



Public Statement on Afghanistan

The Law Society of Ontario calls for women in the judiciary be included in the Canadian Government's definition of vulnerable Afghans

Toronto, ON — The Law Society of Ontario is gravely concerned over the many recent reports regarding the rapidly deteriorating situation in Afghanistan, and the high risk this situation represents for women in the judiciary. When reports of serious issues of injustice to legal professionals and the judiciary come to our attention, we speak out.

In a recent statement, the President of the International Association of Women Judges (IAWJ), Justice Susan Glazebrook, urged governments around the world to include Afghan women judges and their families in the special support measures that have been extended to personnel who provided essential services to military forces. Currently, almost 250 women serve as judges in Afghanistan and over 217 are members of the Afghan Women Judges Association, which is affiliated with the international association. Justice Glazebrook wrote that “by serving as judges and helping develop the Afghan judicial branch, women judges have helped establish the rule of law in their country, an essential pillar of a democratic state. Allowing them to be at the mercy of the Taliban and insurgent groups, given what they have sacrificed, would be tragic indeed.”

The Law Society of Ontario supports this statement. The Treasurer, working closely with the Law Society's Human Rights Monitoring Group, has sent a letter to the Canadian Government urging them to include women judges and their families in their recently expanded resettlement program. It is the Law Society's position that women judges should qualify for the Canadian program, under the definition of women leaders, and we're urging all governments to use the tools and resources available to bring these women and their families to safety.

While it is appreciated that the resettlement program recently announced by Canada contemplates that women leaders, among others, have already left Afghanistan and are in a third country, we urge Canada to take steps to directly address the plight of those women judges who remain in Afghanistan. The Law Society has been advised that all 217 members of the Afghan Women Judges association remain in hiding in Afghanistan.

Women in the judiciary have already been the target of violence. In January, two women judges were murdered while driving to their office in a court vehicle. It has also been reported that women judges have been receiving threatening notes from jailed prisoners. Now that Taliban has been freeing prisoners from Afghan jails, these threats have become more acute.

The global human rights community also agrees that these women are at high risk. According to Human Rights Watch, civilians who promote human rights and democracy are at a high risk of being targeted by the Taliban. According to Agnes Callamard, Amnesty International's Secretary General, women human rights defenders are at serious risk of Taliban reprisals.

The Bar Council, the Bar Human Rights Committee of England and Wales, and the Law Society of England and Wales have also issued a statement on this issue, calling on the UK government to offer evacuation, safety, and asylum within the UK to the women judges and their families, as well as other members of the legal professions in serious danger. They stated in part:

“We are extremely worried about the situation of at least 250 women judges in the country who we consider to be at particular risk. We urge the UK government not to abandon these courageous defenders of the rule of law and – in liaison with its international allies – to offer evacuation and safety and asylum in the UK to those women judges, their families, and other members of the legal profession who are in serious danger.”

We adopt those statements. We urgently request that women in the judiciary be included in the Canadian Government’s definition of vulnerable Afghans so that they and their families may receive immediate protection.