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**Afghan Women's Organization
Refugee & Immigrant Services**

Submission to the Standing Senate Committee on Human Rights

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A. Introduction

The Afghan Women’s Organization Refugee & Immigration Services (“**AWO**”) makes this submission as a supplement to its testimony before the Standing Senate Committee on Human Rights (the “**Committee**”) regarding restrictions on humanitarian aid to Afghanistan. These restrictions concern the terrorism financing provisions of Canada’s *Criminal Code* and Canada’s sanctions regime, and the extent to which these restrictions are affecting the delivery of humanitarian assistance to vulnerable people in Afghanistan.

Given AWO’s longstanding commitment and deep-rooted connection to the Afghan community (both in Canada and Afghanistan), AWO is uniquely positioned to provide information on pressing issues facing the Afghan people in this time of crisis, including impediments to delivering urgent humanitarian assistance to Afghanistan.

AWO expresses its gratitude for the opportunity to provide input on this pressing issue. We hope that our submission will be of assistance during the Committee’s deliberations.

B. Afghan Women’s Organization Refugee & Immigration Services

For over 30 years, AWO has been providing multiple settlement services to newcomers to Canada, with a special focus on women, their families, refugees, and people who have experienced war and persecution. AWO is also a Sponsorship Agreement Holder (“**SAH**”). It has played a key role in supporting the refugee sponsorship program in Canada through the sponsorship and successful resettlement of over 5,000 refugees from around the world. As a result, AWO has established strong connections with the broader Canadian and refugee resettlement communities.

AWO is an Afghan women-led organization, and since its inception, AWO has been advocating for the human rights of refugees and Afghan women. Through AWO’s persistent and effective advocacy and operational efforts, we have maintained meaningful connections with the Afghan community both locally and abroad.

Over the years, AWO has led several projects inside Afghanistan that focus on human rights, women's rights, children's rights, and access to education. This includes a number of home-based and underground schools for Afghan girls when the Taliban regime was in power during the 1990s. We also led educational and income generation projects for women inside Afghanistan and in refugee camps in Pakistan. Currently, AWO works with local Afghans to run an all-girls orphanage in Afghanistan's capital city, Kabul.

Since the humanitarian crisis in Afghanistan escalated in the summer of 2021, AWO has been working tirelessly on many crisis response efforts, including supporting Afghan refugees that have been evacuated to Canada. This includes coordinating efforts and working collaboratively with partner organizations to identify the Afghan refugees' basic needs and deliver orientation sessions and services that are culturally and linguistically appropriate as well as providing emotional support. AWO has also collected and delivered donations to the Afghan refugees who arrived with the clothes on their back, provided translation services to complete documents and understand COVID-19 protocols, and provided moral support during their transition process.

AWO has also been engaged in many advocacy efforts to help enhance Canada's response to the humanitarian crisis in Afghanistan. AWO has drafted numerous press releases, calls to action, and letters to politicians with proposed changes to Canada's current crisis response.

AWO leverages its experience supporting Afghan refugees in Canada as a SAH and a refugee and immigration-specific resettlement organization to ensure our advice is impact-driven, culturally appropriate, and holistic. AWO also leverages its experience leading and supporting human rights-related initiatives in Afghanistan to ensure our proposals are always effective, sustainable, and allow Afghans to have agency over matters affecting the future of their country.

C. Situation in Afghanistan

Afghanistan faces an unprecedented humanitarian crisis. The Taliban's takeover of Afghanistan in 2021 has eliminated the progress in human rights over the past 20 years for the people of Afghanistan, especially for women, girls, and ethnic and religious minorities. Women are banned from most forms of employment and often cannot leave their homes without a male

guardian.¹ They have recently been banned from entering gyms, amusement parks, and hammams (public baths) altogether.² The Taliban has also imposed a ban on girls' education beyond the 6th grade.³ There are also reports of cruel and extreme punishments against women, such as lashing and floggings⁴, and a significant increase in targeted attacks against religious and ethnic minorities, such as the Shia and Hazara people, with little to no protection from the Taliban⁵.

More than 800,000 Afghans have been displaced inside the country primarily due to the Taliban takeover in 2021.⁶ This is over and above the three million Afghans that were already internally displaced within the country. An estimated 80% of these internally displaced persons are women and children.⁷ Many are living on the streets with no water, food, and shelter. The United Nations has called the humanitarian crisis in Afghanistan “the worst humanitarian disaster we’ve ever seen.”⁸ It is reported that some 24 million people are in need of vital humanitarian relief.⁹ At least one million children are at risk of dying due to severe acute malnutrition. The United Nations has further stated that Afghanistan is heading toward “universal poverty”.¹⁰

Afghans are forced to take extreme steps in order to protect their families from hunger and extreme poverty. There are reports of parents sedating their children at night to distract them

¹ UN Women, “In focus: Women in Afghanistan one year after the Taliban takeover”. August 15, 2022. Online: <https://www.unwomen.org/en/news-stories/in-focus/2022/08/in-focus-women-in-afghanistan-one-year-after-the-taliban-takeover>

² The Guardian, “Taliban ban women from parks and funfairs in Afghan capital: Women bored and fed-up at being forced to stay home after latest edict which has hit business hard”. November 10, 2022. Online:

<https://www.theguardian.com/world/2022/nov/10/taliban-ban-women-from-parks-and-funfairs-in-afghanistan-capital>

³ UN News, “UN repeats call for Taliban to allow girls full access to school”. September 19, 2022. Online:

<https://news.un.org/en/story/2022/09/1126991>

⁴ BBC News, “Three women among among dozen publicly flogged in Afghanistan - Taliban official”. November 23, 2022. Online:

<https://www.bbc.com/news/world-asia-63736271>

⁵ Human Rights Watch, “ISIS Group Targets Religious Minorities: Taliban need to protect, assist Hazara, and other at-risk communities”. September 6, 2022. Online:

<https://www.hrw.org/news/2022/09/06/afghanistan-isis-group-targets-religious-minorities>

⁶ UNHCR: Afghanistan emergency. Online: <https://www.unhcr.org/afghanistan-emergency.html>

⁷ UNHCR: Afghanistan emergency. Online: <https://www.unhcr.org/afghanistan-emergency.html>

⁸ CNBC, “Afghanistan is facing the ‘worst humanitarian disaster we’ve ever seen’, the UN says. November 12, 2021. Online:

<https://www.cnbc.com/2021/11/12/afghanistan-is-facing-a-humanitarian-disaster-un-says.html>

⁹ UNHCR: Afghanistan emergency. Online: <https://www.unhcr.org/afghanistan-emergency.html>

¹⁰ Business Insider. “UN warns that Afghanistan will enter ‘universal poverty’ within a year following Taliban’s takeover”. September 11, 2021. Online:

<https://www.businessinsider.com/un-warns-afghanistan-will-enter-universal-poverty-within-a-year-2021-9>

from the lack of food, which could lead to further health complications.¹¹ Other reports claim that family members are selling their organs to afford food.¹² Some Afghans even report to have sold their daughters because they can no longer afford to care for them.¹³

In addition to extreme poverty and hunger, Afghanistan's economy is hanging by a thread. Crippling sanctions against senior Taliban leaders have paralysed the banking sector and prevented Afghanistan from engaging with the international financial system and its institutions.¹⁴ These sanctions have disproportionately affected ordinary Afghans as they become increasingly isolated from the rest of the world in the banking sector and beyond. The value of Afghanistan's currency has plummeted, raising the cost of imports and exacerbating inflation and a cost-of-living crisis. The nation's housing market has collapsed and mass unemployment is prevalent. Drought, flash floods, and an earthquake have also severely weakened the agricultural sector in many parts of the country.¹⁵

Further, there are many at-risk Afghans that are in need of immediate evacuation and resettlement. Canada's existing special immigration measures for Afghans are insufficient, too restrictive, encumbered by extensive delays, and fraught by lack of clarity and relevant information needed by applicants.¹⁶ Unfortunately, many vulnerable Afghans are ineligible under Canada's current resettlement programs. Afghans who fall under the programs' purview and applied have been waiting months for a meaningful response from Canadian authorities. As a result, at-risk Afghans are left stranded in Afghanistan in increasingly dangerous and precarious conditions. Afghans, such as judges and lawyers who helped prosecute the Taliban, and prominent female human rights activists, face threats of violence and travel between limited safe houses with dwindling savings.

¹¹ BBC News. "I drug my hungry children to help them sleep". November 24, 2022. Online: <https://www.bbc.com/news/world-asia-63733683>

¹² National Post. "One kidney village: Afghans so desperate they've taken to selling their organs for cash". March 1, 2022. Online: <https://nationalpost.com/news/world/one-kidney-village-afghans-so-desperate-theyve-taken-to-selling-their-organs-for-cash>

¹³ Washington Post. "Through child marriage or paid adoption, Afghan girls bear brunt of crisis". April 14, 2022. Online: <https://www.washingtonpost.com/world/2022/04/14/afghanistan-girls-child-marriage-adoption/>

¹⁴ Chatham House. "Afghanistan: One year of Taliban rule". August 15, 2022. Online: <https://www.chathamhouse.org/2022/08/afghanistan-one-year-taliban-rule>

¹⁵ United Nations Office for the Coordination of Humanitarian Affairs. "Unprecedented flashfloods batter rural Afghanistan". August 3, 2022. Online: <https://reliefweb.int/report/afghanistan/unprecedented-flash-floods-batter-rural-afghanistan>

¹⁶ Canadian Bar Association Immigration Law Section. "Facilitative measures for Afghan nationals". December 13, 2021. Online: <https://www.cba.org/CMSPages/GetFile.aspx?guid=04a835f1-b36d-42a9-ab58-faa25f5da270>

In sum, the rapidly deteriorating conditions in Afghanistan is a cause for grave concern. The nation is tilting closer to universal poverty with each passing day. Afghans are increasingly unable to meet their basic needs and are forced to take desperate measures to maintain their lives and livelihood. Human rights and women's rights are deteriorating. At-risk Afghans are left stranded with limited means of protection in the face of imminent threats of violence and persecution.

D. Impact on the Delivery of Humanitarian Aid to Afghanistan

Humanitarian actors need clarity on permissible action under Canada's counter terrorism provisions and sanctions regimes.

1. Creating Barriers: Canada's Criminal Code

The counter terrorism provisions of the *Criminal Code* have severely impeded the delivery of humanitarian aid to vulnerable Afghans. Many organizations, including AWO, have received funds from generous Canadians towards emergency relief efforts in Afghanistan, such as delivering food and other basic necessities to the Afghan people in this time of crisis. The problem is that these Canadian-based organizations, who are ready and able to deliver the necessary aid to vulnerable Afghans, are unable to do so because of the *Criminal Code's* counter terrorism provisions.

The *Criminal Code* outlines counter terrorism financing measures that may apply to the Taliban, which is the *de facto* authority in Afghanistan at this time.¹⁷ As a result, humanitarian aid going into Afghanistan from Canada-based actors could be captured under Canada's counter terrorism provisions.¹⁸ This means that impartial relief and development organizations could be inadvertently subject to criminal persecution when implementing Canadian-funded programs in Afghanistan.¹⁹

¹⁷ *Criminal Code*, RSC 1985, c C-46, s 83.

¹⁸ Doctors Without Borders. Submission to the Special Committee on Afghanistan. March 2022. Online: <https://www.ourcommons.ca/Content/Committee/441/AFGH/Brief/BR11656132/br-external/DoctorsWithoutBorders-e.pdf>

¹⁹ *Ibid.*

There also lacks clear written guidance from Canadian authorities on whether such activity would in fact be captured under the counter terrorism provisions.²⁰ AWO understands that legal scholars and lawyers have provided a legal opinion on this issue to the Canadian government (the “**Legal Opinion**”).²¹ The Legal Opinion is firm in its conclusion - that humanitarian actors should not be held to have violated the *Criminal Code*'s counter terrorism provision under a purposive and Charter-compliant approach, which is the correct legal interpretation. Despite the Legal Opinion, AWO understands that the Canadian government may apply a strict interpretation of the *Criminal Code*. This landscape presents a risk to humanitarian organizations to continue operations in Afghanistan and to initiate donation campaigns in order to help the most vulnerable in Afghanistan, such as women, girls, and ethnic and religious minorities.²² Impartial humanitarian actors are consequently left to operate within a strict interpretation of the *Criminal Code*, which will continue to act as a barrier to the delivery of urgent humanitarian aid into Afghanistan until the Canadian legislation changes.

Further, as part of Canada's Feminist International Assistance Policy (“**FIAP**”), undertaking certain risks is acknowledged as fundamental to achieving its vision of meaningful social change, and for that reason, more responsive, efficient and effective funding mechanisms and approaches are needed.²³

In light of the Legal Opinion and FIAP’s objectives, AWO believes that the Canadian government should reconsider its strict interpretation and issue a statement confirming that humanitarian actors will not violate the *Criminal Code*. An alternative option is to amend the *Criminal Code* and include an exception for humanitarian activities carried out in the context of an armed conflict. Should an amendment route be taken, urgency is of the utmost importance. To facilitate the delivery of much needed aid into Afghanistan while the amendment is being processed, AWO suggests that the Canadian government issues a Ministerial statement to the

²⁰ Globe and Mail. “Canada’s anti-terrorism laws unchanged as Afghan face humanitarian crisis, winter looms”. September 30, 2022. Online:

<https://www.theglobeandmail.com/politics/article-canadas-anti-terrorism-laws-unchanged-as-afghans-face-humanitarian/>

²¹ Landings LLP. Submission to the Special Committee on Afghanistan. June 2022. Online:

<https://www.ourcommons.ca/Content/Committee/441/AFGH/Brief/BR11826867/br-external/LandingsLLP-e.pdf>

²² CanWaCH. “The Criminal Code blocks Canadian humanitarian assistance to Afghanistan”. June 22, 2022. Online:

<https://canwach.ca/article/the-criminal-code-blocks-canadian-humanitarian-assistance-to-afghanistan/>

²³ Canada’s Feminist International Assistance Policy. Online: [Canada’s Feminist International Assistance Policy](#)

humanitarian sector detailing permissible actions. Lastly, in his testimony before the Senate Committee, Mr. Sujit Choudhry suggested that the Attorney General of Canada use his discretion not to prosecute humanitarian actors under section 83.24 of the *Criminal Code*. These proposed solutions will allow AWO, and many other Canadian organizations, to continue its life saving work in Afghanistan.

2. *Creating Barriers: Sanctions*

The current sanctions regulation, the *Regulations Implementing the United Nations Resolutions on Taliban, ISIL (Da'esh) and Al-Qaida* (SOR/99-444) under the *United Nations Act* (R.S.C., 1985, c. U-2), prohibits providing any financial or related services to or for the benefit of the Taliban and individuals and entities connected with the Taliban.

The United Nations Security Council passed Resolution 2615 (2021), which provides a humanitarian carveout for sanctions against the Taliban and designated individuals and entities.²⁴ Resolution 2615 clarifies “humanitarian assistance and other activities that support basic human needs in Afghanistan” are not considered a violation on Taliban related sanctions and, furthermore 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”. Following the adoption of this resolution, other common wealth nations (e.g., the UK and Australia) have updated their regulations to reflect the Security Council’s resolution and created humanitarian carveouts to their sanctions governing frameworks. These carveouts have enabled organizations in these countries to recommence the delivery of humanitarian aid to Afghanistan. A similar carveout has not been adopted in Canada. As a matter of urgency, AWO urges the Canadian government to adopt this carveout into its sanctions regulations.

²⁴ UN Security Council Resolution 2615 (2021): <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N21/413/83/PDF/N2141383.pdf?OpenElement>

3. *Impact of the Current Legal Framework on Humanitarian Actors*

What Canadian-based organizations, such as AWO, have witnessed under the current legal framework is a case of “charity chilling”. Charity organizations have been forced to cease their Canadian-funded programs in Afghanistan due to the fear of criminal persecution and third parties such as banks and governments from continuing operations with them. This predicament is wide spread and has led humanitarian organizations to form Aid for Afghanistan, a national campaign calling on Canada to remove barriers to aid, such as revising the *Criminal Code*’s counter terrorism provisions.²⁵

The current legislative framework in Canada has contributed towards anxiety and depression for many of AWO’s community members. Afghans and allies are worried about their friends and family who are trapped inside Afghanistan with no assistance, food, or medical supplies. AWO is put in a difficult position as it is unable to respond to its community members’ (in Canada and Afghansitan) needs in light of Canada’s counter terrorism provisions.

Although AWO had limited resources for the programs that it implemented for women inside Afghanistan before the *de facto* authority took over, AWO was able to enhance their capabilities and skills so that they could support themselves and their families. AWO’s experience is a testament to the fact that a significant impact can be made to the lives of Afghans with any amount of donation and a sustainable view of development.

Ultimately, the counter terrorism provisions as they currently stand hurt vulnerable Afghans the most. A collapsing economy and extreme poverty will deepen the current crisis and create an opportunity for extremist groups, such as Daesh/ISIS-K, to capitalize on the misfortunes of the vulnerable and seek to recruit them. This is not only an issue for vulnerable Afghans inside Afghanistan but could have implications beyond its borders.

²⁵ Aid for Afghanistan. Campaign. Online: <https://act.newmode.net/action/world-vision-canada/canadas-largest-humanitarian-aid-agencies-are-joining-together-demand>

E. Recommendations

We extend our gratitude to the Canadian government for its commitment to support the people of Afghanistan in this time of urgency. For decades, Canada has invested in development and respect for human rights in Afghanistan.²⁶ Canada's investments have advanced tangible progress in the areas of women's rights, access to education, and access to healthcare.²⁷ However, AWO is concerned that Canada's investments in Afghanistan are severely threatened due to Canada's domestic legislation stifling the delivery of urgent humanitarian aid.

AWO believes that Canada's efforts to support the Afghan population will fall short of its intended goals unless the problems in its domestic legislation are addressed. The Canadian legislature must act now because the current legal framework is adversely affecting the delivery of humanitarian aid when it is needed the most.

AWO echoes the proposed solutions outlined in Doctors Without Borders' and Landings LLP respective submissions to the Special Committee on Afghanistan.²⁸ First, the ambiguity on the protected status of humanitarian activities carried out in the context of an armed conflict should be removed. The Canadian government should apply the Legal Opinion's stated purposive and *Charter*-centric approach when interpreting the *Criminal Code* and release a clear written statement that humanitarian actors will not be held to have violated the *Criminal Code's* counter terrorism provisions. Otherwise, the Canadian government should revise the *Criminal Code* with a clear exemption for impartial humanitarian actors providing humanitarian assistance and aligned with international humanitarian law. Second, the risks that impartial humanitarian actors could face if third parties interpret the *Criminal Code* strictly should be removed. Third parties such as banks and governments may cease to do business and engage in development work with these impartial humanitarian actors if it is believed that they are not law abiding. Some of these solutions are also reflected in the Canadian Bar Association's Charity and Not-for-Profit Law Section recent letter to the Canadian government to help facilitate the delivery of humanitarian

²⁶ Government of Canada. "Canada-Afghanistan Relations". Online: <https://www.international.gc.ca/country-pays/afghanistan/relations.aspx?lang=eng>

²⁷ *Ibid.*

²⁸ *Supra* 17 and *Supra* 21.

aid in Afghanistan.²⁹ For example, the Canadian Bar Association suggests specific revisions to the *Criminal Code* and other counter terrorism legislation inhibiting the timely delivery of aid into Afghanistan, such as the *Anti-Terrorism Act*.

The proposed revisions should not impact Canada's ability to prosecute individuals who are alleged to have committed terrorist acts that fall outside humanitarian activities because they will only apply to neutral humanitarian assistance undertaken in an armed conflict.³⁰ It is a solution that will continue to uphold Canada's national security interests while facilitating the effective delivery of assistance to support the Afghan people.

Further, the United Nations has called upon the international community to make humanitarian exceptions to sanctions against the Taliban in order to deliver life saving aid to vulnerable Afghans.³¹ In response, many of Canada's allies have removed the barriers to aid delivery and clarified the non-applicability of the counter terrorism laws to the provision of humanitarian assistance in Afghanistan: United States, United Kingdom, European Union, and Australia.³² Canada should respond in accordance with the United Nations resolutions and mirror the non-applicability provisions of its allies to ensure the safe and timely delivery of humanitarian aid into Afghanistan.³³

AWO further supports the recommendations outlined in the Special Committee on Afghanistan's June 2022 report titled, "Honoring Canada's Legacy in Afghanistan: Responding to the

²⁹ Canadian Bar Association. Charities and Not-for-Profit Law Section. Re: Report of the House of Commons Special Committee on Afghanistan and Canada's Anti-Terrorism Legislation. July 22, 2022. Online: <https://www.cba.org/CMSPages/GetFile.aspx?guid=b7386a78-e843-4470-b77e-0c43221e440c>

³⁰ *Ibid.*

³¹ United Nations resolutions: [Resolution 2462 \(March 2019\)](#), para 243; [Resolution 2482 \(July 2019\)](#), para 16; [Resolution 2593 \(August 2021\)](#), para 3; [Resolution 2582 \(June 2021\)](#), para 4; [Resolution 2590 \(August 2021\)](#), preamble; and [Resolution 2615 \(December 2021\)](#), para 18.

³² *Supra* 19.

³³ Canadian Bar Association. Charities and Not-for-Profit Law Section. "Facilitating Humanitarian Aid in Afghanistan". September 27, 2022. Online: <https://www.cba.org/Our-Work/cbainfluence/Public-Policy-and-Advocacy/2022/September/Facilitate-humanitarian-aid-in-Afghanistan>

Humanitarian Crisis and Helping People Reach Safety” (the “**Report**”), particularly the following:³⁴

- 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—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.

The recommendations outlined in the Report contain the path forward towards alleviating the humanitarian and economic crisis in Afghanistan. The Canadian government agreed with all the Report’s recommendations, but have yet to implement them.³⁵ These recommendations must be implemented immediately.

In addition, given the magnitude of the crisis, Canada should have a long eye view that aid should be given in a way that opens up a pathway for reviving the economy and addressing development needs beyond preventing economic collapse. Many donors have generously donated to emergency relief efforts to deliver food and other basic necessities. However, these short-term measures are not enough since this is not a natural disaster. Key factors behind the current unprecedented humanitarian crisis are:

³⁴ Special Committee on Afghanistan. “Honoring Canada’s Legacy in Afghanistan: Responding to the Humanitarian Crisis and Helping People Reach Safety”. June 2022. Online:

<https://www.ourcommons.ca/Content/Committee/441/AFGH/Reports/RP11826943/afghrp01/afghrp01-e.pdf>

³⁵ Government Response to the First Report of the Special Committee on Afghanistan. Online:

https://www.ourcommons.ca/content/Committee/441/AFGH/GovResponse/RP11969083/441_AFGH_Rpt01_GR/DepartmentOfForeignAffairsTradeAndDevelopment-e.pdf

- the suspension of development assistance and salary payments for Afghanistan's civil service;
- the delinking of the Afghan central bank and commercial banks from the global financial system;
- the freeze on Afghanistan's foreign reserves and the US government's decision to seize \$3.5 billion of Afghanistan's \$7 billion currency reserves, while diverting the other \$3.5 billion to a trust fund;
- the subsequent devaluation of the Afghan currency; and
- the Taliban's mismanagement of the economy.

Afghanistan needs a viable economy with support for both the public and private sector because humanitarian assistance alone will never be sufficient or sustainable.

Lastly, Canada should work with the Afghan diaspora to ensure that Afghan voices and local communities are meaningfully engaged and considered when deciding how assistance will be dispersed, which is consistent with Canada's feminist foreign affairs practices and international assistance policy. It is also essential to uphold the principle of accountability to ensure that aid reaches the most vulnerable. Funds should only be allocated to NGOs and multilateral organizations that are independent, transparent, and provide monitoring and reporting. Further, to ensure that Afghans have the tools and resources they need, it is imperative that Canada increase its financial commitment to at least \$250 million for 2023 to reflect the drastically escalating needs.

In summary, the recommendations outlined in this submission will not only enhance the effectiveness and sustainability of Canada's crisis response efforts, but will also support Canadian advocacy organizations such as AWO to meet the needs of vulnerable Afghans inside Afghanistan.

F. Conclusion

The crisis in Afghanistan is intensifying at an unprecedented rate. The population faces widespread hunger, dwindling medical supplies and services, a crippled economy, and rapidly shrinking human rights protections. AWO recognizes that Canada has valiantly stood alongside the people of Afghanistan in this time of crisis. Canada has committed to resettling Afghan refugees as well as the provision of humanitarian aid of Afghans in the country. However, the millions of dollars committed by the Canadian government and donations that organizations like AWO have collected from Canadians towards humanitarian efforts in Afghanistan are not reaching those in need primarily because of Canada's domestic legislation. The *Criminal Code* and Canada's sanctions regulations have inadvertently criminalized Canadian-funded humanitarian activities inside Afghanistan. The risk of criminal persecution is far too great and has inhibited Canadian-based humanitarian organizations such as AWO from helping Afghans who are in desperate need of assistance. The Canadian legislature must address this chilling effect immediately in order to help Afghans start a new life with safety and dignity.

The recommendations outlined in this submission can strengthen Canada's response to the crisis in Afghanistan and provide a ray of hope to the vulnerable Afghans who have advocated for principles that we, as Canadians, strongly value. These Afghans have fought for the principles of women's rights, justice, and equality. We must match their bravery and resilience and push through the difficulties before us. This is an opportunity for Canada to strengthen its standing as a peacekeeping nation and add a chapter to its legacy of providing assistance to vulnerable people in crisis.