

February 14, 2022

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Re: Call for Urgent Action on Ongoing Crisis in Afghanistan

We, the undersigned, are a group of Canadian national and regional law firms with offices and operations across the country. Together with all Canadians, we take pride in the transparency, efficacy, and functionality of our legal order. In this letter, we seek the extension of those very principles to Afghans who equally sought to uphold the rule of law and democracy in their country.

In August 2021, as news spread of the Taliban's rapid advance across Afghanistan, many Canadians were alarmed by the stories of fear and desperation among Afghans. The hasty evacuation of Kabul compounded the concern felt by Canadians who watched Afghans, many of whom had supported Canada and its allies for two decades, fall under the unchecked control of the Taliban.

Governments around the world have struggled to respond to the humanitarian crisis triggered by the resurgent Taliban and its renewed control over Afghanistan. Many vulnerable Afghans remain in hiding while others languish in precarious and untenable circumstances abroad with no clear pathway to secure resettlement. Recent reports indicate that the Taliban now has access to government and legal records disclosing information about lawyers, judges, and other individuals who worked alongside Canada and its allies.

As leaders of the Canadian legal community, we sought to respond meaningfully to the crisis in Afghanistan through a variety of initiatives. Staff members and lawyers at many law firms have conducted interviews with vulnerable Afghans and assembled, submitted, and pursued their applications for evacuation and resettlement in Canada.

We must do more.

We were encouraged by the announcement that Canada would resettle 40,000 Afghans in Canada. More recently, the announced resettlement of hundreds of female Afghan judges marked an important step towards this goal. However, many members of the legal community continue to

face the threat of retaliation by the Taliban. These individuals worked closely with Canada for years and provided our officials with vital support, such as thirty firm members at Shajjan & Associates, a law firm in Kabul, who provided legal services to the Government of Canada and the Canadian embassy in Kabul since 2013.

It is now time to satisfy fully the Government of Canada's promise of resettlement – effectively, efficiently, and without delay. We therefore respectfully call upon the Government of Canada to do the following:

1. Devote dedicated government resources that are sufficient to review and rapidly determine the accumulated backlog of applications by Afghans for resettlement in Canada, including under the Special Immigration Measures program for Afghans who have helped the Government of Canada;
2. Coordinate the work of officials across government by creating a committee of Cabinet led by the Minister of Immigration, Refugees and Citizenship Canada and including the Minister of Foreign Affairs and the Minister of Public Safety, and encourage those Ministers to consult extensively with Canadians who are knowledgeable about the situation “on the ground” both here and in Afghanistan; and
3. Tailor Canadian resettlement policies and programs to the circumstances of this crisis. While Canadian programs for private sponsorship have offered a key method for Canada to receive and integrate refugee families successfully in the past, this approach must be adapted to address the special circumstances currently facing vulnerable Afghans. Where certain resettlement requirements can be eased, the government should consider these options carefully.

We believe that by taking these steps, Canada will more readily achieve our shared goal: the safe and rapid resettlement in Canada of vulnerable Afghans, so they can re-start their lives in peace and security.

Yours truly,

Bennett Jones LLP

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