

Government Response to the Report of the Special Committee on Afghanistan, entitled “Honoring Canada’s Legacy in Afghanistan: Responding to the Humanitarian Crisis and Helping People Reach Safety”

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.

The Government of Canada agrees with the recommendation.

Most of the Government of Canada departments and agencies engaged in the response to the crisis in Afghanistan have undertaken various internal reviews and lessons learned exercises over the course of the past year. Those reviews are being carefully considered, and changes to policies, programs, and operations have or will be undertaken, where relevant. The sensitive nature of some Government of Canada operations prohibits these reviews from being shared publicly at this time, and therefore, they have not been included in this Response the 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 nongovernmental 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.

The Government of Canada agrees in part with this recommendation.

Pursuant to the *Department of Foreign Affairs, Trade and Development Act* and the *Emergency Management Act*, Global Affairs Canada (GAC) is mandated to lead the Government of Canada’s coordinated response to international emergencies abroad. The provision of emergency assistance, including the repatriation or assisted departure of Canadians, is a function of the royal prerogative over international relations and is exercised by the Minister of Foreign Affairs with the support of the Deputy Minister of Foreign Affairs, as per the aforementioned legislation. Similarly, the mandates of each partner department is laid out under their respective legislative frameworks.

The Government of Canada recognizes the importance of interdepartmental coordination in response to international crises. The Interdepartmental Task Force (ITF) is the primary coordination mechanism that brings together GAC bureaus and missions abroad, together with other implicated government departments, agencies, and external partners, which may vary depending on the type of crisis response

or planning required. The ITF enables timely, coherent and effective whole-of-government information sharing and a coordinated approach to emergencies abroad. There would be policy and legal challenges in implementing a system with one person or department responsible for all elements of a crisis, given the legislative, policy, and operational mandates of each department involved.

With respect to the crisis in Afghanistan, drawing from the ITF, the Department of National Defence/Canadian Armed Forces (DND/CAF) established an effective and efficient working relationship with GAC and the Department of Immigration, Refugees and Citizenship Canada (IRCC) which allowed for the safe evacuation of nearly 3,700 evacuees from Kabul, including staff from the Canadian Embassy in Afghanistan and eligible at-risk Afghan evacuees destined for Canada, as part of Operation AEGIS. This operation, involving close to 555 CAF members, provided strategic airlift through 15 CAF flights and two chartered civilian flights between August 4 and August 27, 2021.

To clarify roles and responsibilities across departments and agencies, and to minimize operational gaps and redundancy, the ITF makes use of the International Emergency Response Framework. GAC commits to reviewing key aspects of the Framework, including current mechanisms to engage with allies and other relevant stakeholders, with implicated departments to further foster coherence and efficiency.

Further to this, as a result of the emergency response in Afghanistan, GAC reviewed and regularized mechanisms for coordination via secure communications that were effectively employed to coordinate planning for the crisis in Ethiopia in November 2021 and for Ukraine as early as January 2022. This allowed increased participation between departments in the decision making process and ensured the direct involvement of our missions abroad, as the key implementers in the field. Civil society actors are also routinely engaged depending on the type of crisis, but most notably in situations requiring humanitarian assistance.

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.

The Government of Canada agrees with this recommendation.

The Government of Canada ensures that IRCC's policies, programs, and structure adapt to the needs of immigrants and refugees and to evolving geopolitical events. The Government of Canada and IRCC have emergency mechanisms in place for use in response to humanitarian crises and leverage all available tools, as relevant to the unique circumstances in any given emergency response. Learning from the current responses to crises in Afghanistan and Ukraine, IRCC is undertaking a policy review that aims, in part, to enhance its emergency mechanisms. One of the goals of this review is to renew IRCC's organizational framework for crisis management to better enable more nimble and sustainable immigration responses to humanitarian crises.

The crisis in Afghanistan has challenged Canada's immigration system in many ways and has revealed opportunities to improve the Government of Canada's preparedness for future crises. As outlined in the letter to the Chair of the Special Committee, the current situation in Afghanistan is more complex and presents challenges that did not exist for other refugee resettlement programs. For example, a large

number of the vulnerable Afghans that the Government of Canada is committed to assisting are still in Afghanistan however, Canada's refugee resettlement program is designed to address the needs of refugees referred from outside of their country of origin.

Despite these challenges, the Government of Canada has demonstrated its ability to quickly establish new refugee programs, such as the Special Immigration Measures (SIM) program for Afghan nationals with a significant and/or enduring relationship with the Government of Canada, and the movement of specific individuals facing extraordinary circumstances has been facilitated via multiple IRCC public policies. With the help of key partners, the Government of Canada has built biometric, medical, and security screening capacity in neighbouring countries, in order to facilitate the resettlement of vulnerable Afghans in Canada. The Government of Canada has welcomed over 21 295 Afghan nationals to Canada as of October 1, 2022, and plans are in place for more arrivals in the weeks and months ahead.

Emergency responses to humanitarian crises also require preparedness to resettle newcomers across Canada. In the case of the current Afghan resettlement initiative, Canada's domestic resettlement program quickly responded to the needs of mass arrivals in order to provide immediate and essential services to eligible Afghan newcomers under the Resettlement Assistance Program, despite key challenges, including the Canadian housing crisis and organizational capacity issues in the settlement sector.

IRCC is continuously examining its policies, programs, and structure to adapt to the changing environment, including how the Department responds to crises. More broadly, the Government of Canada will continue to take a whole-of-government approach and ensure interdepartmental collaboration when responding to future crises.

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.

The Government of Canada agrees with this recommendation.

The federal government has a number of existing mechanisms to reallocate resources when an emergency or critical incident affecting Canadians or Canadian interests abroad occurs. For instance, GAC is prepared to surge resources during emergencies and times of crisis through four principal initiatives that were all used during the Afghanistan crisis:

1. **The Standing Rapid Deployment Team (SRDT)** may be deployed to the affected country. The SRDT is GAC's readiness mechanism, allowing the department to respond to these emergencies as quickly and efficiently as possible. The SRDT is composed of highly trained employees on standby ready to deploy at short notice to assist missions in responding to emergencies. Team members are selected according to their experience and skills from all pools of Canada-based employees at headquarters and at missions.
2. **Temporary Duty (TD) Officers** may also be sent to missions to augment capacity on the ground for longer periods of time, in support of mission operations or to facilitate leave in order to enable suitable rest and recuperation of mission employees during or following crises, as needed.

3. **The Emergency Watch and Response Centre (EWRC)** operates 24/7 to respond to Canadians in urgent need of assistance abroad. When a mission is in crisis, operations officers in the EWRC can support the mission by accessing, monitoring and, responding to the mission's consular mailbox, allowing mission staff to concentrate their efforts in responding to the crisis. Similarly, when a crisis occurs and the EWRC experiences an immediate increase in calls and email from distressed Canadians in the region or from friends and family in Canada, Surge Responders assist in managing the volume of requests. Surge Responders are made up of GAC employees at headquarters (HQ) who have volunteered to provide surge capacity to the EWRC when the volume of calls and emails has increased due to a crisis.
4. **The Skeleton Emergency Response Team (SkERT)** is the group of employees within GAC HQ who are on standby each weekend in case a crisis occurs abroad, thus allowing the Department to quickly respond outside of regular office hours.

In the spirit of continuous improvement in emergency management, GAC is reviewing opportunities for additional resourcing capacities across the department. One recent initiative, following the response to the crisis in Afghanistan, is the establishment of a Standing Emergency Response Team, which maintains a posture of readiness by fulfilling the duties outlined in GAC's existing Emergency Response Team (ERT) functional structure, based on the Incident Command System principles. This permanent structure will include areas that are integral to supporting missions, including reporting, data management and liaison roles. The Standing ERT will also function as the primary HQ team to lead operations and assist with consular support during crises.

Moreover, DND/CAF is prepared to respond to requests from the Government of Canada and to assist other government departments and law enforcement agencies in support of Canada's national security and the security of Canadians abroad. As part of this work, DND/CAF regularly works with GAC and other government departments to develop contingency planning in anticipation of future needs in sensitive and deteriorating regions around the world. Upon receiving a request for assistance from the Government of Canada or other government departments, DND/CAF ensures that the appropriate resources and personnel are assigned to facilitate the planning, coordination, and execution of the operation.

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.

The Government of Canada agrees with this recommendation.

The United Nation's (UN) Afghanistan Humanitarian Response Plan (HRP) estimates that the humanitarian response in Afghanistan for 2022 will require USD\$4.44 billion to help 22.1 million people in need of assistance. To respond to humanitarian needs resulting from the crisis in Afghanistan in neighbouring countries, an additional UN Regional Refugee Response Plan is seeking a further USD\$623 million.

As of August 2022, Canada has allocated CAD\$143 million in humanitarian assistance to the crisis in Afghanistan and neighbouring countries. According to the UN Financial Tracking Service, as of mid-2022, Canada is the sixth largest humanitarian donor to the 2022 Afghanistan HRP.

The current level of Canada's support to the UN's 2022 Afghanistan HRP is consistent with Canada's funding levels for similar humanitarian contexts.

Humanitarian funding allocated to the crisis in Afghanistan will continue to be based on assessed needs as articulated through future HRPs and Regional Response Plans, and is expected to remain in line with funding levels for similar contexts.

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.

The Government of Canada agrees with this recommendation.

Canada continues to respond through experienced humanitarian partners, such as UN agencies and the International Committee of the Red Cross, both inside Afghanistan and in neighbouring countries, to address the needs of the most vulnerable populations.

Humanitarian partners are seized with the need to provide assistance to people on the basis of assessed vulnerability, while ensuring that aid funding does not reach those who would use that funding to directly or indirectly support terrorism. In Afghanistan, women and girls are particularly vulnerable and face additional obstacles accessing humanitarian assistance. Canada supports humanitarian partners who design programs to recognize these obstacles and refine how they deliver assistance to ensure it reaches women, girls, and other vulnerable populations. By employing a gender-based analysis in the selection of implementing partners, GAC ensures that programs are responsive to the needs of the most vulnerable, including women and girls.

Funded organizations are guided by the humanitarian principles of neutrality, independence, and impartiality.

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.

The Government of Canada agrees with this recommendation.

The Government of Canada is actively engaged with its partners to ensure humanitarian funding is not being misused or diverted. Partners employ mitigation measures to ensure the assistance reaches those who are most vulnerable and they continually monitor and investigate allegations of unequal distribution of assistance and access restrictions interfering in humanitarian operations. Female humanitarian staff being able to work is essential to ensuring assistance reaches women and girls. The Government of Canada continues to raise this issue with its partners to ensure they remain vigilant in their efforts to reach the most vulnerable populations, particularly women and girls.

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 Government of Canada agrees with this recommendation.

The Government of Canada works closely with UN agencies, international organizations, allies, and likeminded donors to provide support to the Afghan people.

In November 2021, the World Bank’s Executive Board, on which Canada sits, approved the immediate transfer of USD\$280 million from the Afghanistan Reconstruction Trust Fund (ARTF) to relevant UN agencies to support emergency health and food security assistance. In January 2022, the Asian Development Bank’s Executive Board, on which Canada sits, approved USD\$405 million from the Asian Development Fund in grants to support food security and to help sustain the delivery of essential health and education services for the Afghan people, providing support directly through UN organizations, which would previously have been delivered via the Government of Afghanistan.

In March 2022, the World Bank’s Executive Board approved the provision of over USD\$1 billion, drawn from the ARTF directly to select UN agencies and international non-governmental organizations (NGOs). The intent of this funding is to help preserve key economic and social institutions and to provide support in four priority sectors: livelihoods, food security/agriculture, health, and education. The approach will ensure that funds remain outside the control of, and do not benefit, the Taliban. The World Bank, working closely with donors, including Canada, is simultaneously exploring ways in which donors’ funds could help further stabilize the Afghan economy.

The Government of Canada will continue to engage with the World Bank and Asian Development Bank, UN organizations and other donors, providing guidance and input to the development of policies and projects in Afghanistan, and ensuring a focus on helping the Afghan people.

Recommendation 9: That the Government of Canada act immediately to implement United Nations Security Council Resolution 2615.

The Government of Canada agrees with this recommendation.

The takeover of Afghanistan by the Taliban in August of 2021 was a unique and unprecedented event, in that, for the first time since Canada enacted anti-terrorism legislation in late 2001, an entity that is a terrorist group under Canadian criminal law came to rule an entire country. Following this takeover and the corresponding humanitarian crisis experienced by Afghans, there were increasing calls from non-governmental organizations (NGOs), civil society, and other stakeholders for a humanitarian exception to be put in place in both the UN’s and countries’ domestic regimes to facilitate humanitarian assistance to Afghanistan. Further, the UN Secretary General also called on member states to modify their domestic regimes to ensure that essential humanitarian assistance was not impeded in any way.

Canada has comprehensive and robust regimes to address the financing of terrorism, including by way of a sanctions mechanism relating to persons associated with the Taliban, ISIL (Da’esh) and al-Qaida and by way of the *Criminal Code*. With regard to the UN-mandated sanctions, under the *Regulations Implementing the United Nations Resolutions on Taliban, ISIL (Da’esh) and Al-Qaida* (UNAQTR), individuals and entities may submit a request to the Minister of Foreign Affairs to issue a certificate

authorizing them to carry out activities that would otherwise be prohibited by UN-mandated sanctions. The certificate process helps to mitigate potential unintended consequences of UN-mandated sanctions, including by giving the Minister of Foreign Affairs the ability to issue a certificate for humanitarian reasons, consistent with UNSCR 2615. Furthermore, the UNAQTR states that the Minister of Foreign Affairs must issue a certificate if the United Nations Security Council (UNSC) did not intend that the activity be prohibited or if the UNSC, the 1988 Sanctions Committee, or the ISIL (Da'esh) and al-Qaida Sanctions Committee, as the case may be, has approved the activity in advance.

The UNSC passed UNSCR 2615 on December 22, 2021, in order to create an exception to the sanctions regime on UN-listed persons and entities associated with the Taliban for humanitarian assistance to Afghanistan.

In light of this commitment and for greater certainty, GAC will review the language of the UNAQTR in order to determine what amendments would establish a clear exception for humanitarian assistance and other activities that support human needs, as set out in UNSCR 2615, to mitigate the potential unintended humanitarian consequences of these sanctions imposed by the UNSC.

In order to give effect to UNSCR 2615, the Government of Canada will consider measures, including legislative options, as well as amendments to the UNAQTR that impose sanctions on UN-listed persons and entities associated with the Taliban. The UNAQTR prohibits Canadians from dealing in the assets of specific persons associated with the Taliban ('listed persons'); from making property or financial services available to listed persons; and from supplying, selling or transferring arms and technical assistance to them.

However, the Government of Canada's power to issue a certificate to address the consequences of UN Sanctions and changes to the UNAQTR to explicitly include the humanitarian exception in UNSCR 2615 only apply to the UNAQTR. Another regime to address terrorist financing is found in the *Criminal Code*, which is separate and distinct from the UNAQTR. Post 9/11, Canada adopted tough *Criminal Code* provisions to combat terrorist financing. The risk of criminal liability under paragraph 83.03(b) of the *Criminal Code* is more comprehensive than the UNAQTR because it prohibits knowingly providing property to any terrorist group rather than only UN-listed persons or entities associated with the Taliban, ISIL (Da'esh) or al-Qaida. Any changes to the UNAQTR would have no effect on the terrorist financing prohibitions of the *Criminal Code*. To give effect to the objective of ensuring humanitarian access to Afghanistan is not constrained by counter-terrorism provisions, the Government of Canada will consider measures, including legislative options.

As a result, the risk of terrorism funding resulting in criminal liability under paragraph 83.03(b) of the *Criminal Code* remains. Issuing a certificate under the UNAQTR applies only to that regime, and does not alter the application of the Canadian *Criminal Code*. To ensure that the delivery of humanitarian assistance and other activities that support basic human needs to vulnerable people in Afghanistan, in accordance with UNSCR 2615, can continue without risking criminal liability, the Government of Canada will consider measures, including legislative options.

Recommendation 10: That the Government of Canada act immediately to ensure that registered Canadian organizations have the clarity and assurances needed—such as carveouts or exemptions—to deliver humanitarian assistance and meet basic needs in Afghanistan without fear of prosecution for violating Canada's anti-terrorism laws.

The Government of Canada agrees with this recommendation.

The Government of Canada acknowledges that Canadian organizations undertaking efforts to address the humanitarian situation and displacement, or otherwise function in Afghanistan, run the risk of financing terrorism, which would violate the *Criminal Code*, and that this has a negative impact on their international assistance operations.

The Government of Canada remains concerned about maintaining an effective criminal regime to address and prosecute terrorist financing, and must minimize any incidental benefit to the Taliban or other terrorist groups operating in this region, whether directly or through diversion of funds or other property to individuals representing these terrorist groups.

Post 9/11, Canada adopted tough *Criminal Code* provisions to combat terrorist financing. Unlike regimes in some other countries, that have either not listed the Taliban or have mechanisms built into their autonomous regimes that provide for humanitarian exemptions or the ability to issue licenses, the Canadian *Criminal Code* provisions do not contain exceptions or carve-outs for humanitarian action in a country, even when the delivery of such aid would otherwise comply with international humanitarian principles and law. This impacts Canada's ability to respond to the current situation in Afghanistan.

In this regard, the Government of Canada will consider measures, including legislative options, to address the need for exemptions for some Canadian organizations seeking to conduct humanitarian and other essential activities in regions controlled by a terrorist group and Canadian officials who assist them while avoiding the legal risk of committing a terrorist financing offence. The Government of Canada recognizes the challenges facing Canadian organizations and the need to provide clarity and assurances in relation to Canada's sanctions and anti-terrorism financing law and regulations.

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.

The Government of Canada agrees with this recommendation.

The takeover of Afghanistan by the Taliban in August of 2021 was a unique and unprecedented event because, for the first time since Canada enacted anti-terrorism legislation in late 2001, an entity that is a terrorist group under Canadian criminal law was ruling an entire country. This recommendation reflects the view expressed to the Committee that current counter-terrorism measures and legislation have the unintended effect of impeding legitimate humanitarian assistance in Afghanistan. Paragraph 83.03(b) of the *Criminal Code* makes it a crime to directly or indirectly, collect property, or provide, invite a person to provide, or make available property or financial or other related services, knowing that, in whole or in part, they will be used by or will benefit a terrorist group. To give effect to the objective of ensuring humanitarian access to Afghanistan is not constrained by counter-terrorism provisions, the Government of Canada will consider measures, including legislative options.

While these current counter-terrorist financing provisions are an important means by which Canada implements the international community's collective mandate to combat terrorism, recent events have shown that the existing Canadian criminal law has constrained the efforts of Canadian organizations from carrying out humanitarian activities. Along with challenges in delivering humanitarian and other

assistance, the actions of Canadian officials assisting those efforts have been influenced by the terrorist financing offence in paragraph 83.03(b) of the *Criminal Code*, which has imposed serious constraints on the activities that the Government is able to support and the organizations with which Canada is able to partner. Unlike laws in some other likeminded states, Canada does not have an exemption mechanism for this offence, including for the provision of live-saving humanitarian aid.

In order to protect principled humanitarian action, the Government of Canada will consider measures, including legislative options. In so doing, the Government of Canada will balance the need to maintain strong anti-terrorism financing provisions with the need to allow for Canadian and international organizations to deliver impartial humanitarian assistance without undue legal risk.

As per the Prime Minister's statement of August 17, 2021, the Government of Canada has no intention of recognizing the Taliban *de facto* authorities as the Government of Afghanistan. Any legislative amendment will not affect, nor run counter to, this policy.

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.

The Government of Canada agrees with this recommendation.

The travel ban is implemented and overseen by the UNSC Committee established pursuant to UNSC Resolution 1988 (2011), which is mandated to consider and decide upon notifications and requests for exemptions from these measures. Canada is not a member of the UNSC or its subsidiary bodies, such as the UNSC Committee, which meet in closed sessions inaccessible to Canadian diplomat observers. The Government of Canada will continue to engage individual Security Council members in regard to upcoming decisions by the UNSC Committee related to exemptions to the travel ban. As of August 25, 2022, the extension of an exemption for the 13 remaining Taliban officials expired. No travel ban exemptions are in effect.

Recommendation 13: That the Government of Canada continue to insist that girls and women throughout Afghanistan have permanent access to all levels of education.

The Government of Canada agrees with this recommendation.

Access to education is a human right to which every woman and every girl is entitled, and Canada will continue to press the Taliban to uphold that right.

Canada strongly supports a robust and coordinated effort by the international community to hold Taliban authorities accountable for continuous violations of Afghans' rights and to advocate for the removal of all restrictions on women and girls' fundamental rights.

Canada, alongside allies and international donors, condemned the Taliban's March 23, 2022 decision to ban girls from attending school above sixth grade, reversing a prior commitment made to the Afghan people and the international community. In addition to helping draft joint statements with allies, the Honourable Harjit Sajjan, Minister of International Development, and the Honourable Mélanie Joly, Minister of Foreign Affairs, both issued statements condemning the Taliban's decision.

Canada's Senior Official for Afghanistan, based in Doha, coordinates joint international responses with allies to the crisis in Afghanistan. The Senior Official meets with Taliban officials alongside allies to express Canada's deep concerns regarding the Taliban's ongoing violations of human rights, especially the rights of women and girls to access education and health services. Canada remains firm that women's rights are central to all engagement with Taliban.

Since 2001, Canada's international assistance to Afghanistan contributed to real gains in enrollment and improved access and quality of education, particularly for women and girls. Canada remains actively engaged with the international community to ensure that the gains made in Afghanistan's education sector, particularly for women and girls, are sustained, and that women and girls are able to access their fundamental right to quality 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 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.

The Government of Canada agrees with this recommendation.

The Government of Canada will continue to communicate with, and advocate for, Afghan women human rights defenders and find innovative ways to safely monitor the human rights situation in Afghanistan.

The Government of Canada shares the Committee's assessment of the human rights situation in Afghanistan, noting that it has steadily deteriorated since the Taliban came to power in August 2021. The Government of Canada is concerned by the increasing reports of growing violence and human rights abuses, including extrajudicial killings, abductions, and intimidation of civilians, journalists, human rights defenders, and former members of the Afghan government and security forces. The Government of Canada recognizes that the situation is particularly dire for Afghan women and girls.

Canada has been a leading voice internationally in advocating for coordinated engagement with the Taliban that urges them to adhere to and protect the fundamental rights of all Afghans, including women and girls. The Government of Canada's representatives, including its Senior Official for Afghanistan, have communicated with Afghan civil society organizations, including women leaders, in ways that do not jeopardize their safety, and will continue to do so.

The Government of Canada has repeatedly made clear to the Taliban that Canada's engagement is predicated upon the Taliban's willingness to recognize and protect the human rights of all Afghans, including the rights of women and girls, and the right to freedom of opinion and expression.

The Government of Canada advocates for the rights of Afghan women and girls at every opportunity, and has condemned the Taliban's repressive policies on several occasions. This includes direct messages delivered to Taliban representatives in Doha via Canada's Senior Official for Afghanistan; declarations at international fora, including the UN General Assembly, the Human Rights Council, the G7 and the G20; joint statements and bilateral messaging with other countries; and, through ministerial statements on social media. In June 2022, the Government of Canada sent a letter to the President of the UN

Human Rights Council requesting an urgent debate on the situation of Afghan women and girls' rights. Canada delivered a national statement at that debate, which took place on July 1, and co-sponsored the Resolution on the Situation of Human Rights of Women and Girls in Afghanistan.

Canada supports the work of the UN Special Rapporteur on the Situation of Human Rights in Afghanistan by sharing information on human rights abuses, by facilitating the Special Rapporteur's interactions with the diplomatic community based in Doha, and by delivering messages to the Taliban via Canada's Senior Official for Afghanistan to encourage cooperation between the Taliban regime and the Special Rapporteur. The Government of Canada welcomed and values the inclusion of a robust human rights monitoring mechanism in the extension of the United Nations Assistance Mission in Afghanistan (UNAMA)'s mandate on March 17, 2022. Canada spearheaded an initiative that brought together 19 UN member states to successfully call for a strengthened human rights focus in the renewal of UNAMA's mandate.

Through the Government of Canada's engagement with likeminded countries, international organizations, media sources, and civil society organizations, Canada has been able to access unbiased and verified accounts of human rights abuses. Accessing such information is essential to inform the Government of Canada's analysis, advocacy, and engagement with the Taliban, and it will continue to draw on the important work of UNAMA Human Rights Service, Human Rights Watch, Amnesty International, Reporters Without Borders, and other trusted organizations in this regard.

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.

The Government of Canada agrees with this recommendation.

For Afghan nationals in third countries, IRCC is already issuing Single Journey Travel Documents (SJTD) to resettle Afghans as it does with refugees from around the world, in accordance with *Immigration and Refugee Protection Regulations*; however, there is an important distinction to be made between these and other travel documents such as passports. SJTDs are only issued to foreign nationals when processing, including biometrics, is complete, and approval for resettlement has been confirmed. SJTDs require a visa for entry to Canada, and the document is only valid for a single journey to Canada. For instance, for Afghan applicants, Canada has issued SJTDs with Temporary Resident Permits to complete processing in Canada, when medical exams cannot be completed prior to travel to Canada.

It is important to note that the issuance of SJTDs does not guarantee the safe passage of clients out of Afghanistan, due to the Taliban's exit controls.

Additionally, SJTDs cannot guarantee entry into third countries, as those countries have their own travel documentation requirements for entry. Therefore, the Government of Canada's approach to supporting safe passage involves continued diplomatic engagement with third countries in order to secure exit routes and processing areas, and to help expedite the exit process.

IRCC will continue to issue SJTDs to Afghan nationals who have been approved for entry into Canada. Additionally, the Government of Canada is in constant communication with its partners and allies, most of which face similar challenges around the departure of clients from Afghanistan and their safe passage

through third countries. The Government of Canada is pursuing a range of options to ensure that vulnerable Afghans continue to have opportunities for safe passage out of Afghanistan, through third countries, and onwards to Canada.

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.

The Government of Canada agrees with this recommendation.

The Government of Canada continues to engage with a wide range of partners, including regional and likeminded governments, in order to secure safe passage for Afghan nationals who are eligible for Canada’s immigration programs. For example, since the beginning of the crisis, the Government of Canada, including Canada’s High Commission in Pakistan, has maintained an active and constructive dialogue with the Government of Pakistan on issues related to safe passage for vulnerable Afghans. Indeed, thousands of Afghan clients have transited through Pakistan on their way to Canada over the past year.

However, as outlined in the letter to the Chair of the Special Committee, the Government of Canada and its allies are contending with the Taliban’s volatile rules for exiting Afghanistan and varying legal entry requirements for third countries in the region. The Government of Canada very much appreciates Pakistan’s continued support in helping secure routes of safe passage for Canada-bound Afghan refugees and continues to seek further opportunities for collaboration with regional allies to ensure Canada meets its Afghan resettlement commitments by 2024.

The Government of Canada continues to advocate in a variety of multilateral fora, including the G7, the UN, and through regular and sustained dialogue led by Canada’s Senior Official for Afghanistan based in Doha. Additionally, at every opportunity, Canada calls on the Taliban to respect international obligations and to allow Afghans safe passage out of Afghanistan.

As a result of this cooperation, as well as engagement with other regional partners, NGOs, and private sector service providers, the Government of Canada has resettled 21,295 Afghan refugees as of October 1, 2022.

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.

The Government of Canada agrees in part with this recommendation.

The Government of Canada agrees with the need to enhance access to biometric collection sites in third countries and has taken steps in this regard. As well, given significant risk to collection officers, biometric equipment, and the personal information and safety of clients, IRCC has implemented a multi-

stage approach to security screening for Afghan clients.

The first step of this new approach is the collection of enhanced biographic information from clients while they are still in Afghanistan. Clients who do not trigger admissibility concerns after enhanced biographic screening may be invited to travel onwards to a third country where biometric screening and a determination of admissibility can be made before onward travel to Canada. IRCC has invested in additional biometric collection capacity at various locations in its global network to ensure timely collection for Afghan nationals at these third country sites.

However, given that identity verification via biometric collection is an integral component of the immigration process, the Government of Canada disagrees with the recommendation to waive biometric requirements.

Biometric information provides a reliable and accurate tool for establishing and confirming a person's identity throughout the immigration continuum. Through biometrics-based information-sharing with certain Migration Five partners (including the United States, Australia, and New Zealand), Canada receives key information related to the identity of the individual. In addition, Canada receives information related to potential reasons for inadmissibility. These include criminality and security-related concerns, such as known or suspected criminals, members of terrorist and organized criminal entities, war criminals or persons committing crimes against humanity, or anyone engaging in activities that could pose a risk to the safety and security of Canada.

The Government of Canada will continue to work with multiple partners to facilitate the movement of applicants who have completed the first stage of security screening out of Afghanistan and onwards to third countries for final processing, including biometric collection.

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.

The Government of Canada agrees in principle with this recommendation.

GAC, IRCC, and DND/CAF have been closely collaborating since the outset of the crisis in Afghanistan to ensure that Government objectives relating to its commitment to welcome at least 40,000 Afghan refugees by 2024 are met in a timely and well-coordinated fashion. The challenges with facilitating Afghan clients to Canada for resettlement relate to the complex legal, security, and operational issues on the ground in Afghanistan and the region, rather than interdepartmental coordination.

Over the course of late spring and early summer 2021, GAC and DND/CAF coordinated with IRCC to explore programs to safeguard Afghan nationals who may be at risk due to their work supporting Canadian efforts in Afghanistan. In the lead up to the announcements of the SIM program in July 2021, IRCC, GAC and DND/CAF rapidly established teams dedicated to the resettlement of Afghans. Since then, the teams have been in regular communication, collaborating on key issues, standing up various interdepartmental working groups as required, and providing surge capacity when needed. As part of this effort, GAC and DND/CAF also validated whether at-risk Afghans had a significant and/or enduring relationship with the Government of Canada including supporting Canada's mission in Afghanistan. Both GAC and DND/CAF subsequently referred individuals who met SIM program criteria to IRCC for consideration according to program capacity. In addition, regular Deputy Minister-

level meetings, chaired by the Privy Council Office, were held to guide efforts on SIM, safe passage, and other key files involving Afghanistan.

Although complex legal and operational issues continue to impede the Government of Canada's ability to secure safe passage for Afghan clients still situated in Afghanistan, IRCC, GAC, and DND/CAF have worked collectively, and will continue to engage with other relevant departments, on this issue.

Recommendation 19: That the Government of Canada work with allied countries and nongovernmental organizations, like Aman Lara, which can operate in Afghanistan, to help confirm identity in Afghanistan and help bring Afghans to safety.

The Government of Canada agrees in principle with this recommendation.

The Government of Canada continues to collaborate with stakeholders, including Aman Lara, to assist Canada in addressing issues of safe passage. To secure safe passage for those remaining in Afghanistan, IRCC is working with partners in the region, including state entities, international organizations, private sector entities, and local and regional NGOs to identify a path forward. A contribution agreement for emergency funding is currently in place between GAC and Journalists for Human Rights (JHR), which works in collaboration with Aman Lara to facilitate safe passage and training.

In order to resettle Afghan nationals still in Afghanistan, the Government of Canada continues its efforts to secure safe third-country staging areas and explore options with new and existing partners to facilitate safe passage.

Per the multi-stage approach to security screening, IRCC is asking applicants to provide additional biographic information, including to assist with confirming identity, while they are still in Afghanistan. The Government of Canada is able to complete this step of the process with existing resources. This process allows the Government of Canada to facilitate clients to a third country, where remaining processing, including a full inadmissibility screening utilizing biometrics, can be completed. This multi-stage approach has enabled IRCC to continue moving clients through the application process. The Government of Canada will continue to focus on supporting safe passage, which remains the key constraint in bringing Afghans to safety.

The Government of Canada recognizes the important role of non-governmental organizations on the ground, such as Veterans Transition Network (VTN), Aman Lara, and JHR, and will continue collaborating with them to help facilitate the safe passage of Afghans through third countries and onwards to Canada. The Government of Canada remains committed to working with NGOs in Afghanistan and, as outlined in responses to other recommendations, is considering measures, including legislative options, to address the need for exemptions for Canadian organizations seeking to conduct humanitarian and other essential activities in regions controlled by a terrorist group.

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.

The Government of Canada agrees in principle this recommendation.

GAC's emergency funding of Aman Lara, through its agreement with JHR, has been an exceptional response to the urgency and uniqueness of the crisis. JHR is a Canadian media development organization whose operations with public and private funds pivoted to supporting safe passage, accommodation and logistics support, and providing training to SIM clients, Afghan journalists, human rights defenders, peacebuilders and their families in the immediate aftermath of the Taliban takeover of Afghanistan. This contribution agreement has helped support the safe passage of thousands of Afghans to neighbouring countries for onward travel to Canada.

In general, the Government of Canada works closely with the International Organization for Migration (IOM) on Canada's refugee programs around the world. In many locations, IOM is Canada's service provider for immigration medical exams, temporary accommodations in advance of departure, and transportation logistics. Given the current circumstances in Afghanistan, IOM primarily provides this support in Pakistan and other countries in the region.

The Government of Canada works closely with organizations internationally to advance its commitment of welcoming at least 40,000 Afghan refugees by 2024. It will continue ongoing efforts to engage with a wide range of partners, including NGOs and private-sector service providers, to address challenges related to securing safe passage for Afghan nationals who are eligible for Canada's immigration programs.

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

The Government of Canada agrees in principle with this recommendation.

The Government of Canada shares the Committee's dedication to welcoming Afghans and is working to bring them to Canada as quickly and safely as possible.

As part of the Government of Canada's commitment to resettle at least 40,000 Afghan nationals by 2024, 23,000 spaces are focused on individuals who assisted Canada during its time in Afghanistan, and their families. More specifically, 18,000 spaces are reserved for Afghans who have a significant and/or enduring relationship with Canada, and their families under the SIM program, and a further 5,000 spaces are for the extended family members of former Afghan interpreters program (EFPP) who came to Canada under programs in 2009 and 2012.

In the case of both the SIM and EFPP programs, IRCC is issuing Unique Client Identifiers (UCIs) in response to complete applications. In addition, Afghans who submit a complete application but are subsequently deemed ineligible receive notification from IRCC.

In the case of the SIM program, interested applicants must be referred to IRCC by GAC or DND/CAF. IRCC sends invitations to apply to those referred on a first-in, first-out basis, including instructions on how to complete the application and submit the package. UCIs and file numbers are issued once an individual has submitted a complete application and their file is made active. GAC and DND/CAF have provided enough referrals to fill all 18,000 spaces in the program. As of August 1, 2022, IRCC has received over 15,000 completed applications, and continues to issue invitations to apply in batches, based on available space in the program. IRCC remains in close contact with applicants who are still in

Afghanistan and in third countries. IRCC works with each individual to verify they have the necessary documents, and cooperate with authorities in neighbouring countries to support safe passage out of Afghanistan and onwards travel to Canada.

With respect to the program for the EFPP, extended family members can apply directly to the program or with the help of an in-Canada family member. There has been significant uptake in this stream, with over 5,000 individuals having already applied.

Since the fall of Kabul, the Government of Canada has received communications from hundreds of thousands of individuals expressing interest in coming to Canada, including through the online web form and the dedicated telephone line that have been established to serve Afghan clients. However, submitting an expression of interest or a request for consideration through these channels does not constitute an application.

Afghan nationals who do not have active applications for these programs may wish to explore other programs that offer a pathway to Canada, available on the Government of Canada webpage. The Government of Canada remains committed to processing applications to all programs as efficiently as possible.

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.

The Government of Canada agrees with this recommendation.

IRCC has mobilized existing staff and hired additional resources to support Canada's special immigration programs for Afghan nationals, including for the purposes of program development, application intake, and processing. This work leveraged both in-Canada resources and the broader global network to support expedited processing of applications. IRCC has also sent officers to a variety of locations across the globe to provide surge capacity and support the processing, biometric collection, and movement of Afghan clients.

For example, after the fall of Kabul, more than 350 Client Support Centre staff were assigned to the crisis in Afghanistan in August and September 2021. In the past year, staff dedicated to additional support have included: 210 staff assigned to processing applications; 55 to settlement support; 18 for an Afghanistan Task Team that has since expanded to an Afghanistan Sector of 67 staff led by a dedicated Assistant Deputy Minister; and, up to seven staff to support communications. These resources are in addition to hundreds of staff who have contributed to the Government of Canada's efforts as a significant part of its ongoing work.

More broadly, as the Government of Canada announced on August 24, 2022, IRCC is working to hire 1,250 new employees by the end of the fall 2022 to tackle processing high inventories that resulted in part due to increased demand and COVID-19 health restrictions. Resources dedicated to reducing wait times are expected to support the return to normal processing times for all immigration streams.

The Government of Canada will continue regularly review staffing levels and ensure that all relevant departments have sufficient resources to respond to the crisis in Afghanistan.

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

The Government of Canada agrees with this recommendation.

The Government of Canada remains committed to bringing at least 40,000 Afghan refugees to Canada by 2024, 18,000 of whom will come under the SIM program. The Government of Canada has taken significant steps to achieve progress toward this goal; for example, the hiring of 1,250 new IRCC employees by the end of the fall 2022 to expedite the processing of IRCC's inventory of applications, including those received under the SIM program.

As of October 1, 2022, over 7,910 SIM applicants and their families have arrived in Canada. Another 3,015 clients have been processed and are in a state of readiness pending their departure from Afghanistan. The key challenge to finalize processing, however, is that many at-risk Afghans remain in Afghanistan and are unable to leave by land or by air. As outlined in responses to other recommendations, this is a significant impediment. The Government of Canada is working on multiple fronts to address this issue, including by introducing multi-stage security screening for applicants and strengthening partnerships to improve the movement of clients to third countries where processing can be finalized. IRCC has added biometric collection capacity to various international locations to ensure timely collection for Afghan nationals globally. Staffing resources have also been deployed to missions in the region, including in Abu Dhabi, Ankara, and Islamabad to support client processing and organizing client travel to Canada.

The Government of Canada is committed to the efficient processing of applications from Afghan nationals, including those in the SIM program. In order to bring approved Afghan clients to Canada as quickly and safely as possible, the Government of Canada continues to maximize every opportunity to ensure that all of IRCC's clients, including those in the SIM program, can secure safe passage out of Afghanistan, stay temporarily in third countries, and travel onwards to Canada.

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.

The Government of Canada agrees with this recommendation.

The takeover of Afghanistan by the Taliban has resulted in significant and immediate risks for several demographic groups, particularly women and girls, and members of religious, ethnic, and/or sexual minorities. The Government of Canada's intent is to provide the best support possible to those at risk while navigating the specific and unique circumstances in Afghanistan.

The Government of Canada has developed various agreements to facilitate the resettlement of members of groups who are at particular risk of reprisal from the Taliban. The Government is working with

referral partners and Sponsorship Agreement Holders to resettle vulnerable Afghans, with a focus on priority groups, including women leaders, human rights defenders, persecuted religious or ethnic minorities, LGBTQI+ individuals, and journalists. The humanitarian program resettles a mix of both priority group members and other vulnerable Afghans. For example, the Government Assisted Refugee pathways leverage trusted referral partners to identify members of priority groups for resettlement, and the Privately-Sponsored Refugee pathway is open to any vulnerable Afghan and not limited to priority groups. To this end, women fearing gender-based persecution, among others, are eligible to be resettled through this stream. Additionally, via some of the IRCC public policies, the movement of specific individuals facing extraordinary circumstances has been facilitated, including some designated spaces for vulnerable women and girls. This collective approach has resulted in Canada resettling over 13,235 Afghans, who were at risk for a vast array of reasons, through the humanitarian program as of October 1, 2022. Additionally, through the SIM program, Canada is resettling Afghans, and their families, who are vulnerable due to their relationship with the Government of Canada, resulting in a further 7,910 clients who have safely arrived in Canada. Along with arrivals under the stream for extended family members of former interpreters, this brings our total resettlement to 21,295 Afghans as of October 1, 2022.

The Government of Canada remains committed to resettling vulnerable Afghans, and recognizes the wide variety of reasons that Afghan nationals may be at risk of reprisal from the Taliban. To that end, the Government of Canada intends to facilitate more private sponsorship for all vulnerable Afghans.

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.

The Government of Canada agrees with this recommendation.

IRCC has been working with a range of new referral partners since the fall of Kabul in August 2021, including NATO, the U.S., Front Line Defenders, and ProtectDefenders.eu, and is open to exploring collaboration with additional referral partners, as appropriate.

Early on in the crisis, Canada leveraged its long-standing relationship with NATO, and as part of its resettlement efforts, the Government of Canada resettled over 460 NATO-identified locally engaged staff, including their family members. Canada continues to work in close collaboration with the U.S. to welcome up to 5,000 refugees whose evacuations were facilitated by the United States. As of October 1, 2022, Canada has welcomed over 4,580 U.S. referrals to Canada. The Government of Canada is partnering with Front Line Defenders and ProtectDefenders.eu for the referral of human rights defenders to the humanitarian program and as of October 1, 2022, approximately 215 human rights defenders and their families had arrived in Canada.

Certain urgent crises, like the situation in Afghanistan, require immigration pathways for individuals who fall outside of the resettlement mandate of the United Nations High Commissioner for Refugees (UNHCR). The Government of Canada therefore continues to provide financial support to the UNHCR and the International Organization for Migration in neighbouring countries, but has also established new partnerships specifically for the Afghan resettlement initiative.

In response to the crisis in Afghanistan, the Government of Canada took the extraordinary step of

creating special measures and public policies to facilitate resettlement in Canada for at-risk populations, and developed new partnerships to support the implementation of these measures. The SIM program, outlined above, is a good example. This joint effort between GAC, DND/CAF and IRCC is unique to the Afghan resettlement initiative and has helped us to focus on individuals who assisted the Government of Canada during its time in Afghanistan, and their families.

The Government of Canada has formed partnerships with organizations to provide protection to the world's most vulnerable groups. In order to facilitate sponsorship of LGBTQI+ Afghans, on June 3, 2022, IRCC announced the expansion of the Rainbow Refugee Assistance Partnership (RRAP) to allow organizations in Canada to sponsor up to 150 Afghan LGBTQI+ individuals between 2022 and 2024, with up to three months of financial support provided by the Government of Canada. This is in addition to the existing 50 annual cost-shared spaces through the RRAP for LGBTQI+ individuals. The RRAP encourages more Canadians to support LGBTQI+ refugees and will help strengthen collaboration between LGBTQI+ organizations and the refugee settlement community in Canada.

More broadly, the Private Sponsorship of Refugees (PSR) program offers an opportunity for everyone in Canada, from private citizens to community groups and organizations, to support the resettlement of Afghans. As well, an additional 3,000 PSR spaces have been made available to Sponsorship Agreement Holders (SAHs) interested in sponsoring Afghans over and above the existing SAH allocation of PSR spaces.

IRCC also continues to build partnerships with NGOs active in the labour mobility space and plans to support selected partners with funding that will help to increase the number of skilled refugees, including those from Afghanistan, who may access the Economic Mobility Pathways Pilot program.

IRCC will continue to resettle Afghans in need of protection with the help of trusted non-governmental organizations. The Government of Canada continues to work with partners and stakeholders to ensure that everyone in Canada is able to take full advantage of existing programs, like the PSR program.

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.

The Government of Canada agrees with this recommendation.

Under the Private Sponsorship of Refugees (PSR) program, Canadians and permanent residents can form Groups of Five for the purposes of privately sponsoring refugees. In addition, Community Sponsors can make an organizational commitment to sponsor refugees. However, given the complex and challenging nature of the situation, Afghan refugees have faced obstacles in obtaining Refugee Status Determination (RSD) documents quickly, which is a requirement of the PSR program. IRCC has put in place a temporary public policy to facilitate the sponsorship of Afghan refugees by Groups of Five and Community Sponsors, which waives the RSD requirement for up to 3,000 Afghan refugees.

IRCC has also allocated 3,000 additional spaces to Sponsorship Agreement Holders (SAHs) specifically for Afghan refugees, which is a pathway that does not require a RSD document. These spaces are over and above the existing annual global SAH cap. The cap on spaces allotted to SAHs exists to balance

application intake against capacity. This ensures that refugees are well supported in Canada. The cap also aligns with established immigration levels to manage the accumulation of applications, which would lengthen wait times for all applicants.

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.

The Government of Canada agrees with this recommendation.

IRCC has already implemented policy to this effect. The temporary public policies for the resettlement of Afghan nationals with a significant and/or enduring relationship to Canada recognize the high vulnerability and elevated risk faced by Afghans associated with the Government of Canada, as well as their family members. In response, the special measures exempt applicants from the general requirement under paragraph 96(a) of the *Immigration and Refugee Protection Act* that refugees be outside their country of origin to be eligible for resettlement to Canada under the Convention Refugee Abroad Class.

As outlined in the letter to the Chair of the Special Committee, the main challenge facing Canada and its allies is facilitating the movement of clients who are still in Afghanistan. This has been partially alleviated through the Government of Canada's implementation of a multi-stage approach to security screening to conduct initial inadmissibility screening in country. This process allows the Government of Canada to facilitate safe passage for clients to a third country, where remaining processing, including a full inadmissibility screening utilizing biometrics, can be completed.

However, the operating environment remains complex and dangerous. The Government of Canada continues to work with likeminded partners and engage countries in the region to solicit their support and assistance with the movement of travel-ready Afghans to safety in Canada.

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.

The Government of Canada agrees with this recommendation.

As outlined in responses to other recommendations, IRCC is hiring 1,250 new employees in the short term to process applications immediately, including those received from extended family members of former Afghan interpreters.

In recognition of the unique challenges faced by the extended family members of former Afghan interpreters, the Government of Canada created a public policy with 5,000 spaces dedicated for the extended family members of Afghan nationals who immigrated to Canada under the 2009 or 2012 public policies:

- (1) Temporary public policy concerning certain local staff in direct support of the Canadian mission in Kandahar as of October 9th, 2009; and
- (2) Temporary public policy concerning certain local staff who provided direct support to the Canadian mission in Kandahar as of February 2012.

There has been significant uptake for the EFPP program, with over 5,000 vulnerable Afghan clients applying in this category as of August 1, 2022. The Government of Canada is working to process these applications to completion as quickly as possible, and a number of people have already arrived with more coming in the weeks and months ahead.

The Government of Canada is committed to the efficient processing of applications from Afghan nationals, including the extended family members of former Afghan interpreters. As outlined in the letter to the Chair of the Special Committee, a large number of Afghans who have applied for these programs remain in Afghanistan and are unable to leave by land or air. In order to bring approved Afghan clients to Canada as quickly and safely as possible, the Government of Canada is exploring all avenues to support safe passage, and maximizing every opportunity to ensure that all of IRCC's clients, including the extended family members of former Afghan interpreters, can leave Afghanistan, stay temporarily in third countries, and travel onwards to Canada.

Recommendation 29: That the Government of Canada ensure that Immigration, Refugees and Citizenship Canada expands the extended family reunification stream to other Afghans.

The Government of Canada agrees in principle with this recommendation.

The Government of Canada shares the Committee's dedication to welcoming Afghans and reuniting families. IRCC is already prioritizing family sponsorship applications of Canadians, permanent residents, and protected persons in Canada who are in the process of sponsoring their immediate family members outside of Canada, including in Afghanistan. Additionally, IRCC has expanded the definition of eligible family members in relation to the SIM program for those with a significant and/or enduring relationship to Canada and the stream for extended family members of former Afghan interpreters (EFPP).

Of the approximately 40,000 Afghans that the Government of Canada has committed to resettling, 23,000 spaces are for those who assisted Canada during our engagement in Afghanistan, along with their families, through the SIM and EFPP programs. In the case of the SIM program, Canada has already expanded the definition of eligible family members to encompass *de facto* family members, which include individuals who are either dependent on a principal applicant for emotional and/or financial reasons, and/or who may have lived with the family as a member of the household. For the purposes of the EFPP, the Government of Canada has expanded the scope of "extended family member" to include siblings-in-law (i.e., in cases where the former Afghan interpreter's sibling is missing or deceased).

However, per the public policies, the scope of these programs is limited, given the need to balance Canada's commitment to resettling at least 40,000 Afghan nationals by 2024 with commitments to non-Afghan immigrants and refugees.

As with any crisis of this magnitude, demand for these programs outpaces the number that the Government of Canada is able to bring to Canada at this time. The Government of Canada has other immigration programs for which Afghans may be eligible to apply, including economic and family reunification programs.

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.

The Government of Canada agrees in principle with this recommendation.

Given the unique challenges of the crisis in Afghanistan where many clients have limited or no documentation, the Government of Canada has adjusted its practices to make the processing of applications for special immigration measures as efficient as possible.

In instances where IRCC case processing officers require information that is not available on the file, they request documents needed to make a decision on the application. IRCC recognizes that some individuals have managed to retain their important documents, while others have not. Each situation is examined on a case-by-case basis to ensure that the Government of Canada preserves the safety of all clients, including children.

In regards to the SIM program for those with a significant and/or enduring relationship with the Government of Canada, IRCC sends the invitation to apply to the referred principal applicant who then applies via the IRCC portal. The applicant is asked to provide a set of supporting documents, if obtainable.

In the context of the EFPP program for extended family members of former Afghan interpreters, the document checklist includes flexibility and enables clients to provide an explanation if any required document is not obtainable at the time of application. In addition, IRCC has developed a solemn declaration form that the former interpreter in Canada can provide to help satisfy the proof of relationship requirement.

Documents are requested a second time only if truly necessary. This may be the case if the previously provided documentation was incomplete, not provided in English or French (if required), not legible, or the scans only provide part of the requested documentation. In other cases, alternative documentation may be accepted.

However, it is important to acknowledge that documentation requirements can also be imposed by Afghan authorities for exit controls, or by third countries for entry and exit requirements. As such, the Government of Canada continues to pursue various options to mitigate these challenges and to facilitate the safe passage of Afghans to Canada.

Recommendation 31: That the Government of Canada ensure that Immigration, Refugees and Citizenship Canada removes the caps on Sponsorship Agreement Holders for Afghan refugees.

The Government of Canada takes note of this recommendation.

Canada's commitment to resettling at least 40,000 Afghan nationals, for which IRCC is using many pathways, including Private Sponsorship of Refugees (PSR), remains one of the highest in the world. IRCC has increased spaces allocated for Afghan refugees within the PSR program, while balancing the needs of vulnerable Afghans with those of non-Afghan immigrants and refugees seeking permanent residence.

Spaces for refugees are allocated as part of the Immigration Levels Plan to support the broader Government of Canada priorities to maintain Canada's world-class immigration system, increase immigration levels and reduce wait times, support family reunification, and deliver a world-leading refugee resettlement program. The cap on Sponsorship Agreement Holders (SAH) exists to balance application intake against sponsor capacity. This ensures that refugees are well supported in Canada. The cap also aligns with established immigration levels to prevent the accumulation of applications, which would lengthen wait times for all applicants.

IRCC has allocated 3,000 additional spaces to SAHs specifically for Afghan refugees. These spaces are over and above the existing annual global SAH cap. IRCC is also prioritizing the processing of 4,000 Afghan refugees from its existing inventory of PSRs.

Additionally, as outlined in responses to other recommendations, IRCC has put in place a temporary public policy to facilitate the sponsorship of Afghan refugees by Groups of Five and Community Sponsors, which waives the RSD requirement for up to 3,000 Afghan refugees.

Expanding the capacity for the PSR program for Afghan nationals is one of the many ways that the Government of Canada is helping to mobilize Canadian civil society and all Canadians who want to help vulnerable Afghans. The Government of Canada appreciates the outpouring of goodwill from Canadians across the country in support of resettling Afghans.

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.

The Government of Canada takes note of this recommendation.

The Government of Canada recognizes that different solutions need to be pursued to resettle as many Afghans as possible and to ensure availability of necessary supports to maximize the outcomes for Afghans when they arrive in Canada.

In the context of the Immigration Levels Plan, the Government of Canada is responsible for balancing the needs of vulnerable Afghans with those of non-Afghan immigrants and refugees seeking permanent residence. In recognition of the unique humanitarian situation in Afghanistan, Afghans who are approved for permanent residence through the extended family reunification stream for former interpreters (EFPP) are given access to the Immigration Loans Program to assist with their travel costs to Canada; receive three months of income support through the Resettlement Assistance Program; are provided with Interim Federal Health Program coverage for up to 12 months; and, are able to access settlement services in their local community. These benefits apply to anyone who is approved under the EFPP, regardless of when they submitted their application, in order to facilitate their integration in Canada. The Government of Canada also understands that family members already in Canada may be able to support extended family members through the arrival and settlement process, including transportation from the airport, finding temporary and permanent housing, and setting up bank accounts.

The Government of Canada recognizes the unique challenges faced by the extended family members of former Afghan interpreters and remains committed to their integration into Canada, and where appropriate, provides additional support with the resettlement process.

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.

The Government of Canada agrees with this recommendation.

The Government of Canada has and will continue to support the journey of vulnerable Afghans located in third countries to Canada once their applications have been processed to completion.

Working with the IOM, Canada has chartered numerous flights for approved clients, including 15 charters from Pakistan, 13 charters from Tajikistan, and 5 charters from additional countries, with more flights arriving in the weeks and months ahead. In addition, IRCC continues to make use of commercial flights to resettle Afghan clients from Albania, Greece, Mexico, Pakistan, Rwanda, the U.A.E., and other countries. Collectively, these flights have contributed to the arrival of 21,295 Afghan nationals as of October 1, 2022.

The Government of Canada continues to work with likeminded partners and neighbouring countries to explore all options for efficiently transporting Afghan nationals with approved applications to Canada.

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.

The Government of Canada agrees with this recommendation.

The Government of Canada provides support services while a client's application is being processed, such as temporary housing in third countries. For example, clients under the EFPP are offered a host of services through the IOM. This includes medical support to cover the costs of any medical services a client needs before they travel to Canada, such as an immigration medical exam, treatment for medical conditions that would otherwise make them inadmissible to Canada (e.g., tuberculosis), medical supports needed to travel safely to Canada, routine vaccinations, and disease outbreak control. IOM is also responsible for assisting with arranging travel to Canada.

The Government of Canada remains committed to resettling 5,000 extended family members of former Afghan interpreters under the EFPP, and to providing them with support in third countries and as they travel to Canada.

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 nongovernmental 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.

The Government of Canada agrees with this recommendation.

The crisis in Afghanistan has presented unprecedented challenges and complexities, and the Government of Canada agrees that a comprehensive review of the IRCC departmental response, as one piece of the larger whole-of-government response, is essential to understanding what worked and what the Government of Canada could have done differently.

The Government of Canada has resettled over 21,295 Afghan nationals as of October 1, 2022, including many who assisted Canada during its engagement in Afghanistan. This is a significant accomplishment that has required greater levels of engagement, facilitation, and resources than in past crisis response and resettlement efforts. IRCC continues to document all major consultations, recommendations, decisions, and milestones tied to the Afghan resettlement initiative, in order to learn and apply insights from both its successes and shortcomings to current and future initiatives.

Currently, a lessons learned exercise is being conducted by BDO Canada on IRCC's response to the Afghanistan crisis. IRCC intends to share the lessons learned report with impacted departments, as relevant, and communicate the main findings to the Standing Committee on Citizenship and Immigration. IRCC will apply relevant recommendations from these reports, where possible.

As the Government of Canada continues to make progress on its commitment to resettling at least 40,000 Afghan nationals, IRCC is also turning its attention to the lessons that can be learned from the response to the crisis in Afghanistan, in order to improve its approach to future refugee crises.

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.

The Government of Canada agrees in principle with this recommendation.

The Government of Canada acknowledges that LGBTQI+ Afghans are at particular risk under the current Taliban regime, and remains committed to resettling vulnerable Afghans, including members of the LGBTQI+ community.

The Government of Canada is resettling vulnerable Afghans as Government-Assisted Refugees, including LGBTQI+ individuals, through the humanitarian stream. IRCC works with a number of recognized referral partners, such as the UNHCR, who have broad mandates, experience in providing referrals, and the ability to triage cases from other organizations through an open and transparent process.

IRCC has also created an additional 3,000 spaces for privately-sponsored refugees (PSRs) for members of vulnerable groups identified in the Minister's mandate letter, including LGBTQI+ individuals. As outlined in responses to other recommendations, IRCC has expanded the Rainbow Refugee Assistance Partnership (RRAP), to enable organizations in Canada to sponsor up to 150 Afghan LGBTQI+ individuals between 2022-2024.

The Government of Canada recognizes the serious risks that LGBTQI+ Afghans face and remains committed to supporting the resettlement of eligible Afghan clients via the humanitarian program.

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.

The Government of Canada agrees to actively explore this recommendation.

For students in particular, the Government of Canada will examine options to enable Afghans to study in Canada based on further analysis of eligibility requirements and a review of promising practices, including both government and non-government solutions. For example, the World University Service of Canada's Student Refugee Program was activated in Pakistan in 2021 and 2022 to respond to the crisis in Afghanistan. Currently, 21 Afghan students are set to arrive in September to begin their studies.

Canada also has other immigration pathways that would not require Afghan applicants to demonstrate their intention of returning to Afghanistan, in addition to the SIM program and the humanitarian refugee stream for Afghans. For example, Afghan refugees outside of Afghanistan may qualify for economic immigration with the help of facilitation measures offered under the Economic Mobility Pathways Pilot that supports skilled refugees to access economic immigration. Given that these candidates arrive as Permanent Residents, there is no need for them to demonstrate their intention of returning to their country of origin.

The Government of Canada encourages Afghans who are interested in resettling to Canada, but not eligible under the SIM program or the humanitarian stream for Afghans, to explore other options which may be open to them, including other immigration programs offered by the Government of Canada, such as economic and family reunification programs, and programs offered in partnership with provinces and territories, such as Provincial Nominee programs.