).

244 AFGH, *Evidence*, 2 May 2022, 1955 (Paul Thoppil).

245 AFGH, *Evidence*, 4 April 2022, 2000 (Paul Thoppil).

246 AFGH, *Evidence*, 11 April 2022, 1540 (Ghulam Faizi).

school. Undocumented migrants cannot get an exit visa from Pakistan. Heather Barr further commented that,

[M]any Afghans are going back to Afghanistan because they're running out of money and they can't feed themselves. At least if they go back to Afghanistan, they'll hopefully have family members who will take them in.²⁴⁷

Ali Mirzad, Senior Government Affairs and Relations Advisor, Canadian Hazara Humanitarian Services, said that being registered as an asylum claimant did not give a person legal status in Pakistan, and “they run the risk of being arrested at any time and deported to Afghanistan.”²⁴⁸ From the perspective of Djawid Taheri, it is inevitable at some point that the third country will not renew the visa and Afghans will be deported.²⁴⁹

Certain population groups may also be at heightened risk in third countries. According to Rainbow Railroad,

LGBTQI+ refugees who fled Afghanistan face unique, imminent, and severe risks to their lives and safety in neighbouring countries due to laws restricting diverse sexual orientation, gender identity and expression, and sex characteristics (SOGIESC); vigilante violence; and state-sponsored persecution.²⁵⁰

The organization underlines that “LGBTQI+ Afghan refugees require exceptionally urgent and expedited resettlement assistance given that local integration and voluntary repatriation are not viable or durable solutions.” While many “are relegated to safe houses,” others “cannot leave Afghanistan without a clear path to a safer third country.”²⁵¹ Rainbow Railroad has a list of 300 Afghans waiting in neighbouring countries for safe passage to Canada.²⁵²

The collection of biometrics is the final obstacle that was highlighted by many witnesses. The Government of Canada’s special programs all require applicants to provide photographs and fingerprints to confirm their identity and background. Currently, there are no biometrics collection sites in Afghanistan, and in Pakistan there is one visa

247 AFGH, [Evidence](#), 28 March 2022, 1955 (Heather Barr).

248 AFGH, [Evidence](#), 7 February 2022, 2020 (Ali Mirzad).

249 AFGH, [Evidence](#), 28 March 2022, 1925 (Djawid Taheri).

250 Rainbow Railroad, [brief](#), 19 May 2022.

251 Ibid.

252 AFGH, [Evidence](#), 20 May 2022, 1430 and 1440 (Dr. Kimahli Powell, Executive Director, Rainbow Railroad).



application centre in Islamabad. However, Oliver Thorne reminded the Special Committee of the following:

Without the ability to deliver biometrics in country, which we cannot do without a Canadian consular presence, they have to go to a third country before they can come to Canada. That means we have to deal with all the paperwork requirements to get them into that third country. Remember, most of the individuals we're talking to do not have passports. Without a passport they can't get a visa and without a visa they can't go into the country.²⁵³

He indicated that, “The ideal solution would be ... to bring people to Canada without biometric verification and do the verification in Canada.”²⁵⁴ This was echoed by Sally Armstrong, who felt that Afghans should be able to get to safety, in Canada or in a lily-pad country, and “sort out the biometrics later.”²⁵⁵

Some witnesses suggested that biometrics could be collected either in Afghanistan by a private company, using secure technology,²⁵⁶ or by having discussions with third countries and issuing the necessary documents to allow individuals to transit there for these procedures to take place. Brian Macdonald suggested that finding a way of confirming identity inside Afghanistan would allow the passport and visa requirements involved in reaching a third country, which are out of Canada’s control, to be bypassed. According to him, “With those obstacles removed, Aman Lara could move a quarter of its list almost immediately.”²⁵⁷

The Special Committee heard from Cindy Termorshuizen, Associate Deputy Minister of Foreign Affairs, about security concerns obtaining biometrics in Afghanistan. She said:

I think it's fair to say that we probably have conversations about biometrics on a weekly basis. As the minister said, the issue of biometric collection, particularly inside Afghanistan, is a real challenge. We can collect biometrics in other countries, which we're doing in Pakistan, but the inside-Afghanistan piece is really difficult. None of our allies has cracked this nut because, as the minister said, the ability to collect biometrics

253 AFGH, *Evidence*, 14 February 2022, 2015 (Oliver Thorne).

254 Ibid.

255 AFGH, *Evidence*, 28 March 2022, 2015 (Sally Armstrong).

256 AFGH, *Evidence*, 14 February 2022, 2015 (Major-General (Retired) David Fraser); and AFGH, *Evidence*, 28 February 2022, 2055 (Brandi Hansen, Director of Operations, Vector Global Solutions).

257 AFGH, *Evidence*, 28 February 2022, 1855 (Brian Macdonald).

in Afghanistan securely, given the security situation some of your colleagues have noted, is challenging.²⁵⁸

Minister Fraser told the Special Committee that he was following the advice of Canada's security experts in maintaining a requirement for biometrics. He further indicated that most persons found inadmissible to Canada were a result of biometric screening.²⁵⁹ In the minister's view, carrying out biometrics in Canada would not be advisable as Canada has an obligation under the *Immigration and Refugee Protection Act* and international law not to return an individual where they may be tortured (i.e., *non-refoulement*).²⁶⁰ However, Stephen Peddle suggested that, "We bring them to Canada and put them in a secure place where they're under watch until they're properly vetted. ... If they don't check out, we have other mechanisms in place to send them back."²⁶¹ Mr. Peddle also indicated that this would not be the first time Canada has done this, citing the Kosovo refugees as an example.

The Special Committee's Observations and Recommendations

Testimony highlighted a clear need both to help people reach safety and to ensure that they are not languishing in uncertain and precarious situations once they are able to leave Afghanistan. The Special Committee believes that Canada's response must be nimble, flexible, and innovative. It must involve the arms of Canada's diplomacy and its immigration and refugee efforts, working in concert. With a system that is fully resourced and with streamlined processes, as will be discussed next, the Special Committee believes that Canada can bring more Afghans to safety, faster, without compromising Canada's security.

Recommendation 15

That the Government of Canada ensure that Immigration, Refugees and Citizenship Canada issues single journey travel documents to Afghan nationals who are eligible for Canada's special programs, and that it assure third countries that those Afghan nationals will have safe passage to Canada.

258 AFGH, *Evidence*, 2 May 2022, 1955 (Cindy Termorshuizen).

259 AFGH, *Evidence*, 25 April 2022, 2050 (Hon. Sean Fraser).

260 Ibid., 2105.

261 AFGH, *Evidence*, 28 February 2022, 2015 (Stephen Peddle).



Recommendation 16

That the Government of Canada engage with countries that neighbour Afghanistan to ensure that Afghan nationals who are eligible for Canada's special programs have safe passage.

Recommendation 17

That, in consultation with the Government of Canada's national security agencies, Immigration, Refugees and Citizenship Canada waive biometric and other documentation requirements, in the minimum for Department of National Defence-referred applications and extended family members of former interpreters and collaborators, while simultaneously enhancing access to biometric collection sites in third countries, including those that neighbour Afghanistan.

Recommendation 18

That the Government of Canada instruct Global Affairs Canada to assemble a whole-of-government team, including the Department of National Defence, to help bring Afghans to safety.

Recommendation 19

That the Government of Canada work with allied countries and non-governmental organizations, like Aman Lara, which can operate in Afghanistan, to help confirm identity in Afghanistan and help bring Afghans to safety.

Recommendation 20

That the Government of Canada, through Global Affairs Canada, continue funding organizations like Aman Lara, and that it expand the use of those funds to include temporary accommodations for Afghans.

Systemic Issues

Several witnesses raised concerns about communications issues with IRCC and the department's apparent lack of resources to manage the significant caseload it has been given. In particular, witnesses expressed frustration regarding the nature and frequency of IRCC's communication with its clients. Wadood Dilsoz, Director, Afghan Community Vancouver, said that Afghans who need to get to safety have received only "an automated confirmation." Put another way, they have not received an actual

response.²⁶² Wazma Frogh explained that her parents waited seven months with no information from IRCC regarding the status of their case.²⁶³

Ghulam Faizi said: “We haven’t received any [Unique Client Identifier, UCI] or G numbers after the application arrived at the IRCC office” as of 10 January 2022.²⁶⁴ The importance of these numbers was explained by Ahmad Shoaib, another former interpreter for the Canadian Armed Forces, who remarked: “If we do not get UCI and G numbers, that means we are not in the system, so we cannot go further than that.”²⁶⁵ Eleanor Taylor said that 52% of the 10,000 Afghans in Aman Lara’s system had not yet had their applications acknowledged.²⁶⁶ Mohammed Zarif Mayar, a former interpreter for the CAF who recently arrived in Canada, said that IRCC had still not communicated with interpreters’ families of as of May 2022.²⁶⁷

Shajjan & Associates, the Afghan law firm that had been retained by Canada’s embassy in Afghanistan since March 2013, submitted employment confirmation for each of its employees who could be eligible for the SIM program, as well as two letters of recommendation from Canadian officials and the firm’s retainer agreement with the Government of Canada. While Saeeq Shajjan, the firm’s Founder and former Managing Partner, managed to make it to Canada, his colleagues had not received “any response from the Canadian authorities other than autogenerated responses.” A Canadian law firm—Cassels, Brock and Blackwell LLP—became involved on a pro bono basis. However, despite the “hundreds of calls” that were made to the newly established IRCC hotline, the “overwhelming response from these calls was that no information could be found about any of these Target Individuals.” According to Shajjan & Associates, the “IRCC agents working at the hotline could not look up any details of the Target Individuals’ initial referral requests.”²⁶⁸

Some witnesses suggested that IRCC has not been sufficiently resourced in Canada and abroad to effectively administer Canada’s special programs for Afghanistan. Alison MacLean told the Special Committee: “We are not able to get families, who have been in

262 AFGH, [Evidence](#), 28 March 2022, 2110 (Wadood Dilsoz, Director, Afghan Community Vancouver).

263 AFGH, [Evidence](#), 28 March 2022, 2045 (Wazhma Frogh).

264 AFGH, [Evidence](#), 11 April 2022, 1555 (Ghulam Faizi).

265 AFGH, [Evidence](#), 11 April 2022, 1555 (Ahmad Shoaib, Former Interpreter, Canadian Armed Forces, As an Individual).

266 AFGH, [Evidence](#), 28 February 2022, 1910 (Eleanor Taylor).

267 AFGH, [Evidence](#), 20 May 2022, 1440 and 1455 (Mohammed Zarif Mayar, Former Interpreter, Canadian Armed Forces, As an Individual).

268 Shajjan & Associates, [brief](#), 3 May 2022.



flight for seven months in third countries, access to Canadian embassies, because the staff are overwhelmed.”²⁶⁹ Kaylee Perez, Chair, Canadian Refugee Sponsorship Agreement Holders Association, also suggested IRCC needed more resources to hire staff in light of the department’s existing caseload, which she said is at a historic high.²⁷⁰

For Dr. Wendy Cukier, Founder, Lifeline Afghanistan and Professor, Ryerson University, Ted Rogers School of Management, “business process re-engineering is essential.” She commented that, “[d]oing things the way we’ve always done them and throwing money at them is, in my view, not efficient.”²⁷¹

Corey Shelson suggested that the problem lies with the system, software and databases used to process applications. He observed that IRCC personnel, on the front lines, are dealing with incredibly difficult situations where people are contacting them and essentially saying “Save me. I’m going to die.” Many of the people fielding calls and emails in relation to Afghanistan had transferred to IRCC from Service Canada and the Canada Revenue Agency “because they wanted to help.” They were, according to Mr. Shelson, “trying tirelessly, with a completely broken processing system, to process the applications we submitted.”²⁷²

The Special Committee’s Observations and Recommendations

Testimony and briefs suggested that IRCC needs to communicate promptly, more regularly and in a more individualized manner so that applicants are not left in situations of significant uncertainty. The Special Committee also recognizes the magnitude of the task IRCC staff face in responding not only to the situation in Afghanistan, but other crises in the world, and is mindful of comments indicating that they are overwhelmed.

Recommendation 21

That the Government of Canada ensure that Immigration, Refugees and Citizenship Canada is promptly acknowledging the receipt of applications, by sending emails containing unique client identifiers for those accepted to the program and rejection

269 AFGH, *Evidence*, 28 March 2022, 1830 (Alison MacLean).

270 AFGH, *Evidence*, 21 March 2022, 1920 (Kaylee Perez, Chair, Canadian Refugee Sponsorship Agreement Holders Association).

271 AFGH, *Evidence*, 21 March 2022, 1920 (Dr. Wendy Cukier, Founder, Lifeline Afghanistan and Professor, Ryerson University, Ted Rogers School of Management).

272 AFGH, *Evidence*, 28 February 2022, 2005 (Corey Shelson).

emails to those who do not qualify, while also ensuring prompt responses to queries and follow-up requests.

Recommendation 22

That the Government of Canada ensure that Immigration, Refugees and Citizenship Canada dedicates more staff and hires new staff to process applications for Canada's special programs for Afghan nationals.

Issues Specific to the Humanitarian Program

Overall, witnesses raised two main issues about the humanitarian program for vulnerable Afghans. Some witnesses want to see the definition of at-risk individuals or groups broadened. Second, many witnesses urged the Government of Canada to recognize Afghan nationals as *prima facie* refugees, that is, people who are automatically considered refugees and do not require an individual assessment from the UNHCR.²⁷³

The Special Committee heard devastating testimony about the persecution of women and vulnerable people in Afghanistan. For example, Alison MacLean spoke about Afghan policewomen being hunted down and executed.²⁷⁴ However, while the eligibility criteria for Canada's humanitarian program includes women leaders, it does not include all women facing gender-based persecution.²⁷⁵ To overcome what they viewed as the unjust exclusion of certain individuals and groups from the humanitarian program, several witnesses suggested different ways in which its definition of "at risk" individuals should be expanded. For instance, Friba Rezayee argued that women athletes should fall within the definition of women leaders.²⁷⁶ For her part, Dr. Lauren Oates reminded the Special Committee that safe passage was also needed for Afghan colleagues who had worked to deliver programming based on Canada's feminist international assistance policy.²⁷⁷ The Canadian Association of University Teachers, the Canadian Labour

273 AFGH, [Evidence](#), 7 February 2022, 1945 (Khalida Nasiri); AFGH, [Evidence](#), 7 February 2022, 2040 (Dr. Lauryn Oates); AFGH, [Evidence](#), 7 February 2022, 2045 (Dr. William Maley); AFGH, [Evidence](#), 14 February 2022, 1850, (Aziz Amiri); AFGH, [Evidence](#), 28 February 2022, 1850 (Wendy Long); AFGH, [Evidence](#), 20 May 2022, 1425 (Warda Meighen); Canadian Bar Association, [brief](#), 2 March 2022, p. 3; and Mariam Balouch, [brief](#), 2 March 2022, p. 2.

274 AFGH, [Evidence](#), 28 March 2022, 1850 (Alison MacLean).

275 AFGH, [Evidence](#), 28 March 2022, 1840 (Djawid Taheri).

276 AFGH, [Evidence](#), 28 March 2022, 2040 (Friba Rezayee).

277 AFGH, [Evidence](#), 7 February 2022, 2000 (Dr. Lauryn Oates).



Congress, and the Canadian Teacher's Federation in their joint brief recommended that academics, teachers, and trade unionists be eligible for the humanitarian program.²⁷⁸

The other, recurrent, issue in the testimony was the requirement for Afghan nationals to have their refugee status determined, individually, by the UNHCR as part of private sponsorship under the humanitarian program. For private sponsors and groups of five, an individual must have a UNHCR refugee determination to be sponsored. That is not the case for sponsorship agreement holders.²⁷⁹

The Special Committee heard that the UNHCR had increased its resettlement capacity in Afghanistan's neighbouring countries in the first quarter of 2022.²⁸⁰ Nevertheless, witnesses told the Special Committee that problems persist. For instance, Djawid Taheri suggested that, although people applying under the humanitarian program require acceptance and a referral from the UNHCR, "in none of the countries bordering Afghanistan is the UNHCR actually doing that."²⁸¹ Asma Faizi communicated her understanding that, while "the UN is operating in some of these third countries, they have a huge backlog, and they're not processing, so it's a huge barrier for a lot of people."²⁸²

Several witnesses pointed out that, in 2015, the Government of Canada had designated Syrians as *prima facie* refugees, which significantly facilitated resettlement efforts.²⁸³ Multiple witnesses called for the UNHCR requirement to be waived in the case of Afghanistan.

In their brief, Journalists for Human Rights proposed a "referral network" approach, which they believe could harness the NGOs and veterans that have been involved in the Afghanistan response and are well-informed about the applicant populations.²⁸⁴ Aman Lara argued that a "referral mechanism" would "ensure faster, better informed and more precise referral of refugees under the [special humanitarian program] who reflect

278 The Canadian Association of University teachers, the Canadian Labour Congress, and the Canadian Teacher's Federation, [brief](#), 7 April 2022.

279 AFGH, [Evidence](#), 21 March 2022, 1905 (Kaylee Perez). Private sponsors must also provide one-year of income to support the refugee they are sponsoring. See IRCC, [Sponsor a refugee](#).

280 AFGH, [Evidence](#), 31 January 2022, 1950 (Indrika Ratwatte).

281 AFGH, [Evidence](#), 28 March 2022, 1840 (Djawid Taheri).

282 AFGH, [Evidence](#), 14 February 2022, 1920 (Asma Faizi).

283 AFGH, [Evidence](#), 21 March 2022, 1855 (Dr. Wendy Cukier); AFGH, [Evidence](#), 7 February 2022, 1945 (Khalidha Nasiri); and AFGH, [Evidence](#), 28 March 2022, 1840 (Djawid Taheri).

284 Journalists for Human Rights, [brief](#), 9 May 2022.

Canadian priorities.”²⁸⁵ However, such work and the work of safely identifying pathways out of Afghanistan—as Journalists for Human Rights and Aman Lara have done—requires funding.²⁸⁶ In the case of Rainbow Railroad, Dr. Kimahli Powell, the organization’s Executive Director, told the Special Committee that many people had assumed they would be a referral organization for LGBTQI+ Afghans.²⁸⁷ The organization believes that being designated as a direct referral partner would allow it “to pursue targeted responses for the most vulnerable cases of LGBTQI+ persons of Afghanistan, Ukraine and beyond for resettlement.”²⁸⁸

More broadly, the Special Committee heard that Sponsorship Agreement Holders are an integral partner in IRCC’s resettlement efforts. Kaylee Perez argued that IRCC should “develop a framework for immigration and refugee responses to emergencies that sets objective criteria.” Doing so, she argued, “would allow all of the actors involved to be well prepared to act quickly, and would help maintain transparency and equity in the strategic use of resettlement.” Ms. Perez also called on IRCC to invest in its infrastructure to ensure it can meet demands when an emergency arises.²⁸⁹ Wendy Cukier, on the other hand, felt that private sponsors, such as group of five sponsors, are better able to handle spikes and high volumes in refugee resettlement.²⁹⁰

While most testimony addressed how to facilitate safe passage for Afghan nationals to Canada, some noted the displacement crisis that has built up in the region over years of conflict and hardship. According to the UNHCR, Iran and Pakistan “have continued to host over 2.2 million registered Afghan refugees and over four million other Afghans for over four decades.”²⁹¹ While UNHCR is working to help stabilize the situation in host communities and emphasized the importance of the UN’s regional refugee response plan, Indrika Ratwatte acknowledged that “resettlement will remain a critical protection and solutions tool for individuals with acute protection needs, preserved as a life-saving mechanism for those with heightened vulnerabilities.”²⁹² Maria Toorpakai Wazir,

285 Aman Lara, [brief](#), 26 May 2022.

286 Journalists for Human Rights, [brief](#), 9 May 2022.

287 AFGH, [Evidence](#), 20 May 2022, 1430 (Dr. Kimahli Powell).

288 Ibid.

289 AFGH, [Evidence](#), 21 March 2022, 1835 (Kaylee Perez).

290 AFGH, [Evidence](#), 21 March 2022, 1855 (Dr. Wendy Cukier).

291 AFGH, [Evidence](#), 31 January 2022, 1950 (Indrika Ratwatte).

292 Ibid.



President and Founder, Maria Toorpakai Foundation believes that “you cannot bring everybody to Canada or to Europe.” She added: “We can help them right there.”²⁹³

Issues Specific to the Family Reunification Pathway for Former Interpreters

Canada intends to welcome 5,000 Afghan nationals through the family reunification pathway for former interpreters. Katherine Moloney noted that “Afghan families typically live together as multi-generational households,” and explained why she believes it is so important for extended family members to be included as part of Canada’s resettlement efforts:

The Afghan definition of “family” matters because the Taliban target family members. The Taliban hold an entire family responsible for the actions of one family member and operate under a revenge model, which requires the life of a family member in place of a person who has evaded capture. Thus, whole families face deferred risk for the actions of one family member, including a Canadian-based family member.²⁹⁴

The Special Committee heard from several former interpreters who have been meeting regularly with IRCC on the specific pathway that was established for their family members. Each highlighted a different aspect of the challenges they have faced, ranging from the terror of their families being in hiding and on the run from the Taliban to the frustration of IRCC requesting additional forms to be completed. They have all had numerous meetings with IRCC, but there has been little discernible progress.²⁹⁵

Ghulam Faizi described what his family members are facing as follows:

This is what our families are going through in Afghanistan. For example, the Taliban raided the house of one of our former interpreters. His brother burned all the documents, and he was only able to send one of his brothers to Pakistan. He tells me he cannot afford all of his family members travelling to Pakistan at the same time and arranging for them to live there. His family is still living in Afghanistan, and they do not know what will happen to them tomorrow. They constantly change their location.²⁹⁶

293 AFGH, *Evidence*, 21 March 2022, 1915 (Maria Toorpakai Wazir, President and Founder, Maria Toorpakai Foundation).

294 AFGH, *Evidence*, 28 March 2022, 1845 (Katherine Moloney).

295 While 5,000 spaces have been reserved for the family members of interpreters, zero had arrived in Canada by the time of their testimony to the Special Committee. See AFGH, *Evidence*, 11 April 2022, 1605 (Hameed Khan).

296 AFGH, *Evidence*, 11 April 2022, 1535 (Ghulam Faizi).

Hameed Khan, another former interpreter for the Canadian Armed Forces, told the Special Committee that,

The Taliban have done multiple killings of anyone considered a traitor. This knot is now getting tighter, as they enter and search houses of suspected family members of those who worked with NATO or [International Security Assistance Force] forces. Many have burned the paperwork that connects our families to Canada.²⁹⁷

Yet, according to former interpreter Ahmad Shoaib, 65% of the extended family members of Canada's former interpreters were still waiting to receive UCI and G numbers. Nevertheless, he said, "the IRCC is pushing us to get passports." As Mr. Shoaib pointed out, doing so would mean disclosing their identity and past activities to the Taliban.²⁹⁸ Former interpreter Safiullah Mohammad Zahed commented that this effort "was supposed to be an emergency evacuation, but instead it's being treated as a family sponsorship program in which we have to pay for everything." After noting that former interpreters have been asked "to file hundreds of forms," he said: "I think they're just making excuses."²⁹⁹ Minister Fraser explained that forms are sometimes designed to replace an interview when these were not feasible in person.³⁰⁰

Ghulam Faizi also wanted to know why resettlement assistance (RAP) or other income programs were available only to Afghan nationals coming to Canada under the SIM and not to those relying on the family reunification pathway. Without such support, the interpreters are worried about how to pay for rent for their extended families.³⁰¹

Retired members of the Canadian Armed Forces who testified to the Special Committee emphasized the invaluable role that Afghan interpreters and cultural advisers had played during Canada's mission in Afghanistan. According to Major-General (retired) David Fraser, "Afghanistan was one of the most complex missions Canada has ever engaged in. Nowhere were we more dependent on interpreters and cultural advisers than we were in Afghanistan."³⁰² After noting that "these individuals worked alongside Canadian Forces personnel, in the same vehicles, wearing the same uniforms," Oliver Thorne reminded the Special Committee that "in many cases, their local information and

297 AFGH, *Evidence*, 11 April 2022, 1540 (Hameed Khan).

298 AFGH, *Evidence*, 11 April 2022, 1545 (Ahmad Shoaib).

299 AFGH, *Evidence*, 11 April 2022, 1640 (Safiullah Mohammad Zahed).

300 AFGH, *Evidence*, 25 April 2022, 1930 (Hon. Sean Fraser).

301 AFGH, *Evidence*, 11 April 2022, 1535 (Ghulam Faizi).

302 AFGH, *Evidence*, 14 February 2022, 1945 (Major-General (Retired) David Fraser).



knowledge helped save Canadian lives.”³⁰³ Interpreters have been reaching out directly to CAF members. Consequently, Mr. Thorne said that it has been “incredibly detrimental to the mental health of Canada’s veterans to not be able to help them and to see them still waiting to come here when the veterans are getting messages daily talking about how dangerous it is.”³⁰⁴

Corey Shelson framed the situation in terms of Canada’s “post-military campaign responsibilities.” He observed: “When Canada deploys troops, we must understand that our mission does not end with their return.”³⁰⁵

The Special Committee’s Observations and Recommendations

The rationale underpinning the creation of special programs for Afghan nationals must not be forgotten: these individuals worked with Canadians, under dangerous conditions. They came to embody the ideals that Canada and its allies sought to advance in Afghanistan and are now at risk from a regime that fought a bloody insurgency against those same ideals. In this regard, the Special Committee draws attention to Minister Fraser’s statement that,

If we want to bring any 40,000 Afghan refugees who are already in third countries, I don't question that we would be able to deliver on that commitment more quickly. However—and this is an important element of this effort to me—we made a commitment to certain individuals and their families on the basis of their work with Canada. We don't plan to waver on that commitment, even if it means doing the harder thing, which is to continue to pursue all avenues to get them to Canada, despite the fact that they might still be in Afghanistan.³⁰⁶

The Special Committee agrees that Canada cannot waiver on its commitment, no matter the obstacles that must be overcome. As such, it believes that it is incumbent on the Government of Canada to show the utmost adaptability, respect, and urgency in achieving that objective.

Recommendation 23

That the Government of Canada ensure that Immigration, Refugees and Citizenship Canada does whatever is necessary to ensure that applications under the special

303 AFGH, *Evidence*, 14 February 2022, 1955 (Oliver Thorne).

304 Ibid, *2020*.

305 AFGH, *Evidence*, 28 February 2022, 1940 (Corey Shelson).

306 AFGH, *Evidence*, 25 April 2022, 1920 (Hon. Sean Fraser).

immigration measures (SIM) for Afghan nationals with an enduring connection to Canada are being processed immediately.

Recommendation 24

That the Government of Canada ensure that Immigration, Refugees and Citizenship Canada expands the categories of individuals who are deemed vulnerable, such as women fearing gender-based persecution, to ensure that its humanitarian program for Afghan nationals is as inclusive as possible.

Recommendation 25

That the Government of Canada ensure that Immigration, Refugees and Citizenship Canada broadens the range of referral partners it is using to resettle Afghan nationals to include trusted non-governmental organizations that are active in Afghanistan and neighbouring countries and that have knowledge of the applicant populations.

Recommendation 26

That the Government of Canada ensure that Immigration, Refugees and Citizenship Canada waives the requirement for a UNHCR refugee status determination for Afghan nationals, as it has done in other situations of mass displacement, including Syria, to ensure that Canadian civil society can sponsor vulnerable Afghans in groups of five or in community groups.

Recommendation 27

That the Government of Canada ensure that Immigration, Refugees and Citizenship Canada waives the requirement for Afghans to be in a third country to be eligible for the special immigration measures.

Recommendation 28

That the Government of Canada ensure that Immigration, Refugees and Citizenship Canada processes immediately the applications submitted for extended family members of Canada's former Afghan interpreters.

Recommendation 29

That the Government of Canada ensure that Immigration, Refugees and Citizenship Canada expands the extended family reunification stream to other Afghans.



Recommendation 30

That the Government of Canada ensure that Immigration, Refugees and Citizenship Canada reduces the paperwork required from Afghan nationals with an enduring and significant tie to Canada, and their families, and waives requirements for certain documents that are not possible to obtain from Afghan authorities, such as marriage certificates and birth certificates, only after reviewing the risk of human trafficking of children.

Recommendation 31

That the Government of Canada ensure that Immigration, Refugees and Citizenship Canada removes the caps on Sponsorship Agreement Holders for Afghan refugees.

Recommendation 32

That the Government of Canada ensure that Immigration, Refugees and Citizenship Canada provides the Resettlement Assistance Program and other year-long income programs for SIM applicants to the extended family reunification stream for former interpreters.

Recommendation 33

That the Government of Canada ensure that Immigration, Refugees and Citizenship Canada provides evacuation flights for Afghans in third countries, except for Iran.

Recommendation 34

That the Government of Canada instruct Immigration, Refugees and Citizenship Canada to ensure that the family members of former interpreters are provided support for their accommodation in third countries.

Recommendation 35

That the Government of Canada ensure that Immigration, Refugees and Citizenship Canada conducts an internal review of its response to refugee crises including processing times, workforce capabilities, and communications with applicants, refugee sponsors, and other organizations such as non-governmental organizations and refugee referral partners. While protecting national security, the review should be shared with relevant departments and agencies including Global Affairs Canada, National Defence, and the Canadian Armed Forces. The main findings should be communicated in writing to the Standing Committee on Citizenship and Immigration.

Recommendation 36

That the Government of Canada ensure that Immigration, Refugees and Citizenship Canada exercises its authority under section 25 of the *Immigration and Refugee Protection Act* to create a special immigration measure to urgently resettle at least 300 pre-identified LGBTQI+ Afghan refugees as Government Assisted Refugees and that this be in addition to the quota for the resettlement of 40,000 Afghans.

Existing Immigration Programs Adapted to the Afghan Crisis

Effective 23 August 2021, IRCC issued operational instructions to its officers to support persons affected by the crisis in Afghanistan by offering them “priority processing.”³⁰⁷ Priority processing applies to:

- Afghan nationals who are immediate family members³⁰⁸ of a Canadian citizen, a status Indian or a permanent resident who have filed either an application for family reunification or a temporary residence application such as a visitor visa. Complete applications are to be processed first.
- Protected persons in Canada (such as successful refugee claimants) who apply for permanent residence and whose spouse or partner, and any children, currently reside outside of Canada.
- Dependents of resettled refugees currently residing outside of Canada.³⁰⁹

The Special Committee did not hear much about these measures. However, the Canadian Bar Association submitted in writing that “there are no indications that the Facilitative Measures have been effective in prioritizing case processing.”³¹⁰

307 Government of Canada, [Facilitative measures to support those affected by the crisis in Afghanistan](#).

308 Section 12 of IRPA defines members of the family class by the relationship they have with a Canadian citizen, a status Indian or a permanent resident such as spouse, common-law partner, child and parent. For the child to be considered a dependant, the child must be less than 22 years of age and unmarried.

309 Government of Canada, [Facilitative measures to support those affected by the crisis in Afghanistan](#). Individuals who have been resettled to Canada have a different process to reunite with family members that is available only in their first year in the country: the [One-year window of opportunity](#). For resettled refugees in Quebec, the ministère de l'Immigration, de la Francisation et de l'Intégration (MIFI) is involved. See MIFI, [Application to bring family members who are still abroad to Québec \(one-year window of opportunity provisions for refugees or protected persons\)](#).

310 Canadian Bar Association, [brief](#), 2 March 2022, p. 5.



Warda Meighen suggested that IRCC should issue temporary residence visas.³¹¹ Friba Rezayee wants IRCC to issue study permits, especially to students who have full scholarships.³¹² Women Leaders of Tomorrow “has helped many Afghan women to obtain full-ride scholarships to Canadian universities, but their study permits and student visas have been denied by the IRCC on the grounds that they are unlikely to return to Afghanistan.”³¹³ Wendy Cukier also spoke about a post-graduate student in Afghanistan who was denied a study permit because IRCC felt she would not return home after the end of her stay.³¹⁴

For some, discussion of such visas and permits invoked a comparison to the measures that have been offered to the six million Ukrainians who have been forced to flee from the invasion Russia launched against their country on 24 February 2022.³¹⁵ IRCC created the Canada-Ukraine authorization for emergency travel (CUAET),³¹⁶ which provides Ukrainians temporary resident status for up to three years, and makes them eligible for a free open work permit or study permit.³¹⁷ In addition to the 34 locations in the region where Canada already had visa application centres and biometrics kits,³¹⁸ IRCC opened new, temporary centres in Warsaw, Poland and Berlin, Germany to allow for greater access to biometrics collection sites.³¹⁹

Wadood Dilsoz told the Special Committee that work permits and study permits should be made available to Afghan nationals just as they have been offered to refugees from Ukraine.³²⁰ More broadly, Wendy Cukier would like to see the Government of Canada do “what it has done in a matter of weeks for Ukrainian refugees.”³²¹ Djawid Taheri said to the Special Committee:

311 AFGH, [Evidence](#), 20 May 2022, 1425 (Warda Meighen).

312 AFGH, [Evidence](#), 28 March 2022, 2040 (Friba Rezayee).

313 Ibid.

314 AFGH, [Evidence](#), 21 March 2022, 1840 (Dr. Wendy Cukier).

315 UNHCR, Operational Data Portal, [Ukraine Refugee Situation](#), last updated 22 May 2022.

316 IRCC, [Immigration measures for people affected by the Russian invasion of Ukraine](#). Between 17 March and 11 May 2022, IRCC received more than 223,000 Canada-Ukraine authorization for emergency travel applications and approved more than 104,500.

317 IRCC, [Minister Fraser concludes a successful visit to Europe](#), News release, 6 May 2022.

318 AFGH, [Evidence](#), 25 April 2022, 1930 (Hon. Sean Fraser).

319 IRCC, [Canada expands overseas services for Ukrainians](#), News release, 4 May 2022.

320 AFGH, [Evidence](#), 28 March 2022, 2035 (Wadood Dilsoz).

321 AFGH, [Evidence](#), 21 March 2022, 1910 (Dr. Wendy Cukier).

[W]hen we look at the government and how the government is utilizing simple and expeditious measures to facilitate the resettlement of Ukrainians to Canada, one starts to wonder: Why isn't this possible for Afghan refugees?³²²

Katherine Moloney offered one possible explanation for the differential treatment: “[T]he reason why Canada is not issuing temporary visas for Afghans where they are for Ukrainians is that there is a ... fear that Afghans fleeing the Taliban may in fact be Taliban, and while that is not substantiated, I think that's the fear.”³²³

Minister Fraser framed the department’s response to the two situations in terms of the different circumstances and realities involved. In the case of Ukraine, he said, many people are expected to return when it is safe to do so. Afghan nationals, on the other hand, “need to have a permanent resettlement program.”³²⁴

The Special Committee’s Observations and Recommendations

The Special Committee is cognizant of the circumstances that have enabled Canada to mount a swift and generous response to the displacement crisis generated by Russia’s war of aggression against Ukraine, including the presence of allied governments on Ukraine’s borders and in other locations nearby. At the same time, it recognizes the concerns about equity that were brought to its attention. The Special Committee believes that all avenues that could help young Afghans contribute to Canadian society and—one day—to the rebuilding of Afghanistan should be explored.

Recommendation 37

That the Government of Canada ensure that Immigration, Refugees and Citizenship Canada allows Afghans to access study permits, including individuals who have obtained full scholarships or are continuing their studies, as well as economic mobility pathway pilots and economic immigration streams, without assessing the intention of returning to their country of origin.

Settlement Services

The Special Committee heard that a new framework for collaboration among RAP providers and settlement organizations was created in a matter of days to assist with the

322 AFGH, *Evidence*, 28 March 2022, 1840 (Djawid Taheri).

323 AFGH, *Evidence*, 28 March 2022, 1910 (Katherine Moloney).

324 AFGH, *Evidence*, 25 April 2022, 1930 (Hon. Sean Fraser).



resettlement of Afghan nationals to Canada under the special programs. Umashanie Reddy, National Director, Government-Assisted Refugee Resettlement and the National Afghan Refugee Resettlement Programs, Calgary Catholic Immigration Society, told the Special Committee that her organization had eight days to plan for the arrival of their first Afghan refugees. In that time, they put together “a fully fledged strategic governance structure that spoke notably to roles and responsibilities: one that was nationally coordinated and locally implemented, one that was equitable, one that was socially just and one that every single RAP service provider could take part in.”³²⁵ They met weekly and communications with IRCC went well.

Umashanie Reddy also spoke of the 34 resettlement agencies across the country that are supporting the government-assisted refugees who fled Afghanistan. She explained that government-assisted refugees have access to the RAP income support and other services, including needs assessments (education, housing, financial literacy, health, etc.) and language assessments.³²⁶ However, Umashanie Reddy went on to say that because a lot of the people she meets “are very well educated” they can be overqualified for some of the jobs they are offered.³²⁷

Dr. Kelly Ernst, Vice President, Vulnerable Populations, Centre for Newcomers, pointed to the challenges—or “barriers”—arising from the different support services that are available to Afghans based on how they come to Canada (i.e., their immigration type). Depending on whether somebody is a government-assisted refugee, privately sponsored, or a refugee or asylum claimant, they receive “different types of services based on their status.” In the view of Dr. Ernst, the distinctions between such categories are “very false” and need to be addressed.³²⁸

325 AFGH, *Evidence*, 11 April 2022, 1650 (Umashanie Reddy, National Director, Government-Assisted Refugee Resettlement and the National Afghan Refugee Resettlement Programs, Calgary Catholic Immigration Society).

326 Ibid., [1705](#).

327 Ibid., [1725](#).

328 AFGH, *Evidence*, 21 March 2022, 1940 (Dr. Kelly Ernst, Vice President, Vulnerable Populations, Centre for Newcomers).

APPENDIX A

LIST OF OUTSTANDING UNDERTAKINGS AND

WRITTEN RESPONSES TO QUESTIONS

Undertaking	Meeting	Requested By	Date Requested	Date Received
<p><i>(to Minister of Immigration, Refugees and Citizenship and IRCC officials)</i></p> <p>Section 25.1 of the act allows you to make direct ministerial interventions on humanitarian grounds. How many of those have you, or your delegate in the department, issued with respect to the Afghan refugee situation?</p> <p>Hon. Sean Fraser:</p> <p>I'll have to follow up with you to determine the specific answer to that question.</p> <p>Hon. Erin O'Toole: Can you undertake to provide that to this special committee?</p> <p>Hon. Sean Fraser:</p> <p>I think I can provide you with that answer.</p> <p>Hon. Erin O'Toole:</p> <p>Yes, please provide the number.</p> <p>Hon. Erin O'Toole:</p> <p>Up until August 31—several weeks after the fall of Kabul—the United States and some allies rescued approximately 120,000 refugees. At the tail end of August, Canada was in an election under the caretaker convention. How many ministerial exemptions were provided during that time—August 15 to the end of August—to help facilitate the rescue of people? I understand you weren't the minister, but do you know how many were issued?</p> <p>Hon. Sean Fraser:</p> <p>I would ask the officials who are here with us, in case they have that information. I don't have that information with me today.</p> <p>The Chair:</p> <p>Does Ms. Tapley want to respond, or anyone else?</p> <p>Ms. Catrina Tapley (Deputy Minister, Immigration, Refugees and Citizenship Canada, Department of Citizenship and Immigration):</p> <p>I'm sorry, Mr. Chair. We will have to get back to you with a precise number.'</p> <p>Hon. Erin O'Toole:</p> <p>If you could table with the committee the specific number of exemptions given during that time period in August, and perhaps in the five months ahead of time....</p>	Meeting 10 20:10	MP Hon. Erin O'Toole (C)	Monday April 25 2022	No response received - AFGH 10.1

Undertaking	Meeting	Requested By	Date Requested	Date Received
<p><i>(to Minister of Immigration, Refugees and Citizenship and IRCC officials)</i></p> <p>Ms. Jenny Kwan:</p> <p>Former Afghan interpreters have advised us that applications submitted since January 12 have yet to receive a file number. That's about 65% of the 300. This is about the same time as the government began its effort to expedite the process for Ukrainians.</p> <p>Could the minister advise us how many existing staff or FTEs were assigned to process the special immigration measures for Afghan nationals, and how many new staff or FTEs were hired and when? Was there any change in staff deployment by IRCC for the Afghan measures since August 2021? If the committee could get those numbers if the minister doesn't have them at his fingertips, I would appreciate it. I'd like those numbers broken down by staff and FTEs, new and existing in the month to which this applies, and then the offices as well as the streams.</p>	Meeting 10 20:36	MP Jenny Kwan (NDP)	Monday April 25 2022	No response received - AFGH 10.2
<p><i>(to Immigration, Refugees and Citizenship officials)</i></p> <p>Mr. Jasraj Singh Hallan:</p> <p>I'd like the officials to table a few things, specifically, any instructions that were given to IRCC employees for processing Afghan refugee cases and Afghan special immigration measures cases from January 2021.</p>	Meeting 10 20:44	MP Jasraj Singh Hallan (C)	Monday April 25 2022	No response received
<p><i>(to Immigration, Refugees and Citizenship officials)</i></p> <p>Ms. Jenny Kwan:</p> <p>First I'd like to ask the officials to also table the information I asked for previously, with respect to the two types of applications for Afghans that are in process. How many of them have received UIC numbers, how many of them are still waiting for the UIC numbers, and how many of them have been refused? Could I get that information?</p>	Meeting 10 21:06	MP Jenny Kwan (NDP)	Monday April 25 2022	No response received
<p><i>(to Minister of Foreign Affairs)</i></p> <p>Ms. Jenny Kwan:</p> <p>I raised that with the Minister of Immigration, who seemed surprised and said, "Oh, I haven't heard that". Of course, I have a list of these individuals who have applied, and it has gone nowhere. I did receive responses from the minister acknowledging receipt of these letters, but no real response.</p> <p>It would be great for the officials to table any documentation to the committee to show that they have, in fact, followed up with IRCC, what the expectations are, and what will happen with GAC with these individuals who are being left behind.</p>	Meeting 11 19:12	MP Jenny Kwan (NDP)	Monday May 2 2022	No written response

Undertaking	Meeting	Requested By	Date Requested	Date Received
<p><i>(to Minister of National Defense and Department of National Defense officials)</i></p> <p>As the minister formerly responsible for procurement, and with such a large evacuation effort, what was your department asked to procure to help with the evacuation, and when did the request come in?</p> <p>Hon. Anita Anand:</p> <p>I can say that we were very much involved at that time with a number of very serious procurements on behalf of the Government of Canada. I will ask my deputy minister if he has anything to add, but I was not privy to those conversations myself.</p> <p>Mr. Bill Matthews (Deputy Minister of National Defence, Department of National Defence):</p> <p>Thank you, Mr. Chair.</p> <p>The only thing I would add is at that time we were on standby to look into potential air charters, potential lodgings. I will confirm, but my recollection is that those services were not needed and other arrangements were made. But I would have to confirm that after the meeting.</p> <p>Hon. Kerry-Lynne Findlay:</p> <p>Could you do that and let us know, please?</p> <p>Mr. Bill Matthews:</p> <p>Absolutely.</p>	Meeting 12 18:40	MP l'hon. Kerry-Lynne D. Findlay (C)	Monday May 9 2022	No response received
<p><i>(to Department of National Defense officials)</i></p> <p>From the lessons learned that the minister mentioned and acknowledged was ongoing since, who led the CAF portion of the lessons-learned process? Was it an SJS and CJOC lead? Who led it?</p> <p>Gen Wayne D. Eyre:</p> <p>Mr. Chair, as you will remember, we conduct after-action reviews at each level. SOFCOM conducted their own after action review. CJOC conducted their own, and we did a Canadian Armed Forces one led by SJS.</p> <p>Mr. Alex Ruff:</p> <p>Would it be possible to get a copy of that report, even if it has to be vetted, I guess, to some extent, although there are members of the committee who do have the appropriate security clearances?</p> <p>Gen Wayne D. Eyre:</p> <p>It is a classified report. I'm not sure of the rules that surround that. We'll have to take that one away and find out what the rules are.</p> <p>Mr. Alex Ruff:</p> <p>Please get back to us on that.</p>	Meeting 12 19:39	MP Alex Ruff (C)	Monday May 9 2022	No response received

Undertaking	Meeting	Requested By	Date Requested	Date Received
<p><i>(to Department of National Defense officials)</i></p> <p>Mr. Alex Ruff: Was there an interdepartmental between the different departments—maybe this is more for the deputy minister—of lessons learned or the after action process?</p> <p>Mr. Bill Matthews:</p> <p>I'm aware that there are conversations about lessons learned. I will have to get back and check to see if they're formal lessons learned. There's certainly been dialogue. I don't know if it's as formal as what the chief mentioned, but the chief may be aware.</p> <p>Gen Wayne D. Eyre:</p> <p>We provided input to a PCO-led post-operation review. I have not seen the output of that.....</p> <p>Mr. Alex Ruff:</p> <p>We'll see what we can do about getting back on that.</p>	Meeting 12 19:40	MP Jenny Kwan (NDP)	Monday May 9 2022	No response received
<p><i>(to Department of National Defense officials)</i></p> <p>I wonder if the department would have any concerns if Canada were to conduct biometrics of Afghans either in third countries or in Canada after they've arrived in Canada.</p> <p>Gen Wayne D. Eyre:</p> <p>Mr. Chair, I would have to get advice on that question. Any collection of biometrics would be in support of another department. Unfortunately, I don't have a good answer for you on that.</p> <p>Ms. Jenny Kwan:</p> <p>I would love to get your answer in writing to the committee at a later time.....The reason why I ask is this: IRCC will say it's not up to them, that because of national security it's up to Defence and others to make that decision. So we consequently have a situation where everybody is passing the buck to someone else, and I'm interested in knowing what can be done and how it could be done, and can Canada work in collaboration with allied countries to help to get this done? Because, if based on the numbers we have received, the 3,800 which you referred to IRCC, only 900 have been processed—hopefully, here, but maybe not.... The rest of them, I don't know what's happened to them.</p> <p>With respect to documentations, because of the collaboration that's required, there are situations where people literally are hiding right now and they're burning their documents at the moment, so to require them to submit those documentations is almost an impossible task.</p> <p>I understand national security, but I also think we need to step up to try to figure out what to do here and how we can proceed, so I'd love to get your advice on what Canada can do to help bring more Afghans to safety.</p>	Meeting 12 20:17	MP Jenny Kwan (NDP)	Monday May 9 2022	No response received

Undertaking	Meeting	Requested By	Date Requested	Date Received
<p>Jenny Kwan moved, — That the committee ask IRCC to confirm that they have received the 3,800 applications referred by the Department of National Defence; and, that IRCC advise the Committee: how many have been processed with an invitation and assigned a G-number, how many have arrived in Canada, and when could the rest of the 2,900 applications be expect to be processed.</p> <p>After debate, the question was put on the motion and it was agreed to</p>	Meeting 12	Special Committee on Afghanistan (AFGH) motion	Monday May 9 2022	No response received

Source: Table compiled by Jenny Kwan (Vancouver East), 6 June 2022.

APPENDIX B

LIST OF WITNESSES

The following table lists the witnesses who appeared before the committee at its meetings related to this report. Transcripts of all public meetings related to this report are available on the committee's [webpage for this study](#).

Organizations and Individuals	Date	Meeting
International Committee of the Red Cross	2022/01/31	2
Patrick Hamilton, Head of Regional Delegation United States and Canada		
Office of the United Nations High Commissioner for Refugees	2022/01/31	2
Rema Jamous Imseis, Representative in Canada		
Indrika Ratwatte, Director Regional Bureau of Asia and the Pacific		
United Nations Assistance Mission in Afghanistan	2022/01/31	2
Dr. George Varughese, Principal Adviser Humanitarian and Development Assistance		
World Food Programme	2022/01/31	2
John Aylieff, Regional Director Asia and the Pacific		
World Vision Canada	2022/01/31	2
Julie McKinlay, Director Fragile and Humanitarian Programs		
Michael Messenger, President and Chief Executive Officer		
Afghan Youth Engagement and Development Initiative	2022/02/07	3
Khalidha Nasiri, Executive Director		
Canadian Hazara Humanitarian Services	2022/02/07	3
Dr. William Maley, Emeritus Professor Australian National University, Canberra, Australia		
Ali Mirzad, Senior Government Affairs and Relations Advisor		

Organizations and Individuals	Date	Meeting
Canadian Women for Women in Afghanistan	2022/02/07	3
Dr. Lauryn Oates, Executive Director		
CARE Canada	2022/02/07	3
Barbara Grantham, President and Chief Executive Officer		
Doctors Without Borders	2022/02/07	3
Martine Flokstra, Operations Manager		
Dr. Jason Nickerson, Humanitarian Representative to Canada		
United Nations Children's Fund (UNICEF)	2022/02/07	3
Manuel Fontaine, Director Office of Emergency Programmes		
Afghan Women's Organization Refugee and Immigrant Services	2022/02/14	4
Asma Faizi, President		
As an individual	2022/02/14	4
MGen (Retired) David Fraser, Major General (Retired) Afghan Strategic Evacuation Team		
MGen (Retired) Dean Milner, Major General (Retired) Afghan Strategic Evacuation Team		
Canada Afghanistan Business Council	2022/02/14	4
Aziz Amiri, President		
Canadian Red Cross	2022/02/14	4
Amy Avis, General Counsel		
Erica See, Senior Legal Counsel		
Veterans Transition Network	2022/02/14	4
Oliver Thorne, Executive Director		
Afghan-Canadian Interpreters	2022/02/28	5
Wendy Long, Director		

Organizations and Individuals	Date	Meeting
As an individual	2022/02/28	5
David Theodore Lavery		
Stephen Peddle		
Afghanistan Veteran		
Corey Shelson		
Dr. Julian Spencer-Churchill, Professor Concordia University, Political Science		
Aman Lara	2022/02/28	5
Brian Macdonald, Executive Director		
Eleanor Taylor, Deputy Executive Director		
Vector Global Solutions	2022/02/28	5
Brandi Hansen, Director of Operations		
Women Leaders of Tomorrow	2022/02/28	5
Friba Rezayee, Founder and Executive Director		
Aga Khan Foundation Canada	2022/03/21	6
Khalil Shariff, Chief Executive Officer		
Canadian Refugee Sponsorship Agreement Holders Association	2022/03/21	6
Kaylee Perez, Chair		
Centre for Newcomers	2022/03/21	6
Dr. Kelly Ernst, Vice-President Vulnerable Populations		
Global Affairs Canada	2022/03/21	6
Reid Sirrs, Former Ambassador of Canada to Afghanistan		
Maria Toorpakai Foundation	2022/03/21	6
Maria Toorpakai Wazir, President and Founder		
Ted Rogers School of Management	2022/03/21	6
Dr. Wendy Cukier, Founder, Lifeline Afghanistan and Professor, Ryerson University		
Afghan Community Vancouver	2022/03/28	7
Wadood Dilsoz, Director		

Organizations and Individuals	Date	Meeting
As an individual	2022/03/28	7
Sally Armstrong, Journalist		
Alison MacLean, Documentarian, Producer of Burkas2Bullets		
Dr. Sima Samar, Former Chairperson Afghanistan Independent Human Rights Commission		
Djawid Taheri, Lawyer		
Human Rights Watch	2022/03/28	7
Heather Barr, Associate Women's Rights Director		
Tenth Church	2022/03/28	7
Katherine Moloney, Representative for Afghan Families		
Women & Peace Studies Organization – Afghanistan	2022/03/28	7
Wazhma Frogh, Founder		
Women Leaders of Tomorrow	2022/03/28	7
Friba Rezayee, Founder and Executive Director		
Department of Foreign Affairs, Trade and Development	2022/04/04	8
Patrick Hill, Executive Director and Senior General Counsel		
Jennifer Loten, Director General International Crime and Terrorism		
Christopher MacLennan, Deputy Minister International Development		
Hon. Harjit S. Sajjan, P.C., M.P., Minister of International Development		
Stephen Salewicz, Director General International Humanitarian Assistance		
Paul Thoppil, Assistant Deputy Minister Asia Pacific		

Organizations and Individuals	Date	Meeting
As an individual	2022/04/11	9
Ghulam Faizi, Former Interpreter Canadian Armed Forces		
Hameed Khan, Former Interpreter Canadian Armed Forces		
Safiullah Mohammad Zahed, Former Interpreter Canadian Armed Forces		
Ahmad Shah Sayed, Former Interpreter Canadian Armed Forces		
Ahmad Shoaib, Former Interpreter Canadian Armed Forces		
Calgary Catholic Immigration Society	2022/04/11	9
Umashanie Reddy, National Director Government-Assisted Refugee Resettlement and the National Afghan Refugee Resettlement Programs		
Department of Citizenship and Immigration	2022/04/25	10
Hon. Sean Fraser, P.C., M.P., Minister of Immigration, Refugees and Citizenship		
Nicole Giles, Assistant Deputy Minister Operations		
Jennifer MacIntyre, Assistant Deputy Minister Afghanistan		
Catrina Tapley, Deputy Minister Immigration, Refugees and Citizenship		
Department of Foreign Affairs, Trade and Development	2022/05/02	11
Heidi Hulan, Assistant Deputy Minister and Political Director, International Security and Political Affairs		
Hon. Mélanie Joly, P.C., M.P., Minister of Foreign Affairs		
Peter MacDougall, Assistant Deputy Minister, Global Issues and Development		
Julie Sunday, Acting Assistant Deputy Minister, Consular, Security and Emergency Management		
Cindy Termorshuizen, Associate Deputy Minister of Foreign Affairs		
Paul Thoppil, Assistant Deputy Minister, Asia Pacific		

Organizations and Individuals	Date	Meeting
Department of National Defence	2022/05/09	12
Hon. Anita Anand, P.C., M.P., Minister of National Defence		
VAdm J.R. Auchterlonie, Commander of the Canadian Joint Operations Command		
MGen Steve Boivin, Commander Canadian Special Operations Forces Command		
Gen Wayne D. Eyre, Chief of the Defence Staff Canadian Armed Forces		
Bill Matthews, Deputy Minister of National Defence		
LGen A. D. Meinzinger, Commander Royal Canadian Air Force		
As an individual	2022/05/20	13
Mohammed Zarif Mayar, Former Interpreter Canadian Armed Forces		
Landings LLP	2022/05/20	13
Warda Shazadi Meighen, Partner		
Rainbow Railroad	2022/05/20	13
Dr. Kimahli Powell, Executive Director		

APPENDIX C

LIST OF BRIEFS

The following is an alphabetical list of organizations and individuals who submitted briefs to the committee related to this report. For more information, please consult the committee's [webpage for this study](#).

Action Against Hunger Canada
Afghan Women's Organization Refugee and Immigrant Services
Aman Lara
Balouch, Mariam
Canadian Association of Law Teachers
Canadian Association of University Teachers
Canadian Foodgrains Bank
Canadian Labour Congress
Canadian Red Cross
Canadian Red Cross Society
Canadian Refugee Sponsorship Agreement Holder
Canadian Superior Courts Judges Association
Canadian Teachers' Federation
Canadian Women for Women in Afghanistan
CARE Canada
Cooperation Canada
Council of Canadian Law Deans
Doctors Without Borders
Equality Fund
Federation of Law Societies of Canada
Human Concern International
International Association of Judges
International Association of Women Judges

International Bar Association
Islamic Relief Canada
Journalists for Human Rights
Landings LLP
Lawyer's Rights Watch Canada
Lawyers Without Borders
Lord Reading Law Society
Mennonite Central Committee Canada
Mines Action Canada
Moddejonge, Amanda
Presbyterian World Service & Development
Prier, James
Rainbow Railroad
Raoul Wallenberg Centre for Human Rights
Save the Children Canada
Shajjan & Associates
Spencer-Churchill, Julian
Tenth Church
The Advocates' Society
The Canadian Bar Association
The Canadian Heroes Foundation
Women's Legal Education and Action Fund
World Food Programme
World Vision Canada

REQUEST FOR GOVERNMENT RESPONSE

Pursuant to Standing Order 109, the committee requests that the government table a comprehensive response to this Report.

A copy of the relevant *Minutes of Proceedings* ([Meetings Nos. 1-16](#)) is tabled.

Respectfully submitted,

Sukh Dhaliwal
Chair

Supplement to the Special Committee on Afghanistan's Report on Honouring Canada's Legacy in Afghanistan: Responding to the Humanitarian Crisis and Helping People Reach Safety

Conservatives support the Committee's Report.

Conservatives wish to add the following evidence and observations that are not captured in the Report.

The way Canada left Afghanistan in August 2021 was a betrayal of the legacy of the 40,000 members of the Canadian Armed Forces that fought in the war in Afghanistan – including 158 soldiers who gave their lives – together with hundreds of thousands of North Atlantic Treaty Organization (NATO) soldiers.¹ It was a betrayal of our diplomats that served during and after the war – including one who gave his life. It was also a betrayal of the thousands of brave Afghans who worked alongside our soldiers and diplomats, and whose contributions were crucial to the success of Canada's mission in Afghanistan.²

These Afghans worked as interpreters, cooks, drivers, cleaners, construction workers, security guards, lawyers, and in other employment. They and their families were threatened and targeted by the Taliban because they worked with Canada's soldiers and diplomats. When it became clear that the government of Afghanistan was going to fall to the Taliban, the Canadian government had a moral duty to evacuate these Afghans and their families. In the words of the Canadian government, these Afghans have a “significant or enduring relationship with the Government of Canada.”³

It was no secret that the United States (U.S.) was going to withdraw from Afghanistan. In the months before the U.S. withdrawal, it was also clear many Afghans who had worked for NATO governments and militaries were desperate to leave to avoid persecution by the Taliban.

When the U.S. set a deadline in April 2021 to withdraw from Afghanistan by September 11, 2021,⁴ the Canadian government was slow to act to evacuate these Afghans. This is despite clear and vocal calls that came from numerous experts, veterans, and non-governmental organizations (NGOs) in the months before August 15, 2021.

The government also ignored other calls for urgent action, including questions in the House of Commons during the Spring of 2021, a statement issued by Conservatives on July 6, 2021, and a letter sent on July 22, 2021, by the Leader of the Official Opposition Erin O'Toole to Prime

¹ Government of Canada, [The Canadian Armed Forces in Afghanistan](#), 14 February 2019; North Atlantic Treaty Organization. [NATO and Afghanistan](#), 19 April 2022.

² AFGH, [Evidence](#), 14 February 2022, 1945 (Major-General (Retired) David Fraser, Afghan Strategic Evacuation Team, as an individual).

³ Government of Canada, [Government of Canada offers refuge to Afghans who assisted Canada](#), 23 July 2021.

⁴ U.S. President Joe Biden [announced](#) in July that the withdrawal will be moved up to August 31, 2021.

Minister Justin Trudeau. Weeks and months were wasted as the government delayed evacuation of these Afghans until the very last moment.

There were failures of intelligence. The Honourable Harjit Sajjan, speaking about his former role as Minister of National Defence (2015-2021), stated that he was working “hand in glove” with embassy staff in the months leading up to Kabul’s fall.⁵ Despite National Defence (DND) and Global Affairs Canada (GAC) supposedly working together, both were completely taken by surprise about the declining security situation on the ground.⁶ Ambassador Reid Sirrs testified that he had not received information to indicate that Kabul would fall until August 12, 2021, three days before the Taliban takeover.⁷

There should have been no surprise. Organizations such as the United Nations High Commissioner for Refugees (UNHCR), Afghan-Canadian Interpreters, the Veterans Transition Network (VTN), as well as Canadian Armed Forces veterans testified to the committee that Canadian government officials were warned of the situation on the ground months before the Taliban takeover.⁸ UNHCR testified that they briefed the Government of Canada back in March 2021 on the contingency plans that would be needed in the event of a mass exodus of Afghans fleeing the violence and humanitarian crisis.⁹ Daily reports from news organizations in the months and weeks leading to the fall of Kabul on August 15, 2021, chronicled gains of territory by the Taliban at the expense of the Afghan government.

There was a failure of political leadership by the Prime Minister. As Kabul fell to the Taliban, the Prime Minister advised the Governor General to dissolve Parliament, triggering a general election and the “caretaker” convention. Ministerial exempt staff were put on leave to campaign and ministers focussed on re-election. General Wayne Eyre testified that the election limited DND’s ability to publicly communicate,¹⁰ as required by the caretaker convention.¹¹ The Prime Minister and relevant ministers should have been entirely focussed on the evacuation of Afghans and their families. Instead, they put partisan political considerations ahead of an extraordinary emergency, a decision that will have damaging consequences to Canada’s international reputation for years to come.

⁵ AFGH, [Evidence](#), 4 April 2022, 1845 (Hon. Harjit S. Sajjan, Minister of International Development).

⁶ AFGH, [Evidence](#), 4 April 2022, 1940 (Ms. Jennifer Loten, Director General, International Crime and Terrorism); AFGH, [Evidence](#), 21 March 2022, 1950 (Reid Sirrs, Former Ambassador of Canada to Afghanistan, Global Affairs Canada); AFGH, [Evidence](#), 9 May 2022, 2010 (Vice-Admiral J.R. Auchterlonie, Commander of the Canadian Joint Operations Command, Department of National Defence).

⁷ AFGH, [Evidence](#), 21 March 2022, 1950 (Reid Sirrs, Former Ambassador of Canada to Afghanistan, Global Affairs Canada).

⁸ AFGH, [Evidence](#), 31 January 2022, 2010 (Indrika Ratwatte, UNHCR); AFGH, [Evidence](#), 14 February 2000, 2005 (Major-General (Retired) David Fraser, Afghan Strategic Evacuation Team, as an individual); Afghan-Canadian Interpreters, et al., [Letter to the Right Honourable Justin Trudeau](#), 1 June 2021; AFGH, [Evidence](#), 28 February 2022, 2015 (Stephen Peddle, As an Individual).

⁹ AFGH, [Evidence](#), 31 January 2022, 2010 (Indrika Ratwatte, UNHCR)

¹⁰ AFGH, [Evidence](#), 9 May 2022, 2000 (General Wayne D. Eyre).

¹¹ AFGH, [Evidence](#), 9 May 2022, 2005 (Bill Matthews, Deputy Minister of National Defence, Department of National Defence).

There was a failure to coordinate the evacuation response within the government and with NGOs. NGOs, such as the Afghan Strategic Evacuation Team (ASET) of the VTN, witnessed firsthand many shortcomings in the government's response that hindered the ability of NGOs to work and assist the government effectively during the evacuation. Testimony indicated that this stemmed from the lack of coordination between the three departments of Immigration, Refugees and Citizenship Canada (IRCC), GAC, and DND.

Major-General (retired) Dean Milner indicated that "bureaucracy at Immigration Canada" and leadership coordination issues made it "very difficult" for ASET to support and assist the mission.¹² ASET noted that no plans were communicated to their organization to help streamline the evacuation process, nor was their suggestion to create an interdepartmental task force implemented.¹³ A lead minister, with the appropriate authority, should have been assigned the responsibility by the Prime Minister to manage the government's response across different departments. That would have allowed the government to more effectively respond to the crisis.

Wendy Long, Director of Afghan-Canadian Interpreters, said:

All [IRCC, GAC, DND] have to work effectively there and that's not what was happening all along. There was no effective partnership. They were not looking at it as a mission that all three entities should have been taking part in for the end goal of getting our people to Canada.¹⁴

Interdepartmental coordination between the three departments, particularly for the immigration stream for Afghans that worked for Canada, was weak if non-existent. That is still currently the case. Many Afghans who worked for Canada are still languishing in Afghanistan and in third countries without an application file number from IRCC. This has seriously damaged Canada's reputation and will impact Canada's future ability to effect foreign and military policy internationally.

The consequence of the lack of political leadership and interdepartmental cooperation was that it prevented Canada from evacuating many more Afghans who worked for the Canadian government sooner.¹⁵

There was a lack of resources to handle the evacuation efforts. Corey Shelson, a Canadian Armed Forces veteran, testified he had learned that:

¹² AFGH, [Evidence](#), 14 February 2000, 1945 (Major-General (Retired) Dean Milner, Afghan Strategic Evacuation Team, As an Individual).

¹³ Ibid, 2010.

¹⁴ AFGH, [Evidence](#), 28 February 2022, 1910 (Wendy Long, Director, Afghan-Canadian Interpreters).

¹⁵ AFGH, [Evidence](#), 14 February 2022, 2010 (Major-General (Retired) David Fraser, Afghan Strategic Evacuation Team, as an individual).

IRCC had only two people to triage inbound emails. Around that same time, a call went out to internal government departments, looking for volunteers to take a contract inside the IRCC. That call went out to the CRA and Service Canada, and volunteers were screened and told they would begin any day.

Workers did not start until September, which was already after the evacuation ended. Everybody started answering phones, and it wasn't until October that some of these folks were asked to start to triage emails. They were instructed to look only at emails from August 23 onward, and it took until early November for all of the emails to be processed.¹⁶

The lack of human resources at IRCC to triage phone calls and emails from applicants of the Special Immigration Measures is evidence of a lack of planning on the part of the department. It also demonstrates a lack of political leadership from the minister and Prime Minister.

There was a failure to be creative in the face of bureaucratic hurdles involving life or death situations. For example, arrangements could have been made to ensure Afghans, who were unable to get the necessary documentation, were still able to travel to third countries using single journey travel documents, and the lists of people to be evacuated to Canada should have not separated families because of paperwork.

Had the government listened to the warnings from many stakeholders, veterans, and NGOs in the months before Kabul fell, had it better intelligence and coordination, had it assigned resources more effectively, and had it been creative in overcoming bureaucratic hurdles, many more Afghans who worked for Canada could have been evacuated. All of this required political leadership. As it stands now, it seems unlikely that the Government of Canada will achieve its goal of resettling 40,000 Afghan refugees in Canada, especially before the end of 2023.¹⁷

Nine months after the fall of Kabul and 10 months since the Special Immigration Measures were first announced, the government has still not learned the lessons of the evacuation. The Committee heard from former Afghan interpreters and others who worked for Canada describe the perils they continue to experience. Many have not received an application file number or a unique client identification number.

While all NATO allies scrambled to evacuate both their own citizens and Afghans who worked alongside their forces and staff, Canada performed particularly poorly in the evacuation that terminated at the end of August 2021. Between August 14, 2021, and August 30, 2021, allies such as the U.S. and United Kingdom, respectively evacuated over 122,000¹⁸ and 15,000¹⁹

¹⁶ AFGH, [Evidence](#), 28 February 2022, 1940 (Corey Shelson, As an Individual).

¹⁷ Journalists for Human Rights, *Submission to the Special Committee on Afghanistan*, May 2022.

¹⁸ The White House, [Statement by President Joe Biden](#), 30 August 2021.

¹⁹ Royal Air Force, [Operation PITTING – The Moving Story](#), 6 September 2021.

people. By the end of August, Canada evacuated 3,700 individuals.²⁰ Canada's performance was proportionately poorer than our leading NATO allies. The government's explanation for their evacuation shortcomings was that Canada's military mission in Afghanistan had been terminated in 2014 and that it did not have military assets on the ground. This does not seem to be a plausible explanation. Canada had an embassy in Kabul until August 15, 2021, and the Royal Canadian Air Force has CC-177 Globemaster strategic airlift planes that can be deployed anywhere in the world on short notice.

The Committee was unable to get the information needed to provide a more complete Report with recommendations. To ensure a more effective response to a future crisis, the government needs to be more open with information. Government witnesses were not forthcoming with information and provided little documentation from the Privy Council Office, GAC, DND, IRCC, and the Canadian Armed Forces to the Committee. For example, the lack of completed or draft after-action reports from these entities makes it difficult for the Committee to analyze in greater detail what went wrong and recommend solutions.

The war in Afghanistan from 2001-2014 was Canada's longest war and the first significant combat engagement since the Korean War. Canada's withdrawal from Afghanistan in August 2021 is not only a betrayal of our soldiers, diplomats, and Afghans themselves, it was a disaster that will damage Canada's interests for years to come. Allies and competitors around the world will question the strength of the Canadian government's commitments and whether the government is willing and able to back up its commitments with effective action.

The failure of the withdrawal and evacuation in August 2021 makes it urgent that Canada engage with Afghanistan's National Resistance Front, and consider political and materiel support, in coordination with our allies. Canada should also better coordinate defence, intelligence, and humanitarian aid capabilities with our democratic allies and partners in the Indo-Pacific region. Finally, the government should also immediately make efforts to join the Quadrilateral Security Dialogue with Australia, India, the U.S., and Japan. This is particularly important, as the vacuum left behind by the withdrawal from Afghanistan is being filled by powers like China.

²⁰ Government of Canada, [*Operation Aegis: Technical Briefing – August 26, 2021*](#), 31 August 2021.

**Supplementary Report of the New Democratic Party
Special Committee on Afghanistan (AFGH)**

Introduction

Following the withdrawal of American and NATO forces after 20 years of military intervention, we witnessed in horror the Taliban take over Afghanistan in August 2021. Many have fled the country and are seeking asylum, while others have been left behind in an evacuation that started too late and ended too early.

The situation in Afghanistan is worsening by the day. Members of Parliament from all political parties have all declared their deep appreciation to Afghans who served Canada during our missions abroad. Canadian veterans see them as part of Canada's military family, yet Canada's evacuation effort left many behind.

Lost Files Between Departments, Biometrics and Documentation Requirements

While the Canadian Government announced special immigration measures (SIM) for Afghans so that they could get to safety; to date, many of the applications have not even received a response from Immigration, Refugees and Citizenship Canada (IRCC). According to Mr. Brian Macdonald, Executive Director, Aman Lara, a non-profit organization of veterans, former interpreters, and volunteers, they have over 10,000 people on their list who are stuck in Afghanistan. They are people "...who helped our war efforts and those who worked alongside us to advance Canadian democratic principles." To put it in simple terms, "Abandoning these people to a desperate state at the hands of the Taliban is unacceptable. We need to redeem our national honour and ensure they come to Canada. Every life we save is a victory"ⁱ, added Mr. Macdonald.

This is a sentiment echoed by many of the witnesses at the Special Committee on Afghanistan (the Committee). However, it is becoming more and more apparent that IRCC is in chaos. Appearing before the Committee on May 2, 2022, the Minister of Foreign Affairs, the Honourable Melanie Joly and her officials confirmed that Global Affairs Canada (GAC) has referred urgent files to IRCC for processing under the Humanitarian Program for Afghan nationals in need of resettlement. Furthermore, on May 9, 2022, the Minister of National Defence, the Honourable Anita Anand and her officials indicated that the Department of National Defence (DND) verified and referred 3,800 applications to IRCC under the Special Immigration program for Afghan nations (and their families) who assisted the Government of Canada, but to date, only 900 have been confirmed.

Not only are there significant delays in processing, there are serious concerns that GAC and DND referrals for vulnerable Afghans and Afghans who assisted Canada's missions in Afghanistan are nowhere to be found in IRCC's system. Applicants have not heard from IRCC, no invitation to apply under the special immigration measures were issued and no G-numbers were issued. Meanwhile their lives hang in the balance and their situation is getting more and more dangerous by the day.

It is important to note that DND referred applications have been verified to have an enduring relationship with Canada. The verification process is a combination of "records, plus personal

attestations.”ⁱⁱ To be able to serve the Canadian military at the time, they would have passed the security screening process as well. In other words, they have been thoroughly vetted by the government.

As indicated by General Wayne D. Eyre:

“I, myself, received many emails from Afghans I had served and worked with, and I would vouch for their credibility. Yes, they did serve with Canadians. Yes, they did serve with the Canadian Forces. You would say, ‘I served with this individual for this period,’ and that would form the basis of the validation—that coupled with the employment records we had.”ⁱⁱⁱ

Despite the fact that they have been verified by DND, IRCC still requires onerous documentations and biometrics to be completed before they are offered safe passage to Canada.

Mr. Corey Shelson, Canadian Armed Forces from 2002 until 2015, said: “On the bureaucratic application process, providing forms that could be opened only in Adobe Acrobat Pro DC and requiring that they be signed, scanned and returned, demonstrated a lack of sensitivity to the situation on the ground and placed affected individuals at undue risk.”^{iv}

Mr. Stephen Peddle, who also served in the Canadian Armed Forces from 2002 until 2015, which included an eight-month deployment to Afghanistan in 2010 said:

“The whole paperwork process that was outlined confused me, as a federal employee of 28 years and a senior officer in the CAF, so I could only imagine what these Afghans were going through, with their lives on the line, to get this paperwork done to get out of the war zone, having known that they helped Canada for two decades and they would have targets on their heads....”^v

This lengthy process is putting Afghans who put their lives and that of their families in jeopardy to serve Canada in grave danger. They are being hunted down by the Taliban.

Mr. Hameed Khan, former interpreter, Canadian Armed Forces, testified before the Committee and advised that:

“We’re here talking about a life-and-death situation. We’re asking the Canadian public, we’re asking lawmakers, we’re asking parliamentarians and we’re asking the government officials to listen to us. Listen to our concerns. Listen to our cries. We are in desperate need of saving our families. They are all hiding, one way or another, moving from one house to another house. People have been chased down. People’s homes are being searched. It is a dire situation.

Most of the families are starving. We are all living in fear that this is the last day they will see. We are here because of our enduring relationship with Canada. None of our families deserved this.”^{vi}

He further elaborated and gave committee members a glimpse into what’s happening on the ground for their family members:

"The Taliban have done multiple killings of anyone considered a traitor. This knot is now getting tighter, as they enter and search houses of suspected family members of those who worked with NATO or ISAF forces. Many have burned the paperwork that connects our families to Canada. First-hand reports paint a sad situation. Valuables are being taken, leaving them no choice but to starve. Taliban are physically assaulting not only the men but also the women of the family members of the former interpreters."^{vii}

All through the Committee, witness after witness spoke of the need for urgent action. They repeatedly called for the government to ease the documentation requirements. They further called for the government to waive the biometrics requirements until they are safely on Canadian soil.

Mr. Oliver Thorne reminded committee members that:

"Without the ability to deliver biometrics in country, which we cannot do without a Canadian consular presence, they have to go to a third country before they can come to Canada. That means we have to deal with all the paperwork requirements to get them into that third country. Remember, most of the individuals we are talking to do not have passports. Without a passport they can't get a visa and without a visa they can't go into the country."^{viii}

He further indicated that:

"The ideal solution would be...bring people to Canada without biometric verification and do the verification in Canada."^{ix}

This was echoed by Sally Armstrong, who felt that Afghans should be able to get to safety, in Canada or in a lily-pad country, and "[s]ort out the biometrics later".^x

The Canadian government's refusal to take action on these key elements is instilling a sense of betrayal in the hearts and minds of many. Mr. Ghulam Faizi, another former interpreter, Canadian Armed Forces, bluntly said:

"The federal government, and particularly IRCC, should stop playing politics with us because it is a matter of life and death for our parents and siblings."^{xi}

To date, witnesses testified that "...no families have arrived. Zero members of our family have arrived."^{xii} In fact, sixty-five percent of the applications did not even receive a G-number.

Even more disturbing is the fact that former Afghan interpreters advised the Committee that after they held a second hunger strike at Parliament Hill, instead of expedited action from the government, they are being asked to submit more forms, more documents.

What is abundantly clear is that instead of more documentation requirements, they need the Government of Canada to reduce them. As Mr. Faizi said:

"If you go to the Taliban and ask for a family passport, the first question they ask you is, 'Why

do you need a passport for every single member of your family? Who did you work for? Did you have a relationship with any foreign NATO members?' They start targeting and investigating you."^{xiii}

The Canadian government need to reflect on the words of Mr. Ahmad Shoaib, former Interpreter, Canadian Armed Forces:

"Afghan interpreters who were once heroes to the Government of Canada are zero today because they are stressed, depressed, panicking and mentally unstable due to the live threat to their families and their loved ones... We want them to be evacuated to a third country to make sure they are safe and to make sure they don't become the victim of our enduring relationship with the Canadian government."^{xiv}

Afghanistan vs Ukraine Special Immigration Measures

Witnesses also noted that there is a significant difference with the emergency immigrations measures between the humanitarian crisis in Afghanistan and Ukraine. Numerous witnesses called on the Government of Canada to offer Afghans similar special immigration measures as what is being provided to Ukrainians.

Perhaps the most poignant point was made by Mr. Hameed Khan, who stated:

"Our demand from IRCC, from the Canadian government, is to treat us fairly. We're also human. We also bleed. We fought with you. We were your allies."^{xv}

Expansion and Extension of the Special Immigration Measures

Finally, in a written submission, Ms. Lauryn Oates, Executive Director of Canadian Women for Women in Afghanistan (CW4Wafghan), noted that:

"IRCC will close the Special Immigration Measures (SIM) program after the remaining spots are filled, as part of the 40,000 commitment. People who do not get in are being told to explore alternatives like private sponsorship; however, this requires UNHCR designation. It is well known that it is next to impossible for Afghans in Pakistan to obtain UNHCR status there and there are credible reports of corruption with the UNHCR's partner SHARP in Pakistan.... We have firsthand reports of Afghans who first attempted to get UNHCR refugee designation as far back as September 2021, and have made no progress so far, and we have been told to expect it to "take years" to, possibly, get UNHCR status. Therefore, sponsorship is not a realistic alternative for most Afghans.

Further, the purpose of SIM was to provide a pathway for Afghans who assisted Canada. Canada was not able to assist all eligible people under this pathway in 2021/22. There was a lack of transparency in the referral and selection process for those who were selected versus those who heard nothing back. The Canadian Government can rectify this by ensuring there are still viable options for those left behind."^{xvi}

In light of the fact that thousands of applications referred by GAC and DND are “lost” in IRCC’s system and many others are unable to access the government’s partner referral organizations, it is imperative that the SIM program is extended.

The NDP stands firmly and fully in support of these calls for action. The NDP is urgently calling on the Government of Canada to adopt the following recommendations.

Recommendations

Recommendation 1:

That the Government of Canada ensure that Immigration, Refugees and Citizenship Canada reduce the documentation requirements and allow persecuted Afghans’ paperwork and biometrics to be completed when they are safely on Canadian soil.

Recommendation 2:

That the Government of Canada provide evacuation flights to Afghans in third countries.

Recommendation 3:

That the Government of Canada apply the special immigration measures for Ukraine to Afghanistan.

Recommendation 4:

That the Government of Canada expand and renew the special immigration measures for Afghans for another year, so that those who are eligible have another opportunity to apply.

ⁱAFGH, *Evidence*, 28 February 2022, 18:55 (Brian Macdonald, Executive Director, Aman Lara)

ⁱⁱAFGH, *Evidence*, 9 May 2022, 19:52 (General Wayne D. Eyre, Chief of Defence Staff, Canadian Armed Forces)

ⁱⁱⁱAFGH, *Evidence*, 9 May 2022, 19:53 (General Wayne D. Eyre, Chief of Defence Staff, Canadian Armed Forces)

^{iv}AFGH, *Evidence*, 28 February 2022, 19:40 (Corey Shelson)

^vAFGH, *Evidence*, 28 February 2022, 19:55 (Stephen Peddle, Afghanistan Veteran)

^{vi}AFGH, *Evidence*, 11 April 2022, 15:43 (Hameed Khan, Former Interpreter, Canadian Armed Forces, As an individual)

^{vii}AFGH, *Evidence*, 11 April 2022, 15:43 (Hameed Khan, Former Interpreter, Canadian Armed Forces, As an individual)

^{viii}AFGH, *Evidence*, 14 February 2022, 20:16 (Oliver Throne, Executive Director, Veterans Transition

Network)

^{ix}AFGH, *Evidence*, 14 February 2022, 20:16 (Oliver Throne, Executive Director, Veterans Transition Network)

^xAFGH, *Evidence*, 28 March 2022, 20:18 (Sally Armstrong, Journalist)

^{xi}AFGH, *Evidence*, 11 April 2022, 15:37 (Ghulam Faizi, Former Interpreter, Canadian Armed Forces, As an individual)

^{xii}AFGH, *Evidence*, 11 April 2022, 15:45 (Hameed Khan, Former Interpreter, Canadian Armed Forces, As an individual)

^{xiii}AFGH, *Evidence*, 11 April 2022, 16:00 (Ghulam Faizi, Former Interpreter, Canadian Armed Forces, As an individual)

^{xiv}AFGH, *Evidence*, 11 April 2022, 15:49 (Ahmad Shoaib, Former Interpreter, Canadian Armed Forces, As an individual)

^{xv}AFGH, *Evidence*, 11 April 2022, 16:13 (Hameed Khan, Former Interpreter, Canadian Armed Forces, As an individual)

^{xvi}AFGH, Written submission, 2 June 2022 (Dr. Lauryn Oates, Executive Director, Canadian Women for Women in Afghanistan)