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Mr. Rick Casson

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• (0810)

[English]

The Chair (Mr. Rick Casson (Lethbridge, CPC)): I call this meeting to order.

This is the Special Committee on the Canadian Mission in Afghanistan. Today we have Dr. Soraya Sobhrang with us. She is the Commissioner of the Afghanistan Independent Human Rights Commission. She's been working on female issues and the rights of women in Afghanistan.

We want to welcome you. We certainly appreciate your going through all the trouble to be here.

Do you have a few comments to start? Then we'll have the committee ask you some questions.

Dr. Soraya Sobhrang (Commissioner, Afghanistan Independent Human Rights Commission): I am ready. I don't have any comments.

The Chair: Very good. We'll get right into the questions.

Just to explain to you, this is an all-party committee of the House of Commons here in Ottawa, Canada. We have four parties at the table and we'll give each one seven minutes to ask you questions. It's timed, so they'll want to get in as many questions and responses as they can.

We'll begin with Mr. Bob Rae with the official opposition.

Hon. Bob Rae (Toronto Centre, Lib.): Good morning, Dr. Sobhrang. It's a pleasure to see you. You are probably better known in Canada than you realize, because your comments are frequently quoted in our newspapers.

Dr. Soraya Sobhrang: Yes.

Hon. Bob Rae: I will ask you to start directly on the issue of the changes to the sharia family law that were considered by the national Parliament.

You made some comments indicating that you felt the west had let you down because we didn't do enough to stop the legislation. The government says they were not aware of the legislation until it was too late.

When did you become aware of the law that was being passed?

• (0815)

Dr. Soraya Sobhrang: Thank you very much for the question.

First, I want to tell you that my English is very poor, but I will try to explain.

When the Shia family law was approved by Parliament and went to President Karzai's office, he signed also. That was in March. When we heard about that, very quickly all independent human rights commissions, civil society, and some members of Parliament organized meetings and we also protested against this. We also had a demonstration. We wanted to stop this process.

It was already signed by Mr. Karzai. We wanted to bring some changes. Maybe two years ago, when we heard about it, the Shia law was drafted by Ayatollah Mohseni. We got this one draft for that. It was absolutely against human rights, women's rights, our constitution, and all the conventions of international human rights. It was not acceptable to us. We wanted to make some comments and suggestions and we made this one. Also at one university—this is Khatib school—a lot of scholars came from Iran and from inside Afghanistan, and they reviewed this law and said it was against women's rights and we had to stop this process, because at the time the draft had gone to Parliament.

We also visited members of Parliament and the chairperson of Parliament, Mr. Qanouni. We stopped this process for maybe more than nine months, but suddenly this was passed and approved by Parliament. After that and up until now, we were really concerned about it, because the justice ministry hasn't done anything and we don't know why they didn't start to work on this and bring some changes to this law. Until now, this law is without any reaction that says to stop this process, so we are concerned.

Hon. Bob Rae: Let me try to understand. When you first saw an earlier draft, you and many of the groups you're associated with were strongly objecting to what you saw as a draft proposal. You then were very surprised when the President signed the law, which in the end was much closer to the draft proposal than to any of the objections you and the groups you represented had expressed. Is that a fair description of what happened?

Dr. Soraya Sobhrang: If I understood correctly, when we heard about it this was already on the agenda for Parliament. We also visited the UNAMA in Afghanistan and the European Union. We asked them to stop this process and do something, because this law is really against human rights and women's rights in Afghanistan. This is also against our constitution. I and all women's rights activists believe that the European Union and the UNAMA reaction was very passive and very late. It was not effective in this process.

Hon. Bob Rae: Let me turn to the future rather than the past. I think we all understand that the law has some serious problems. What do you think the process will be, going forward, to deal with this question? What do you see happening over the next several months?

● (0820)

Dr. Soraya Sobhrang: Our concern about this law is that it opens the way for approval of other such laws.

We've now drafted this family law for Sunni in Afghanistan, and also the violence against women law. These two laws are also going through this way, going through Parliament, but we're concerned. The drafts might be very good and very effective, and could change a woman's situation in Afghanistan. That also might be very good. But we are concerned because maybe inside Parliament they will make some changes to these two laws. This is our first concern.

Second, we are concerned about losing our achievements as women in Afghanistan after the Bonn conference and also after the fall of the Taliban. Maybe we'll lose all of our achievements and go backwards instead of forward, like the Taliban situation in Afghanistan.

The Chair: Thank you, Dr. Sobhrang.

We're going to move now to Madame Lalonde for seven minutes. She's with the Bloc Québécois.

Ms. Francine Lalonde (La Pointe-de-l'Île, BQ): So that the witness will understand, I will speak English.

Mrs. Sobhrang, it is a real pleasure to hear from you today.

I am trying to understand exactly the situation in which women are right now. In order for me to understand better, perhaps you would tell me what you expect from us in Canada or from other countries in the weeks and months to come in order for you to be able to enjoy your rights and to be able to work to help women who need it.

Dr. Soraya Sobhrang: Thank you.

First, I want to tell you that during this year in Afghanistan, women have achieved much. For example, we have a new constitution. This is the first time Afghanistan has this. There is no discrimination, and no violence, and women and men have the same rights in our constitution.

Also, women have the opportunity to participate in social, political, and economic life. You know, there are a lot of women now in Parliament since these two elections, presidential and also parliamentary. They are very active in participating in this process.

And also, we have a women's ministry. We have a human rights commission, and civil society is very active. So we are happy about this.

This is also, I think, quite an achievement for our male-dominated society, but this is not enough. Until now there has been a lot of violence against women. For example, in the six months since January, every month there has been self-immolation and also a lot of rape and sexual harassment against women. And women haven't had any security, and there has been poverty and everything. So women in Afghanistan have had a lot of problems until now, which is why we need you and we need the support of the international community, and it is our hope that you won't forget us.

We have started this process for democracy and also social justice in Afghanistan, but we need your support. We are moving fast, but

we have to go a lot further, and our progress is short. We have to go a long way, and also we have a lot of problems and challenges. We really need your support in Afghanistan.

I think when the international community came to Afghanistan, a big goal was to defend women's rights in Afghanistan, and you know what has happened now in Afghanistan with women's rights.

Women don't have security, and now every day Afghanistan's enemies burn girls' schools. And they make a chemical treatment and they put it in the face of women in Kandahar. And there is also what has happened in Kapisa Province and Parwan Province in girls' schools.

This is closing the way for progress for women. Now women and girls are afraid, and every family worries about that when they are sending their children to school. They worry about what may happen to their children and what may happen to their girls because of the kidnapping and everything that has happened. And there is no guarantee against that happening or that the girls will return home. And we are all mothers. We are worried when we are sending our girls to school. We don't know. Even in kindergarten we don't know if they will come back or not.

So this situation is very bad. And we women need your support. And also I speak for all women in Afghanistan. Please don't forget us. We really need your support.

● (0825)

Ms. Francine Lalonde: Thank you very much for all that you have said. I understand that you need support, and I think that a lot of people here want to help you out. But could you be more specific about the support you think we can give you?

Dr. Soraya Sobhrang: First, in Afghanistan we need security. If we don't have security, we can't get achievements in other areas—for example, economic, political, social, all areas. First we need security. I think until now, our government, and also our police, our army, hasn't had the opportunity or the power to bring security in Afghanistan. This is very important.

Second, our constitution, in article 7, talks about the responsibility of government for all international conventions, human rights conventions. This is a change our government has to bring to all laws in Afghanistan, for example, civil and criminal law, gender issues, everything. We need a lot of specialists from you. You can send specialists in different areas to Afghanistan. They can help us with capacity-building. This is very important. I think if you're doing this, we need your specialists.

You can also invite the younger generation from Afghanistan to your country. They can get some new processes and come back to work for Afghanistan. Because during this 30 years of fighting, our younger generation learned only how to use guns and other things, but never about culture and skills-building.

There's been a lot of job loss in Afghanistan. We don't have any fabric in Afghanistan. We don't have any work projects. Our new generation, our young boys in Afghanistan, really need support. Our children are playing in dirty streets. There are no parks, no pastimes for them.

It is very difficult to explain this in English.

● (0830)

The Chair: Thank you very much.

Dr. Soraya Sobhrang: But really, we need your support.

The Chair: You bet. Thank you very much for that.

We're going to switch over now to the governing party, and Deepak Obhrai will be asking you questions.

Mr. Deepak Obhrai (Calgary East, CPC): Thank you very much, Dr. Sobhrang. Welcome to the committee.

I must say you are indeed a very courageous woman to fight for women's rights in Afghanistan, considering all the challenges.

I would like you, as the head of the human rights commission, to tell us about what is happening in Kandahar, where the Canadian soldiers are. As you know, Kandahar is a very volatile province, with a lot of Taliban presence, with Canadians providing the security. Perhaps you can tell us and Canadians how your commission is working with the Canadians there to bring human rights issues into Kandahar, in light of the fact that the Taliban presence is still there.

Dr. Soraya Sobhrang: Thank you.

We have also our commission. This is an original office we have in Kandahar, and we have also established a new office in Helmand in Oruzgan.

Two or maybe three weeks ago, I also visited our office in Kandahar. Really, in Kandahar, women are under pressure and every day they are getting ultimatums. They have a lot of challenges there. Some women tell me they don't have permission to go outside their houses or to go out to work. In our office, and also in Andarab, I visited a lot. That time, after two days, a woman was killed, Sitara Achakzai, a very active women's rights activist, in Kandahar.

Now, the situation, especially for women, is very, very bad. Really, we need some coordination between Canadian and other organizations who are working in Kandahar. We need very good coordination there because really there is no security in Kandahar now. I visited civil society there also, and this is very bad.

When I talked with some women there, and men, they have lost their hope for the future. They think maybe they are living only today, but what will happen tomorrow is very dark. Their future is looking very dark. So I think this is very dangerous for one country or for the population, when they lose their hope for the future. This is very dangerous.

● (0835)

Mr. Deepak Obhrai: Dr. Soraya, thank you very much. You hit on a very strong and important point in reference to the situation you have described in Kandahar, which is the lack of security. You need security there so you can carry on the process of fighting for human rights for everyone.

How do you feel? Are you comfortable with the national police and the training they have received, and the national army in Kandahar, with the Canadians? Are you comfortable enough over there that these forces are actually now helping provide the security that you need to do your work?

Dr. Soraya Sobhrang: Yes, I think our police as well as our army need capacity-building. If they are working with the Canadians, this

is a very good opportunity for them to gain experience and learn how in this situation they can work and bring security. I think this is very important. They can get international experience, because what has happened now in Afghanistan, this is also new. They say that every day the enemy changes its tactics in Afghanistan—suicide attacks, every day they are using different tactics.

So if the international community and the Canadian community bring their experience in this direction, it is doing capacity-building for our policemen. I think this is a very good point.

Mr. Deepak Obhrai: Dr. Soraya, thank you very much.

One other point that you asked is about Canadian support for your organization. As you know, we put quite a lot of emphasis on helping you because you are seen as one of those front-line organizations fighting for women's rights, which is one of the strong points in Canada.

Can you tell us a little bit more of the Canadian need to help and strengthen your organization on the ground, specifically in Kandahar, where we are?

Dr. Soraya Sobhrang: Thank you.

I don't want to talk only about my organization. All civil society and all women's rights activists were in Kandahar, under pressure, and every day they are given ultimatums. They need support. They need help. Our organization is a human rights organization, and we have some opportunity, but if you can help with the women's rights activism in Kandahar and bring some changes to their lives and also, very importantly, to their security, I'd be very happy for that.

The Chair: Thank you.

We're going now to Mr. Paul Dewar, with the New Democratic Party. He will be asking questions for the next seven minutes.

Mr. Paul Dewar (Ottawa Centre, NDP): Thank you, Chair.

Thank you to our guests. Doctor, it's good to speak with you. I would like to thank you for the work you've been doing and letting us know the status of women in Afghanistan, which is so very important.

For my first question, I want to go back to the history of the review of the Shia law. In your comments you mentioned that this is something that has been in the works for a while but you were surprised when it came to Parliament and then to the president's desk to be signed. You mentioned that you had been in touch with members of the international community, and I know you were quoted in the press as saying that the international community had failed to support women in terms of this law. At the time the review was being done and the legislation was going through, were you in touch with any Canadians on the ground to let them know that this law was being planned? And if you had been in touch with Canadians, what was the response?

● (0840)

Dr. Soraya Sobhrang: I apologize that we lost this moment and we didn't have any meetings with Canadians, only UNAMA and also the European Union.

Mr. Paul Dewar: Thank you for that clarification.

I noted that you did write a report. You've written many reports. One is called "Women's Situation in Afghanistan in 2008". In that report, your organization states that even though there has been progress in terms of the electoral law to have more women in Parliament, the actual role women play is weak and symbolic, and they have less impact on major decision-making in the country.

Were women involved in the drafting of this law? What role did women have in the drafting and review of this Shia family law?

Dr. Soraya Sobhrang: This draft was written only by men. Also, this is Ayatollah Mussini, a student in Mashhad in Iran. After that, he brought this to Afghanistan and through the Justice Ministry it went to Parliament. Never was one woman involved in this process.

Inside Parliament, the first woman to combat this problem was Shinkai Karokhail. And another woman after Shinkai Karokhail was Sabrina Saqib—only these two persons. The first person who really did a lot of work in this process was Shinkai Karokhail. She did a lot, but she could only bring changes to three articles.

Women in Afghanistan and also in Parliament are not independent. There are a number of warlords and others inside Parliament and there are different parties, so these women in Parliament are under pressure. They are afraid, because inside Parliament also, they are given ultimatums. The only woman who wasn't afraid of any ultimatums was Shinkai Karokhail.

Mr. Paul Dewar: When it comes to the training of the police and the army, but in particular the police, are you aware of any training that is happening, particularly in Kandahar, on women's rights and human rights? In other words, are the Afghan police getting training on the rights of women and on the human rights of Afghans?

Dr. Soraya Sobhrang: Yes, this is in our action plan in all our regional offices and also in provincial offices. Every month, maybe two times or one time, they organize workshops and seminars about human rights education. There's very good coordination between the human rights commission, the police, the army, and different positions. We have very good relationships. They always come to the seminars and workshops.

Mr. Paul Dewar: How many people do you have?

You're doing the training with the police. You're coordinating that with the police.

• (0845)

Dr. Soraya Sobhrang: Yes.

Mr. Paul Dewar: Do you have enough people to do that?

Dr. Soraya Sobhrang: Yes.

Mr. Paul Dewar: You don't need more resources for that particular job?

Dr. Soraya Sobhrang: You know, I think every organization needs this, because we have to do a lot. Every day we are getting new responsibilities. For the work, if you're working 24 hours, this is not enough. So we always need resources. Also, we need new experience. We need advisors. They bring knowledge and new experience to us on skill-building and capacity-building. We need this everywhere in Afghanistan and in our organization also.

Mr. Paul Dewar: I think it would be helpful for our committee if you were able to send us a written note, an e-mail, about what

resources you need help with the most, because we are looking at how we can help in Afghanistan.

I'll just close by thanking you. If you want to follow up with the committee by providing us with some ideas, we can help more with the work you're doing.

Again, thank you for being here today.

The Chair: That's very good. Thank you.

We have time to get into the second round—for a couple of spots, anyway—before we have to go.

We'll start with Mr. Hawn, on the government side, for five minutes.

Mr. Laurie Hawn (Edmonton Centre, CPC): Thank you very much, Chair.

Thank you, Doctor, for being here. We really appreciate your efforts today and what you're doing.

Religion plays a very important role in Afghan society, and relations and understanding among religious leaders would probably help the situation. What efforts are you putting towards furthering understanding among religious leaders of different sects and so on? What strategies are you using there, and is there a way we can help with that?

Dr. Soraya Sobhrang: You know, in Afghanistan, before the 30 years of war, always they lived together without any problems and had very good coordination. They lived together freely. During the war, it was also, I think, a new thing in Afghanistan. The population didn't have any problem. Now also they don't have a problem. Who has a problem? It is the people in high positions in government, in some parties, who are in power. Society and the population don't have any problems.

For example, if you're going to a village and are talking with the women and the men, they have very good relationships. They don't know about these problems. This is also between Shia and Sunni and others. This is for some leaders, those who are in power, some commanders and those who are in government in very high positions. It is coming from that direction.

Mr. Laurie Hawn: Thank you.

From what you said, I would gather there's a level of understanding among average Afghans about human rights and women's rights in Afghanistan, and that if they just left it to the people themselves, they could solve it themselves or they'd be further ahead. Is that a fair statement?

Dr. Soraya Sobhrang: Yes. They need some awareness about that. They need awareness and they need capacity-building. They have to know more about national unity. They need to get some awareness of that. I think women are like a centre. For example, during the war in Afghanistan, they played a very good role to bring peace. For peace-building also, a woman's role is very important.

In relation to United Nations resolution 1325, the government in Afghanistan promised that after this war, it would bring the role of gender into the process of security and peace in Afghanistan, but really, after the war in Afghanistan they forgot the women of Afghanistan. When there was a jirga or some regional conference, they absolutely ignored the participation of women in this process, so this is also a big problem.

The international community can also, through our government, bring this idea. Without women's participation, without gender participation, any process for peace and security will not be successful in Afghanistan.

• (0850)

Mr. Laurie Hawn: Thank you.

I think we got that message loud and clear. All the women in the room are smiling.

How important are literacy and education to this process, and how do you see the prospects for that in the near and long terms, especially for young women?

Dr. Soraya Sobhrang: I explained about that earlier. In the constitution, women and men have the same rights and there is a special positive discrimination for women for education, but every day they are getting ultimatums and the enemy also burns their schools. As well, without security, they now have to stay at home and not attend school. We have a lot of guards within the schools, but with no security, how can they go to the schools? We are really concerned about that.

Maybe next year we will not have any educated women graduating from grade 12, and we are really concerned about that. For example, in some provinces up until now we didn't have guards at school. In high schools, we didn't have them. We only had guards up to the sixth grade, but sixth grade or ninth grade is not education.

If we want women to participate in politics and in the economic life in high positions and making decisions, they need higher education. They need to go to university. In this situation we have no security. They also have economic problems. How can they go to school? How can they go to university?

Today I got a piece of news, but I'm not sure about it. It was from Herat Province. In a sharia faculty women organized in the first class were divided in their teaching—this one is education, another is law in *fiqh*. But women do not have permission to go to *fiqh* in the law. This is really discrimination against women. We have to do something about this decision.

The Chair: Thank you very much.

In the few minutes that we have left, we're going to finish up with the official opposition. Mr. Wilfert will ask you a few questions.

• (0855)

Hon. Bryon Wilfert (Richmond Hill, Lib.): Thank you, Mr. Chairman.

Thank you, Doctor, for being with us.

One of the six priorities that Canada has in Afghanistan is the advancement of democratic governance, in particular, dealing with

public institutions such as the justice institution with the training of judges. One of the mandates that Canadians have in Afghanistan is working closely with women to support equal involvement in these institutions, particularly in their own communities and in society as a whole.

Can you provide to us what you believe is important in the development of this capacity-building in terms of moving the agenda forward? When we hear, for example, that Shia law is drafted by men, that doesn't really give us much hope in suggesting any involvement in terms of us being able to achieve the goals that, in conjunction with your organization, we believe are important.

What tools should we be providing? Or what's your current assessment of the ability to develop that capacity-building with regard to justice and equal treatment for women in Afghanistan?

Dr. Soraya Sobhrang: This is a very good idea, which we really need to have. In our justice system, there may be a lot of them who don't believe in women's rights, and they don't know the meaning of gender. Sometimes there is also discrimination and violence against women. For example, if a woman goes to a court and says she wants a divorce, they will ask why. She says because her husband beats her every day and also that he uses psychological violence against her. The court will then say that this is a normal process, that she is a woman, and that she will have to go back. We hear a lot of information like this.

I think this is very important. For example, until now in our supreme court, there are no women there. There are only men. Also, we have judges, but this is not enough. Capacity-building and giving our judges some awareness is very important. Especially for our justice system in Afghanistan, this is very important. Here is my idea: that without women judges and also without women's rights activists inside the justice system.... We can't wait for justice, for democracy, for the same rights for women and men, and also for the implementation of our constitution. This is very important. In every issue, everywhere, women must be present.

The Chair: Thank you very much. We appreciate you taking the time today to answer our questions. We appreciate your frank and very good answers. It will help us with our deliberations.

We certainly want to wish you all the best as you continue with your struggle for women's rights in Afghanistan. I think it will be interesting to see how you progress over the years. Hopefully, you will be able to make strong progress as time goes on. Thank you very much. Stay safe.

Dr. Soraya Sobhrang: Thank you so much. Also, I am very happy that you gave me this opportunity to talk with you.

The Chair: Thank you.

Dr. Soraya Sobhrang: But I'm very sorry because my English is very poor. Did you understand me?

The Chair: Your English is better than mine, so congratulations for that.

Thank you.

The meeting is adjourned.

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