



PO Box 4668 Postal Station E Ottawa ON K1S 5H8 CANADA
tél: +1.613.241.3777 fax: +1.613.244.3410 info@minesactioncanada.org www.minesactioncanada.org

Submission to Special Committee on Afghanistan

Mines Action Canada

Afghanistan is often considered the birthplace of humanitarian landmine clearance. In the 1980s humanitarian mine action organizations formed and began to clear landmines and other explosive remnants of war left by the numerous conflicts in an effort to protect civilians from these lethal barriers to development. As Canada's campaign against landmines and other indiscriminate weapons, Mines Action Canada (MAC) has worked alongside international organizations and Afghan organizations and activists for years including many landmine survivors and other persons with disabilities. MAC's colleagues in Afghanistan have worked tirelessly to protect the rights of landmine survivors and other persons with disabilities.

Disability in Afghanistan

The 2019 Model Disability Survey of Afghanistan carried out by the Asia Foundation found that 78.9 of Afghan adults are living with some level of disability.¹ The survey which included 14,290 households found lower levels of disability among Afghan children. Persons with disabilities in Afghanistan face significant barriers to participation in public life on an equal basis to others and to full realization of their human rights. Access to medical care, education, socio-economic programs and transportation are limited for persons with disabilities even in large cities. These barriers are amplified for women and girls. In 2016, Human Rights Watch found that 80% of Afghan girls with disabilities are not in school and 90% of women and girls with disabilities surveyed reported being sexually harassed. Social stigma against women and girls with disabilities is particularly intense.²

The 2004 Constitution of Afghanistan prohibits discrimination against any citizens and the 2013 Law on Rights and Privileges of Persons with Disabilities explicitly prohibits discrimination against persons with disabilities and requires efforts to ensure full participation in society. For military personnel, civil servants and civilians who have acquired disability as a result of a conflict-related incident, the 2013 Law also provided financial support. Services were provided to persons with disabilities through the Afghan health system and from civil society organizations including international organizations such as the UN and the International Committee of the Red Cross, international non-governmental organizations, and national non-governmental organizations including disabled people's organizations and landmine survivor networks.

¹ Shinwari, Akseer, and Kamali, "Model Disability Survey of Afghanistan 2019", The Asia Foundation, 2020, <https://reliefweb.int/sites/reliefweb.int/files/resources/Model-Disability-Survey-of-Afghanistan-2019.pdf>

² Human Rights Watch, "Disability is Not Weakness: Discrimination and Barriers Facing Women and Girls with Disabilities in Afghanistan", 2016, https://www.hrw.org/sites/default/files/report_pdf/afghanistan0420_web_0.pdf

Current Context

With the Taliban takeover in August 2021, the situation for persons with disabilities has significantly worsened. In the past, there were reports of the Taliban recruiting persons with disabilities as suicide bombers, capitalizing on their exclusion from the economy by offering payments to their families in exchange for carrying out a suicide attack.³ Disability rights activists have faced significant pressure from Taliban leaders with many going into hiding or attempting to flee the country. For persons with disabilities who are also from minority groups these pressures and risks are compounded. Reports indicate that the needs of persons with disabilities were overlooked during the August evacuation process resulting in an inaccessible process that left some at risk Afghans behind.⁴ Afghan partners⁵ confirm these reports that many eligible persons with disabilities were unable to leave during the evacuation process despite having visas or other approvals.

Some services for persons with disabilities have been able to resume activities including the provision of mobility aids.⁶ However, government services to persons with disabilities and most local organizations for persons with disabilities have not been operational since August 15, 2021, leaving persons with disabilities in very difficult circumstances. Additional, questions remain about the availability of and access to services in all regions of the country and in particular for women and girls. Some humanitarian landmine clearance operations have been able to resume in many areas of Afghanistan in an effort to prevent future disability and death.

For persons with disabilities in Afghanistan, the ongoing humanitarian crisis is magnified by the pre-existing barriers they faced. For those who fear for their lives, the challenging routes out of the country are impassible without assistance. Already more likely to be living in poverty, persons with disabilities are facing dire situations across the country. Monthly government pensions to persons with disabilities have stopped which was a great economic support to many of the most vulnerable. Food insecurity is high and winter is compounding all problems. Speaking out about these hardships has been outlawed and could bring reprisals from the Taliban.

Staff from one of Mines Action Canada's partner organizations in Afghanistan report additional difficulties accessing their savings and food due to their disabilities which prevent them from waiting in line for hours at the bank or the grocery store. As they wait for word from Canada, the situation is getting much more difficult for them and their families.

³ Nelson, "Disabled Often Carry Out Afghan Suicide Missions", NPR, 15 October 2007, <https://www.npr.org/templates/story/story.php?storyId=15276485>

⁴ Katz, "The Taliban is Targeting Disability Rights Activists", The Nation, 2 September 2021, <https://www.thenation.com/article/world/taliban-afghanistan-disability-rights/>

⁵ For safety purposes, partner organizations are not named in this document. Further information can be provided by Mines Action Canada upon request.

⁶ Humanity and Inclusion, "Humanity & Inclusion resumes humanitarian activities", September 2021, <https://www.hi-us.org/news-hi-afghanistan-humanity-inclusion-resumes-humanitarian-activities>

Recommendations

The Special Committee on Afghanistan should integrate disability concerns into the work of the committee to ensure that the most vulnerable are included in Canada's response. Mines Action Canada has seven specific recommendations for the Government of Canada:

- The existing special immigration programs and all future refugee programs should take into consideration the increased barriers PWD face both in Afghanistan and in fleeing the country. These programs should also increase the speed of processing.
- Disability rights activists and other persons with disabilities who find their lives are at high risk should be considered eligible by the special immigration program.
- In order to prevent future deaths and disability, Canada should support mine action programs across Afghanistan by funding established humanitarian mine action operators or the UN Mine Action Service. Clearing landmines, providing risk education and supporting the rights of landmine victims will assist the most vulnerable in Afghanistan.
- Resolve legal barriers to funding humanitarian actors operating and paying taxes in Afghanistan.
- Any dialogue with the Taliban should stress their obligations under the Ottawa Treaty banning landmines and the Convention on Cluster Munitions with regards to non-use of these banned weapons, clearance of contaminated areas and assistance to victims.
- Accessibility should be at the center of all programming whether it is humanitarian assistance or immigration programs.
- Humanitarian assistance programs should require the inclusion of persons with disabilities especially women with disabilities who are facing barriers due to their gender and their disability status.

Too often, Afghans with disabilities have been overlooked by the international community and Canada has an opportunity to ensure that pattern does not continue.

Submitted by: Mines Action Canada (MAC) in consultation with Afghan partners.

MAC has worked with local Afghan organizations who advocate for the Ottawa Treaty banning landmines and the Convention on Cluster Munitions for over two decades. MAC is an international leader working to eliminate the serious humanitarian, environmental and development consequences of indiscriminate weapons.

We aim to bring humanity one step closer to peace and social justice by eliminating the impacts of indiscriminate weapons and restoring the rights and dignity of affected individuals and communities.

We are committed global advocates working to alleviate the impact that these weapons have on the rights, dignity and well-being of civilian populations. We do this by engaging the public; supporting domestic and international partners; researching and monitoring the performance and compliance levels of disarmament and humanitarian laws; and by developing and disseminating resources.