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Chair

Mr. Scott Reid

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•(0905)

[Translation]

The Chair (Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC)): Good morning, everyone.

This is the Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development. The meeting today, June 8, 2010, is our 20th.

[English]

Today we are conducting a special meeting at which we have a witness to discuss human rights in Afghanistan.

Our witness here today is Massouda Jalal, who is best known for her work in Afghanistan as the minister responsible for women's affairs. She was also a candidate for the presidency of her country and, before that, had a distinguished academic career.

I've just learned as well that this is her second round of testimony before a Canadian parliamentary committee within one week. I'm told that in Afghanistan last week, the special committee on Afghan affairs, which was travelling to Afghanistan, met with her and she provided testimony there. I alert members to that fact so you can consult the record and gain additional information should you have an interest in doing so.

That said, I'd like to turn the floor directly over to our witness.

I invite you to please begin your comments, after which we'll have some questions from the members of the committee. Thank you.

Dr. Massouda Jalal (First female candidate for presidency in Afghanistan and former Minister of Women's Affairs, As an Individual): Thank you very much.

Dear ladies and gentlemen, firstly I would like to thank you for the honour and privilege of addressing you.

My name is Dr. Massouda Jalal. I am a medical doctor by profession. I am also a women's rights activist and have struggled on behalf of women in Afghanistan, regardless of ethnicity or locality, for many years.

At one stage, I was a minister. In that capacity, I was able to forge a relationship with the Canadian government. I saw what Canadian money and influence could do. I am very happy about the careful support for local women's groups in particular, through CIDA, and I'm now the managing director of an NGO that attempts to work for change for women step by step, rather than with a big plan.

I want to make some suggestions about how positive change might happen so that we can build a future that includes women and other marginalized groups and does not focus on war and violence.

Just in case any of you cannot stay for the whole of my speech, or in case I run out of time, I will give you a sneak preview and tell you in about 10 words the essence of what I am going to say to you, the representatives of Canada: to solve the problems in Afghanistan, you need to reduce non-productive spending on the military and increase support to women in political life.

As of 2001, after the fall of the Taliban, Afghans, and Afghan women in particular, were very optimistic. We knew what we wanted: peace, fairness, justice, and a lawful society for all. We knew what it could look like: girls at the schools and universities; women in public places as ministers, civil servants, and media workers; laws and institutions that would protect the vulnerable from violence; and the men who ruled by might, either in the home or in the community, behind bars.

We wanted a healthy population and a protective environment. We expected the international community to help us, as we knew that many of the citizens of countries such as yours supported positive change and, in particular, wanted women and marginalized groups to have a far better life.

Was and is that too much to ask?

We didn't ask for masses of money to flood the country and contribute to a few fat cats' bank accounts. We didn't expect parts of our cities to be razed to build narco-mansions for profiteers from international contracts and rackets. We didn't expect our maternal mortality rate to more or less stay the same. We didn't expect to have fewer female police than we did under Soviet times.

No—but that is what we got.

More than half of the country has become inaccessible. Ironically, this is worse than it was under the Taliban. Commanders and strongmen have not only been the linchpin of negotiations and a focus for funds, but are also in the government and in parliamentary positions. We have not had justice—not even transitional justice.

Can we talk about that and focus on that before we talk about “talking to the Taliban”?

And what about democracy in Afghanistan?

Regarding women's rights, we have had some success. Statistically, things don't always look bad. During 2002 and 2003, the Afghan government signed and ratified some international conventions and laws, including CEDAW and the ICC, as well as the Convention on the Rights of the Child and the major conventions on civil and political rights.

However, there was very little consideration given to these signings and no meaningful debate. For example, the Minister of Women's Affairs had no idea that CEDAW was ratified until she was told by an international adviser who herself had read about it on the Internet.

We now have laws that promote gender equality—for instance, in the constitution and laws such as the elimination of violence law—but we also have a president who has allowed discriminatory laws such as the Shia personal status law to be passed. We have a quota for women in the parliament, and as a result, we have more women in the parliament than much of Europe and the Americas.

However, the future colour of the government becomes more and more fundamentalist. Practically now, the Taliban are here, and since 2010, the mantra has been about talking to the Taliban.

Truly, make no mistake: this is not good for women's rights. Because as we all know, the Taliban not only don't recognize rights, they barely recognize women.

● (0910)

In the post-Bonn constitution, women and men are entitled to equal rights. Another provision guarantees the age of marriage for girls as 16 years old. In this case, the assurances are denied in reality; I don't believe any man has been sentenced for breaking this law. The Shia family status law of 2009 restricts Shia women's movements and gives their menfolk control over them.

The 2004 Constitution states that 25% of members of parliament should be women, meaning that of 249 seats, 68 seats are reserved for women by law. However, the new electoral decree of 2010 has ambivalent wording that appears to suggest that if women do not stand for any reason, then men can take their seats, and vice versa.

The other thing that is happening is that we are increasingly getting edicts from religious bodies. For example, the Ulema for the eastern region of Afghanistan recently issued an edict saying that women cannot travel without a male guardian and that women who work in international organizations must be aware of the sin of being in the same room as a man.

This edict is already having an impact. At a conference of woman legal professionals held in Kabul on May 5, the female lawyers and judges from this region all came with maharams, or guardians. This is clearly against the equality provision in the constitution, but not against the “no law shall be against Islam” provision.

In another example of this, in almost perpetual doublespeak, the Sharia law faculty teaches female students a curriculum different from that taught to the male students and instructs them that they can only really be primary school teachers, and certainly not judges. Obviously, other brothers have forgotten that the Prophet Mohammed had a very successful businesswoman as his first wife, as

well as a wife—Aisha—who went on to fight in the very famous Battle of the Camel.

I have to tell you that unfortunately these rights you hear about are really just on paper. If we dig even a little deeper, we see that they are really rooted in the entrenched male political culture. They represent temporary concessions given to women with one law and, in many cases, taken away with another, or just simply ignored. Increasingly, the assurances we thought were given are being undermined, and we depend on the international community to add its forceful voice to keep reminding the Afghan patriarchs that they cannot keep signing women's rights with one hand and taking them away with the other hand.

What are the other big problems now? We have never had, either from our government or from the international community, a clear and a strong stance that there has to be peace with justice. I will particularly ask your government to continue every diplomatic action possible, including the threat of the withdrawal of aid to stop the Afghans undertaking something that I believe is going to be a death sentence for democracy.

For the years to come in our country of Afghanistan, what do I think about? What do I talk about? I talk about impunity. Here I will quote a speech given by Amnesty International in Berlin, because I would like to emphasize the human rights problem we have with regard to impunity:

The culture of impunity in Afghanistan can only be seen as supporting the criminals and is encouraging them to continue violating the human rights of Afghans. This lack of accountability and culture of impunity has been going on for years.

This has a huge impact on women's access to justice and resources. Many women who are victims of domestic violence and other types of violence do not have access to justice and their right to justice is denied by the Afghan judiciary.

The London conference on Afghanistan, which took place on January 28, 2010, marked the formal pledge by the Afghan government to develop and implement a national peace and reintegration program to reintegrate what are called moderate elements of the Taliban into Afghan society.

● (0915)

Today, in areas under their control, the Taliban has severely curtailed the rights of girls and women, as it did when in government, including the denial of education, employment, freedom of movement, and political participation and representation.

Malalai Kakar, a high-ranking female police officer, and Sitara Achakzai, a prominent member of the provincial council and lawmaker, were both assassinated by the Taliban in the course of a few months in Kandahar province between 2008 and 2009, while schoolgirls experience killings, acid attacks, and other forms of harassment and intimidation by the Taliban simply for daring to walk out and go to school. Girls in school, even in Kabul, are being attacked this year with gas, which is resulting in the hospitalization of students, as well as trauma and fear.

This impunity issue also relates to the much-discussed so-called “peace jirga”, which just finished in Kabul. Like most jirgas we have had, it has strengthened the warlords and acted as a parallel and opposing force to the democratic institutions that the international community, including the Canadian people, has poured so many taxpayers' dollars into.

In fact, it was yet another kind of festival for the men who fought the Russians to come forward and gain praise and space to hark back to their military powers. It is clear that the impunity is a central demand. Karzai himself led the way by calling the Taliban not criminals or fighters, but “our angry brothers”.

I am now going to talk to you about why I don't support foreign troops staying in our country longer than necessary. I recognize and I am grateful to the many countries, including Canada, that have made sacrifices on behalf of our people. But I don't believe that the argument for staying on is strong enough to justify lives lost.

All the things we were told this foreign presence would achieve have not materialized. As summarized above, this troop presence has not destroyed safe havens for terrorists. This troop presence has not established human rights and has not enabled most of the population to live a better life.

What I am proposing is this. As a former minister of women's affairs, I don't suppose it will be a surprise when I tell you that I propose something quite simple and quite radical: bring in the women. That is the response. I believe we have to look at non-military solutions to the problems we have found ourselves in.

Having or not having troops is not so much the issue. Of course, they have to leave, and it has to be phased carefully and gradually. I suggest a substantial shift of political attention—some would say it's an obsession—from the military as a force for change to using diplomatic and political influence to constantly ensure demilitarization of political power in Afghanistan.

And increase the involvement of women in political negotiations. Demilitarization of political power means, for me, decreasing the number of Afghan commanders in the Government of Afghanistan, warlords, and making it much harder for regional strongmen to wield power and influence. We need clear lines on talking to the Taliban. More women in politics is the key to a demilitarization of political power, because women are not easily part of this corrupt weapons-hungry network.

This means that we rely on national and international pressures regarding ensuring a good number of women ministers, equal numbers of women in local governance, women in commissions, and quotas for women in all political negotiations. I ask Canada to ensure that UNSCR 1325 on women, peace, and governance is supported through the way it gives aid to our country, Afghanistan. And as you expect Afghan women in positions of power here, I and most Afghans I know expect your embassies, delegations, and negotiation teams to be full of women.

● (0920)

Second is support for regular, but not parallel, political processes. Rather than getting involved in parallel retrograde processes like jirgas and talking to the Taliban, the international community, Canada included, needs to focus on parliamentary democracy.

This year we had more women nominating themselves for parliament than we had in 2005, despite the decrease in security. However, women and other marginalized groups face real resource restraints that block their effective political participation and ability to campaign for office, or to consult while in office—for example, a woman requires taxis, money for billboards, and training.

CIDA has in the past supported UNIFEM projects providing training and resources for female political candidates. Funds for these kinds of activities need to be increased. Compared to the amount of money and resources that male political candidates have, this is very little.

Any reintegration programs should pressure the Afghan government on the conditionality of the use of the funds, based on maintaining accountability, human rights, women's rights, and other international human rights standards.

Women in Asia, in Europe, and around the world tell us that they do not want their sons, husbands, and brothers to die on our soil. The truth is that we do not really know why foreign troops are on our Afghan soil; we have all swallowed the big propaganda, which destroys our land, forces people from their homes, prevents women from being active, and leads to civilian casualties and deaths.

The international community continues to pour enormous resources into so-called “security and peace”. The military budgets of European and North American nations are also inflated as they send their soldiers to us. Even the budgets of the UN for Afghan elections are dominated by security costs.

As women, we surely know that war cannot make peace. We have to strive, long term, for cultures of peace. We have to be part of the voices that demand and the brains that lead to ensure development before, not after, fighting—for instance, schools, hospitals, and agriculture. This is a part of your commitment to UNSCR 1325.

I would also ask you to provide a gender audit of Canada's aid to Afghanistan, and a peace audit. Please let us know how much money you have actually spent on women and how much you have spent on your military. My suspicion is that there are far less resources for democratization activities outside of Kabul than there are for international military activities. But I cannot prove this to you, because it is so hard to get accurate figures on governmental spending that do not hide the military expenditures in clever little ways.

I thank you for your continued interest in my country, Afghanistan. I know the Canadian people wish to see peace, stability, and rights in Afghanistan. However, currently things do not look good. There is increased violence, increased Taliban activities, etc.

I sometimes wonder how we Afghan woman can keep going; what kind of craziness means that we continue despite the fact that women's rights are almost totally off the agenda?

Is all lost? This is the question. Well, I am an optimist, and I believe it is possible to prevent things from getting worse and to build on some of the successes. On the whole, women are very courageous. Many of the female parliamentarians do not even say hello to warlords or other war criminals in the Parliament now.

For women in Afghanistan and civil society to keep struggling, we require that others, including decision-makers in Canada, renew their energy and re-engage in the struggle on our behalf.

Because we still have dreams. In order to achieve them, we have to reroute the river. It is a river that currently looks like it is going in one direction. We have to make it go in another. We need to do this together.

● (0925)

My third suggestion for how we can make change and reroute this river that threatens to destroy all of us is about the kinds of projects that Canada supports in the future. We hear a lot about debt aid these days. So what is the alternative?

On the macro level, we need a much greater focus on transitional justice, disarmament, and bringing in marginalized groups to the political centre—I mean women, ethnic minorities, and the underclass here—because clearly the Taliban are not a marginalized category. They have become central to the political consciousness.

On a more easily understood and practical level, I would suggest scholarships for young women. Women are hungry for knowledge and experience, and there are women with good English who would return, and who, if they do not have support now, will just end up being married young, which is going to lead to higher population rates as well as a gap in women in politics.

The Jalal Foundation, which I manage, has one such gender and governance project that I can use as an example. We wish to increase awareness for female candidates of their potentially positive role in building a future, so we are seeking money to educate the candidates and the public regarding that role in peace, parliament, women's rights, etc. We want to find ways that female candidates can be supported to undertake campaigns and ensure that they're accountable to the voters in their provinces.

I want to ask the Canadians to support us in Afghanistan in building cultures of peace. In Afghanistan we see that the post-9/11 rhetoric, as well as pressures from military lobbies, mean that our society is becoming more militarized than ever before. We are told that security is the highest goal. We are not allowed to argue against that. I say that's wrong. We must argue against it.

As women, we know that wars and barbed wire and men with guns do not make us secure. We know that violence most often comes from those closest to us, which means our husbands and our families.

So on the money issue, the Canadian government should put extreme and continuous pressure on the Afghan government to ensure there is no impunity. They also must continue to speak out to our government, and not accept superficial assurances, to ensure that human rights, including women's rights, are respected, and that any denial of them is highlighted and prevented.

The Canadian government should make it very clear that they will not accept the Afghan government's attempts to legitimize any outcomes of the so-called peace jirga, which represents attempts to enforce impunity and the denial of rights to women, children, and other marginalized groups. What this also means is making sure that the Afghan government is fully committed to strengthening the rule of law and accountability for past human rights violations during the integration of the Taliban.

Thank you for your attention.

● (0930)

The Chair: Thank you very much, Dr. Jalal. We have 30 minutes for questions and answers. We may have a little bit of flexibility on the back end of that as nobody else needs the room after us, but at any rate, 30 minutes gives us seven minutes for each round. We'll start with Mr. Silva for the Liberals.

Mr. Mario Silva (Davenport, Lib.): Thank you, Mr. Chair. We probably won't have an opportunity to have a second round so I'm going to split my time with Professor Cotler.

First of all, I want to thank you very much, Dr. Jalal, for deciding to come before our committee. We really appreciate the fact that you're here before the international human rights committee.

We learned a lot yesterday and today in our discussions with you. One thing that is becoming quite apparent is that all the gains that were made initially are now starting to be eroded, particularly with regard to the advancement of women's rights. That is extremely concerning to all of us.

The commendation of the tribal leaders, the warlords, the Taliban, that President Karzai has been engaged in recently will be, from what you are telling us, to the detriment of women's rights, because they want to gain more power and take away women's rights and whatever small amount of power women have in Afghanistan. So the positive changes are now becoming more and more difficult and unattainable.

You outlined some of the things you believe we could do as Canadian parliamentarians and as a Canadian government to help bring about positive changes to women's lives. One of the things you talked about was making sure that there was more money generated towards women's programs. You also advanced, in my conversation with you, the idea of women's television, because there was a need for funding for a voice of women out there on the air. The tribal leaders seem to control most of the airwaves, and very little is given to women's space.

Could you expand on that briefly? Then I will turn the questioning over to my colleague, Professor Cotler.

Dr. Massouda Jalal: Thank you.

As I just mentioned to you last evening, up till now, after the international community came into Afghanistan, we have had about 21 TV channels. One is governmental, while the rest are private.

Of all these private TV channels, most of them belong to warlords and to extremist leaders in Afghanistan. They campaign for their own views and opinions, their own vision, in which a woman has no place in their philosophy. They are against women's rights. That's why I propose that we start women's TV in Afghanistan.

Also, we have about 50 universities being opened by these powerful groups of previous military leaders and extremist leaders. That's why we were thinking of a women's university in Kabul: for women to have another opportunity for higher education.

These are the big projects that we have within our organization. Other projects that we want to contribute to the positive changes for women's lives in the country are community-based women's literacy programs, as we have an illiteracy rate among women in Afghanistan of 89%. That's why we wanted this to be targeted.

Also, the poverty in Afghanistan has a female face. Women of Afghanistan are not owners. As you know, in Afghanistan everything is male-dominated. In the family, all property belongs to the males. Any income or any property finally goes to the males. We wanted to have economic empowerment of women, so we had a community-based national program for the economic empowerment of women through vocational training and other types of initiatives.

Also, the enhancement of women's political participation is very, very important. We see that women in the leadership, women with decision-making power, will make the long way short for bringing a positive change to women's lives in the country. Parliamentary elections are coming, so we wanted to mobilize women's participation through voting and also to support women candidates, to enable them to make their campaigns and help them get their messages to their voters.

These are the projects we have ahead of us. We need funding. We need support. Without support, we cannot go ahead. We have the

network. We have the human resource capacity. And we know our society: we can implement well.

We have the ideas for the concepts to bring about the change, but we need international partners to support us in terms of funding. Also, when we are under the pressure of extremism or male-dominated types of thinking and powers in the country, we need some political support from outside to protect us. That's what we need ahead of us in Afghanistan: to do it within an organization, like my women's group initiatives in the country.

We also need political support to place women in political power. Without getting support from this part of the world, we don't have any other source.... Inside Afghanistan, nobody is supporting women. The real properties of Afghanistan's government are not women-friendly: the inside thinking, the behind-the-curtains thinking, of the government is not women-friendly at all, from the root.

Even the ones calling themselves liberal democrats are not thinking in the way that I'm thinking for women. They always talk about very little things for women—signing documents, putting laws on paper—just to be responsive to the international community, as they have signed some of the laws. But enforcement and implementation of those policies are a challenge. There is no political will. There is a lack of political will for women's rights in the country within the Government of Afghanistan.

Political support to put women in decision-making power will be greatly needed and will need to be supported from this part of the world.

• (0935)

The Chair: Mr. Cotler, you have two minutes only, unfortunately.

Hon. Irwin Cotler (Mount Royal, Lib.): Okay. I will be brief.

I also want to thank you for being with us, Dr. Jalal. If I were to try to sum up your compelling presentation, of which I think we don't know enough about here in Canada, I would say, number one, that we need to build a culture of peace in a society that is becoming increasingly militarized, and we need to combat the culture of impunity in a society in which there is less accountability. This finds expression with the peace accord, etc., and the attempt to enforce impunity.

I have, therefore, one question. Do you believe that gestures towards the Taliban are helping or hurting both the developing of a culture of peace and the combatting of the culture of impunity?

Dr. Massouda Jalal: Well, negotiations with the Taliban and trying to engage with them in political power is the empowerment of the Taliban. It's the empowerment of extremism. It's the empowerment of religious dictatorship. And it's completely obvious.

We need to “de-power” the Taliban. Otherwise, the first day, it will be harmful to us, to women in the country, but the next day it will be harmful to the peace and security of the world. So today it will be harmful to us, but tomorrow it will be harmful to the peace and security of your countries.

The empowerment of the Taliban and any extremist power in Afghanistan, as a centre of extremism, and in Pakistan, as a centre of extremism in the world, is very much disadvantaging the peace and security of the world. This needs to be de-powered. It needs to be suppressed. And it needs to be decreased and eliminated.

So women's empowerment in politics in these countries like Afghanistan and in Afghanistan is the key. Yes: empower women, put them into politics, and give them the political power. They know how to deal with their enemies.

Hon. Irwin Cotler: Thank you.

The Chair: Thank you.

[*Translation*]

Mr. Dorion, if you please.

Mr. Jean Dorion (Longueuil—Pierre-Boucher, BQ): Dr. Jalal, congratulations on your courage.

You describe for us a society that is totally dominated by male culture and you stress the importance of exerting pressure so that leaders are accountable and, in particular, in order to put an end to impunity.

In a society that is totally dominated by men, there are still women currently in politics. You are not the only one. Women candidates have been elected to Parliament. I am trying to understand how they managed to get elected in a society such as yours. Do you have rules that require parties to run a certain number of women candidates? Given that Afghan society seems to relegate women to an inferior position, how do these women get elected? Who votes for them? Who supports them? Do men support those women?

That is the first question I would like to ask. I would like to know how women manage to get elected in a country like yours.

• (0940)

[*English*]

Dr. Massouda Jalal: Thank you.

Well, with the engagement of warlords, various illegal military groups, and these extremist groups in the political power of Afghanistan, in the name of the peace and security of the country, after some years, say, nine years, we have mafia power there now.

This mafia power now is producing.... For instance, we have in the constitution that 25% of the seats are allocated for women, but before anybody else, this mafia power is producing their own representatives to sit in those seats. The warlords and the extremist groups don't have women in their groups officially, because they are against women, but when the constitution preserved 25% of the seats for women, they produced their own women family members and women of their groups—also family members—and put them in those seats.

The women in the parliament mostly now listen to those sources. That is why, when I drafted the law for the elimination of violence against women based on international human rights standards, it was pending for four years and the 68 women parliamentarians were not looking at the law. It was just put in the drawers in the Ministry of Women's Affairs.

When the extremists decided to draft and pass the Shia personal law that is discriminatory and against any human rights standards, it passed within one month, without any resistance from women in the parliament. It is proof of how the internal power, which is in the hands of extremists, produced women for those seats. They listened to them for five years.

In Afghanistan's parliament—apart from the law for the elimination of violence against women that I drafted when I was minister—when the Shia personal status law was approved and there was a big pressure from the world, that pressure resulted in the law for elimination of violence against women being signed. Apart from that, there has not been any achievement during the five years that our parliament has had 25% to 27% women.

On the location of women's prisons, the presentation and the politics were initiated before anybody else by our own powers inside, and they listened to them. That is why we could have achieved far more and have had more success during these eight or nine years with the international community's support, but the barriers and resistance in practice by these extremist powers have held us back.

Independent women who favour women's rights, believe in women's rights, and know all the thinking behind it, are politically conscious and know that Afghanistan cannot go ahead if they don't have an international supporter. I'm a living example. I was removed from my post as Minister of Women's Affairs because I was doing fundamental work for women.

After they removed me, they stopped all the work that I did. The law for elimination of violence against women was stopped. The national action plan I worked on for 10 years for the Afghanistan government to implement for the women of Afghanistan was stopped. All other policies and strategies that were prepared during the one year I was minister were stopped for a certain time.

The Ministry of Women's Affairs afterwards didn't have any achievements. Even four years after me, there are no achievements.

All of this shows the machinations and sabotage in practice against women's rights in the country. In Afghanistan, other women activists do not dare to independently go ahead because they are afraid they will become like me—removed from power.

It is through my own personal initiative that I'm making an organization and working to take higher risks in the country. Without international supporters, it is difficult for a woman to be thinking the real thoughts about human rights, women's rights, and philosophy and to be working and successfully going ahead.

• (0945)

[*Translation*]

Mr. Jean Dorion: Do I have any more time?

The Chair: No, I am sorry.

Mr. Jean Dorion: Thank you, Madam.

[*English*]

The Chair: Mr. Marston, please.

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Good morning. Thank you very much for your testimony here today.

I have a fairly simple question for you. Have you had the opportunity to meet with our foreign affairs minister or our minister of defence and tell them your story?

Dr. Massouda Jalal: No.

Mr. Wayne Marston: That's interesting.

We hear often of the successes that are purported to be Canadian successes in Afghanistan around protecting schools and trying to allow women to attend schools and have some sense of freedom. Since the Canadian initiative happened there, has that occurred? Are women more free to move about than they were before?

Dr. Massouda Jalal: By the constitution, yes, and by the practice that was made in 2004-05, and in 2009, yes, but it is not progressive; the process is taking steps back. Because with the empowerment of extremism in Afghanistan, there is more fear created and more frustration. Women activists in Afghanistan now have the idea that extremism is powerful and that they will be defeated, failed, threatened, and killed.

That is why the sense is to become conservative, to take steps back. The activists who came to Afghanistan from those countries in the first years are not coming anymore; they went back to their second homes and they stopped taking an interest in Afghanistan. And as for those who were from inside Afghanistan, some joined the extremist groups to be protected, and some others very much collapsed.

Mr. Wayne Marston: If there were free and democratic elections, would Mr. Karzai win?

Dr. Massouda Jalal: No.

Mr. Wayne Marston: That's what I thought.

Then my next question is probably a moot question: do you see him as the individual to bring about peace and reconciliation?

Dr. Massouda Jalal: No.

Mr. Wayne Marston: We know a little bit about the abuses women face. I spent six months in Saudi Arabia in the late seventies. I'm curious: how do you see the American reaction to the stories of the abuses of women in your country?

Dr. Massouda Jalal: The agenda that the international community introduced—and they had some arguments in the first months of 2010 in London—is to reintegrate the Taliban and for more Afghanization of the processes. Peace and security is a priority, while human rights, women's rights, and civil society issues were put at the back.

This means that the Government of Afghanistan, starting from 2006, has been less and less responsive to human rights cases. They feel that the international community has agreed with them that peace and security should be the first thing. Under the name of peace and security, they are often bringing in more fundamentalism, and fascistic activities are going on in regard to the superiority of certain ethnicities in the countries.

So as for where this energy that has been gifted by the international community for democracy and liberalism in Afghanistan is going, it's going to these kinds of interests inside the country, and there is not enough monitoring and supervision of these issues. A mafia over the power has been created and the international

community is completely blind to that because it is behind the curtains. They cannot see it.

• (0950)

Mr. Wayne Marston: There is a possibility, though, that when they're talking about establishing peace and security, it's peace and security to a level where they can withdraw and disengage. So their primary goal is to get out rather than to complete the job in the sense of democratic reforms that are needed.

The warlords you talk about, are they aligned with the Taliban?

Dr. Massouda Jalal: By ideology, yes. They have the same ideology. There's no difference within their ideologies; they can get together in one night. When they were in competition, they had no power. They were struggling for power. Before this, they were fighting for political power and now they are together, as we can see. The former president, the predecessor of Karzai, was Rabanni. Rabanni announced full support for Taliban engagement, with political power, but before that, he was fighting them.

Ten years ago, Rabanni was taken away from Kabul as president to a province in the northern part of Afghanistan, bordering with Tajikistan. He was receiving support from the Russians to fight the Taliban. He fought the Taliban for five years. But after the international community came in, he was replaced by President Karzai. So he fought for five years in a military advance against the Taliban, but now he has announced that he is friendly with them and is completely supporting their engagement in political power.

Why? Because their source of feeding is the same: it is extremist funding sources in Arabic countries for the Taliban and also for the warlords. We call them warlords; it's the same.... So the master told both of them that they had to be together to get the political power of Afghanistan, and with the energy of some countries, with the money of their technical assistance or whatever assistance they give, make an extremist government and put the name "democracy" on it. That's why he announced that, yes, he wanted the Taliban to come.

So you see what the machination behind it is: they only want to use the funding. Behind the curtains, they're together. They're brothers. And they run their own agenda. They don't let any woman activist with the vision of real human rights in Afghanistan and democracy and liberalism go further in working in Afghanistan, because they are enemies.

You know they're enemies. In the philosophy of religious dictatorship, there's no space for women, so that is why women are targeted by them, too. That's why I say that the international community or international sources are needed to support women activists inside Afghanistan politically, so that they can survive there, be protected, and be working on women's rights for a positive change in the country.

I wanted to do that, but in 2002 the international community didn't know me. I became a candidate through my own individual popularity. I was a social activist, and I was working directly with thousands and hundreds of thousands of people, helping them to receive aid from the United Nations. That's why they knew me and supported me. They're normal people. But the international community in 2002 didn't know me. I was telling everybody that if this chance is given to women, I can do this for Afghanistan, with honesty.

I knew that our powerful men were dealers, and they have become very experienced in political business. They make money. It is my second day in Ottawa and I have heard from many Afghans. I knew about these people in Afghanistan and they didn't have a house in Afghanistan; I knew about the personal and family lives of many of the leaders in Afghanistan. But I've heard that they are buying properties in Canada, with millions of dollars. That's why I started thinking that if we women in Afghanistan get power, we will start investigating their personal properties and get all these national properties that they have taken away from these countries back to the Afghan national treasury.

I've just heard that the head of the office of President Karzai has bought a house in Vancouver worth \$1 million: a one-million dollar house here for a person who didn't have a house in Kabul before. So in eight years, the head of the office can do that.

• (0955)

So you can see that a lot of the money that has been handed to Afghanistan and the national income of Afghanistan have been misused because of the absence of rule of law in the country; it has been taken away to different banks of the world and also to countries like this one. This is another source of income for Afghanistan that can be investigated and can be taken to the national treasury of Afghanistan.

Also, the warlords and extremist leaders have millions of dollars, so we have a national source, and if we have a strong government, and your countries, your governments, and the UN can support us, the UN, together with the Afghan government, can start an investigation of the personal properties of these warlords, these commanders, and these extremist leaders.

All the people of Afghanistan know that their fathers' lives, their personal lives, three decades back, were very poor, and they don't have to anymore say to people how they made it: they were fighting for jihad, and jihad is in the name of Allah. But how did this richness happen? This means that it is the people's property so they should return it. The UN started in a previous administration nine years ago, but then it was stopped. The UN started asking the different banks of the world about the property of extremist leaders, but suddenly it stopped.

That process can be taken ahead again. How many properties and how much money do they have in different parts of the world? It can be investigated, and they can go to court and defend themselves, and if they can't—and obviously they cannot—they should be punished and should go to prison, and the properties that belong to the people of Afghanistan should go to the national treasury. That is a very big income for Afghanistan.

I've heard about one extremist leader having \$20 million—\$20 million—in a bank outside Afghanistan. That's only one of them. So if you put all of them together, it's hundreds of millions of dollars, and that could make Afghanistan reconstructed. All these desires we have to be free and liberated, with lawfulness, a shining, happy and healthy Afghanistan, a democratic Afghanistan, all we want can be done with that, with our property that was taken away from the people of Afghanistan.

Thank you.

Mr. Wayne Marston: Thank you.

The Chair: I let you go significantly over the allotted time because it was our witness talking rather than a questioner. To allow a last round of questions from the Conservative members, I'm going to see the clock as being at seven minutes before the hour.

We'll begin with Mr. Hiebert, please.

Mr. Russ Hiebert (South Surrey—White Rock—Cloverdale, CPC): Thank you, Mr. Chair.

I'll be sharing my time with my colleague.

Thank you, Dr. Jalal, for being here and for giving us an update on the status of democracy in Afghanistan.

During your presentation, you talked a fair bit about the state of the parliamentary system within the country. It got me thinking about the progress that has been made in the last decade. Ten years ago, before the international community got involved in your nation, would you have been free to be a candidate for election?

• (1000)

Dr. Massouda Jalal: No, of course not. It was Taliban time. I might not have been permitted to go outside the house without a male guardian. I was not able to show my face. I was not able to work. I didn't have the opportunity of learning something if I wanted. I was not able to take part in economic, political, social, and cultural life. That's all. I was to stay at home taking care of the children and that's all.

Mr. Russ Hiebert: So there has been a dramatic change.

Dr. Massouda Jalal: By law, women are permitted to take part, and it is in the constitution of 2003; it is done, yes. By law they're allowed, but by the opportunities we have to create for them, it has been a challenge. The enforcement of the law has been a challenge.

As I've just said in my paper, there are things against the constitution of Afghanistan. For instance, in the eastern region of Afghanistan, the Ulema council announced that no woman can go out without a guardian, so again there is this restriction on movement. Different restrictions are taking place. Threats and security problems are taking girls out of school and taking teachers back home, not to work. Problems are occurring again and again with restrictions and limitations on women's lives and movement.

Mr. Russ Hiebert: In respect of strengthening the parliamentary system of democracy in your country, what do you think needs to happen internally for there to be free and fair elections and for there to be free and proper democratic procedures between elections?

Dr. Massouda Jalal: The Government of Afghanistan, together with the commission of elections, should make sure that the process is transparent. In this way, we can have mobilization of people, men and woman, and all can take part. Then we can have better elections than what we had before.

But this government themselves cheated: in the last elections, in 2004 and 2009, for the presidential and provincial councils, one million votes were cheated votes. The commission, together with the government, did that. Now, how much can we trust them? It's the same government and commission; it's the same people. They cheated, and now the frustration among people in regard to voting is strong, because of the way this was done.

Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC): Thank you, Dr. Jalal.

You've mentioned the peace jirga, but I want to ask you about the other jirgas. They were originally designed to be an outreach, but you're saying that this activity is actually disempowering parliament. It's changing the landscape of power.

Dr. Massouda Jalal: That's true.

Mr. David Sweet: Canada, through CIDA, and the United States government, through USAID, have made investments in the democratic training of parliamentarians and the judiciary. You told my colleague that there had been substantial advancement, but that in the last few years there had also been a substantial degradation in rights.

Dr. Massouda Jalal: The transitional justice that was decided on in the Bonn agreement of 2001 was not implemented. That is creating gaps. Transitional justice was to be implemented so that all the warlords, extremist leaders, and war criminals would have gone to court by now.

Instead of sending them to court, we sent them to parliament, to cabinet, and to political power, so the power is in their hands. They make laws of impunity for themselves and influence the democratization process more and more in their own favour.

The mistake was that transitional justice was not implemented. Instead, we gave them the political power to remake Afghanistan the way they wanted through energy from outside. Now we're even adding to that by bringing in the extremist Taliban and bribing them by giving them power.

• (1005)

Mr. David Sweet: One of the things I've heard in your testimony is that there are no moderate Taliban.

Dr. Massouda Jalal: No. It's only the names that are given to convince the international community. It's only names. It doesn't have any reality behind it. There is no "moderate Taliban" or "severe extremist Taliban". These are all just names they use when they have a request for the international community, to convince the international community to do something.

Otherwise, our warlords, our extremist groups that are inside power right now, plus the Taliban, they are all the same. They are all the same. They are fundamentalist. They want dictatorship, logistical dictatorship, in Afghanistan. And they are doing it with the help of democracies....

Mr. David Sweet: We probably have some good conjectures here, but for my last question, you made the comment that the master told them both to get together. You were talking about the warlords and the Taliban. I assume you meant their funding partners.

Dr. Massouda Jalal: Yes.

Mr. David Sweet: Could you name those countries that are doing that?

Dr. Massouda Jalal: Well, if I have power, I can find them out. Because it needs some machinery to find them out, to discover that, but we can understand that they have very good funders. I mean, the activities they are doing inside Afghanistan...they open a TV channel very easily, and with the radio stations, TV stations, newsletters, magazines, and media power they have, it is very easy for them.

When there is an election, they are so rich, and they spend money for their own candidates to succeed. Also, when there are powerful positions in the government, they buy them; they bribe with very big money. They have so much money that they buy and they give money to the people who look after them to buy houses in certain strategic political points of Kabul and other cities, our lands, placing their party members there.

Also, we see them making political parties within one night, registering them in the government and producing organizations, and they are producing this kind of work very easily, so we can easily understand that there are powerful sources behind them that are funding them enormously. On the other hand, they have made the mafia of power. One brother is doing this business on politics, while the other brother has a construction company and is getting contracts from the American and international community military sources. The next brother.... It's because they have money and they can show their money in their bank account.

There is one criterion: you must have \$10 million to get this project worth \$40 million on the construction of roads. Of course, who has the money to get the project? It is the brother of that warlord. So the brother of that warlord dresses and shaves very well. He dresses himself very well, with a tie, yes? And he goes to the source—for instance, the military base of the Americans—and gets the projects.

You see, they are getting all the economic opportunities inside Afghanistan. Normal people cannot compete. That is why normal people of Afghanistan have not been empowered. If they enjoy some of the services that have become better through this nine years from their government, that's all for them: this freedom by law to work or get an education, these general services. For the rest, economic opportunity is in the hands of extremism in Afghanistan.

The liberal democrat individuals who came from Canada and America to Afghanistan are technocrats. These technocrats, when they saw these people with this enormous amount of money, they went into partnership with them. For instance, we have a warlord in Afghanistan who is the deputy president. His name is Fahim.

Fahim is now a wealthy person, so the president brought him as the deputy president because of that wealth. Why? It is because the brothers of the president, with the brothers of Marshal Fahim, went into partnership for economic initiatives, buying the mines of Afghanistan, with an international partner, so that made them come together and become president and deputy president.

So what about women? You know that we cannot compete at all.

And what about normal people, civil society? Never. They can never compete. I mean, now that the classes are made and the first class is the warlords and extremist leaders and their families, and our technocrats from the west, because of the money, they went into partnership with them to get economic benefits.... Civil society and women remain unable to get opportunities, apart from small opportunities of working here and there, not the big opportunities or the economic power.

Now they have control over economic power and political power. If there is no decision made and they go on like this, the future of Afghanistan, the political power and determination of who should have it, will be in the hands of people who have the economic power. Those who have the economic power are the extremist families and leaders and warlords. If Parliament is coming, okay, their leaders will be holding the economic power too.

•(1010)

So in future elections, the candidates of this group of people will be the winners, like Karzai was the winner of this last election from the beginning, because of their support. The international community was supporting him because he spoke good English. He was known as somebody who had lived in Virginia in the U.S., who had a U.S. green card and family who lived there for three decades. Those were his credits, and he is a soft and well-behaved man, so he got the international community's credit and trust.

But internally who helped him? Internally, extremism helped him. He went into a partnership with extremists to share power with them. He told them he was the one who would never implement transitional justice; I hear Karzai himself say all the time, "Say thanks to God", to the extremists. It is Karzai who is not putting in this court, so he says, "Support me". This is the deal inside Afghanistan.

He is right. He's honest with them. He's honest. He's doing it. I mean, transitional justice was not implemented, and this gap was created. And all of these problems we are confronting today and on which the international community is losing their way on how and where to go is because of that.

If we do transitional justice, we will have treated the disease, even if it is postponed or late. If we take the criminals to court, investigate

their personal properties, and return the personal properties to the national treasury, together with the UN and the Government of Afghanistan, that will be the way out.

But the Government of Afghanistan now is too much in the hands of extremists. There is nobody—or you cannot find anybody—to raise this with. And there is no machinery to do this, because now all of the members of these parties and groups are members of the government. So now it's not possible.

But when the international community came in first in 2001, all of these extremists were shivering. They were in shock because they were expecting that human rights values would be implemented and that their criminality would be proven before the International Court in The Hague. That was the general mentality of Afghans. But six months later, two years later, and then little by little, their fear was gone and they became courageous enough to stand on their feet and to do what they want.

The Chair: Thank you very much.

Mr. Mario Silva: Chair, could I just make one quick announcement?

The Chair: Yes, please do, Mr. Silva.

Mr. Mario Silva: I just want to let members know that Dr. Jalal will be speaking this Wednesday to all members of Parliament from 3 to 4 in Room 306, West Block. Members are more than welcome to invite all of their colleagues to attend that meeting as well.

•(1015)

The Chair: If I'm not mistaken, she's also conducting a press conference shortly.

Hon. Irwin Cotler: Yes, at 10:30.

The Chair: All right. That, of course, is an important matter, and Dr. Jalal has to prepare for that.

I thank you, Dr. Jalal, for being here, and I thank the members for making the extra time.

Before I dismiss you, I have one unrelated piece of business to take up with members of the subcommittee, and that is to remind you that the deadline for submitting proposed changes to the report on the Universal Periodic Review is 5 p.m. today. Please submit any suggestions you have to our clerk by that time.

Of course, we will be reconvening at 1 p.m. to hear from witnesses from Belarus. That will be across the hall in the Reading Room. Thanks very much.

We are dismissed.

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