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# **Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development**

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**EVIDENCE**

**Thursday, October 30, 2014**

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**Chair**

**Mr. Scott Reid**



## Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development

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• (1310)

[Translation]

**The Chair (Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC)):** Order, please.

Welcome to the 41st meeting of the Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development. Today is Thursday, October 30, 2014, and this is a televised meeting.

[English]

Today we have as a witness Ahmed Shaheed, who is the United Nations special rapporteur on the situation of human rights in the Islamic Republic of Iran. We are very glad to have Dr. Shaheed here with us today.

I want to take a moment to mention that we're starting a little bit late and as result we may run past the 2 o'clock time if the committee consents in order to allow all questions. If anybody has to leave because because of Standing Order 31 or something and needs adjustment to their question time, just approach me and we'll sort that out.

With that said, I turn to our witness. Please feel free to commence.

**Dr. Ahmed Shaheed (United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Geneva, Switzerland, United Nations Human Rights Council):** Thank you, distinguished Chair and committee members. I'm very pleased to be here this afternoon, to be able to speak to you about my work for the United Nations on human rights in Iran.

As you may be aware, I have just come from New York where I have given my report to the assembly's third committee on my findings from the past year. My report highlights a number of concerns that I have with regard to what I see as a worsening situation of human rights in the country. I highlight a number of these elements that constitute that assessment, the primary of which is the surge in executions in the country over the past 12 months. I have noted since June last year a total of 852 executions, of which 800 took place in the 12 months preceding my report's presentation.

In addition to the sheer number of executions, what concerns me and alarms me is the fact that there appears to be a widening of the scope for which death sentences have been applied. This summer we saw a political prisoner executed. A person, merely for making a donation to a foreign news organization, was put to death.

I have also noted that economic crimes are now used for a capital penalty as well.

Even more alarming than this is the fact that I've noted eight journalists being executed over the past 12 months. That's a very high jump compared to previous figures, which hovered around one over two years. It's a very serious escalation in the use of the death penalty in journalist executions.

I also noted in my report my ongoing concerns about the serious situation with regard to civil liberties in the country. The space for journalists is very limited; there are 35 journalists in prison and that number masks the fact that a revolving door policy actually affects a lot more journalists than that whereby people are brought in, warned, and released, and new people occupy these cells. There are serious limitations on media freedom in the country.

I've also noted my serious concerns about the pushback on human rights in the country. I noted in particular that in education, where Iran had been doing quite well in the past, a policy of gender rationing in access to universities has reduced the number of enrolments of women in the universities from 60% to 48% in just a two-year period.

This is in addition to other disadvantages women face Iran, including the fact that their participation in the labour market is very low at 16% and that gender disparity in income is one of the highest in the Asia Pacific region and that women graduates face three times as much disadvantage in seeking employment. There is now in fact a bill in parliament designed to strengthen the family, but it has as one of its provisions the potential to further undermine women's rights because employers are asked to give priority to married men and to married women and then there is no provision similar to that in that bill that will cause them to hire single women.

I've also noticed with alarm a high incidence and growing incidence of early and forced marriages. Some 48,000 girls were married in the period from March 2013, aged between 10 to 15, although girls below 10 are also married with the court's consent. There are a few thousand in that category as well. In a very large number of these marriages, some 99% of cases, these girls bore children before they were 15. It's a very disturbing and alarming trend with regard to the situation of girls and women in the country.

I also noted with alarm the increasing persecution of religious minorities. There are 300 religious practitioners in detention as of my report's submission in August of this year, including 126 Baha'is, who seem to face the worst of the religious-based persecution in the country. This includes the Baha'is' top leadership as well. In addition to that, there are some 49 Christian converts in detention, along with other minority religions like Dervishi, Yarsan, and newer spiritual or faith practitioners.

The alarming fact is that there is high intolerance of religious freedom in Iran.

With regard to labour rights too, I have noted 27 activists in jail for activities such as demanding that their wages be paid promptly, that they be given better wages, and for simply organizing meetings among labour activists.

In terms of positive steps, I do note that attempts have been made over the past 12 months, to perhaps follow up on what President Rouhani had pledged to do at election time. One, of course, was the proclamation of the peoples' rights charter last September, but it is still in process. My concerns were that this charter does not add anything substantial to the rights that already exist in the country, which of course had all the limits I had mentioned.

I also continue to note attempts by the authorities to speak of ending discrimination and other rights, but in substance, I have not witnessed much improvement, including with regard to the human rights defenders in the country. Nasrin Sotoudeh was released from detention last year as part of the new government's reform measures, but as of last week, she had her licence to practise law removed. There's an ongoing situation with regard to human rights defenders. Typically, those who cooperate with human rights mechanisms, those who allege to give information to human rights mechanisms, those who impart information about the country face very serious charges, often national security charges.

Although the picture is very dismal, while there may be voices who may want to address questions of reform, by and large the actions on the ground do not support that there has been a move in that direction. I think the recent acid attacks in Isfahan demonstrate both the plight of women is getting worse and the fact that the discourse on human rights is very limited. The government's actions in this regard have been further disappointing because the actions seem to focus less on identifying the perpetrators than on targeting those who are reporting on this fact. The government appears to be more concerned about knowledge of the attacks rather than the attacks themselves, and that is a matter of concern to me.

To conclude, I also want to point out that I am encouraged by attempts made by the government to cooperate with me, not on a visit to the country, but by engaging with me more widely in Geneva. I am alarmed that there is a worsening of human rights in the country, spearheaded by executions, plus women's rights, and an increasing discourse that vilifies religious minorities.

I shall end there and be very happy to receive any questions that you may have.

Thank you very much.

●(1315)

**The Chair:** Thank you very much.

If I may say so, and this is a compliment, you have been much more concise and time sensitive than some of the other witnesses we've had over time. As a result, we are no longer behind, which has the happy consequence that I can now say there will be six-minute rounds of questions and answers.

We'll start with Mr. Sweet.

**Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC):** Thank you very much, Chair.

Mr. Shaheed, thank you very much for being here.

I apologize for any delay that you had in security. We have had quite a week this past week with our own concerns here, an attack on Parliament, so I would imagine that they're doing their diligence on trying to make sure they protect us.

That said, I just want to confirm a comment you made in your remarks. You did not visit Iran, is that correct?

**Dr. Ahmed Shaheed:** That is correct.

**Mr. David Sweet:** Was there a request on your part to the Iranian officials, and it was denied?

**Dr. Ahmed Shaheed:** I have made about six requests. I have not received a formal reply to any of these requests.

**Mr. David Sweet:** You said 35 journalists are in prison right now; you had some kind of evidence that many of them had been picked up and interviewed. I take it then that any other journalists who are in the country are self-editing to preserve their own life?

**Dr. Ahmed Shaheed:** I would agree with this assessment that those who would break certain lines would face action against them and that already in the press law there are numerous limitations as to what can be written about in the country. This can include things like reports or writings that are critical of government or religious figures or that in some ways are seen as indecent as the government defines them. The law itself is quite restrictive. If people do write freely, as they think, about what are the facts or opinions, yes, they do face action against them.

●(1320)

**Mr. David Sweet:** Did you find any other evidence? You've mentioned a lot, and I thank you for your diligence in investigating. Did you find any evidence of the Revolutionary Guard or the Basij terrorizing people if they attempted to protest publicly?

**Dr. Ahmed Shaheed:** I will not focus on the protectorate in that sense, but the fact remains that, yes, there are reports of quite capricious actions by the authorities on various elements of public acts or freedoms. If there are reports that a certain group that assembled in a house to worship wasn't harassed, we get a similar report around the same time at another location that they were harassed. There is capriciousness in the way authorities act.

But by and large, yes, the reports are that people are afraid to assemble and people are afraid to speak out freely. People are afraid in many different ways. Dissident voices, dissident behaviour, or dissident speech, all of that is diminished by a climate of fear.

**Mr. David Sweet:** The reason for and the rate of executions has always been very troubling. Now it has escalated substantially. Are some of...well, maybe I shouldn't speculate. Is there some evidence for why these are escalating to the degree they are today?

**Dr. Ahmed Shaheed:** No, sir, I have no evidence to attribute the escalation to, but there are some reasons that surround it that may indicate what this might be.

One of these, of course, is amendments to the penal code, which have some positive elements, such as the abandonment of apostasy as a capital crime and heresy and witchcraft as well.

But it adds that when a minor is charged with a capital offence, the judge must establish their capacity by reference to a medical practitioner and evaluate whether the person was aware of the crime that was being committed. It has been welcomed, and I think rightly so, but this leaves open the personal habits of those who are then not seen to be mentally unable to know what's going on.

The passage of this penal code can be conflated with the rise in the juvenile executions, but I won't attribute it directly to that.

**Mr. David Sweet:** One of the groups that is often persecuted and that you didn't mention today—it may just be because of the plethora of information you're trying to get to us very quickly—is the gay and lesbian community. What is the situation they face right now in terms of being imprisoned falsely? Also, are there numbers of them in these executions?

**Dr. Ahmed Shaheed:** There has been a trend over the past couple of years, at least in the public tolerance level, of intolerance towards people who are different. It goes across a variety of faiths. The LGBT community comes under that category. Reports that I have gathered include harassment on a regular basis, vilification, and other sorts of rights violations. I have not come up with a case recently of an execution of a LGBT member, certainly not charged recognizably in the penal code with a sexual offence in that sense.

My concerns relate to other forms of harassment of the LGBT community, such as denial of basic services, discrimination, of course, in a wide range of activities, and in some cases enforced gender reassignment surgery, which is done in a very brutal manner. The basic marginalization, exclusion, and vilification, and then, therefore, the persecution of the community, are very serious.

**Mr. David Sweet:** Thank you, Mr. Shaheed.

Thank you, Mr. Chair.

**The Chair:** Thank you, Mr. Sweet.

Mr. Marston, please.

**Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP):** Like the other members of the committee we were hoping for something more positive, but we can always count on getting the facts when you come before us. We have had others from Iran here over the years and I can't think of the woman's name at present, but who reported to us twice.... She's in exile now, but we'll come back to that.

Anyway, sir, when Mr. Rouhani assumed power there seemed to be a brief period where people anticipated change. In fact it appeared that there was an effort being made, at least in the media, to sound like there was change happening. One of the areas that many people

have been concerned with is where Iran is situated in regards to promoting terrorism in a variety of parts of the world. Have you seen any evidence of positive change there at all?

• (1325)

**Dr. Ahmed Shaheed:** I have to try very hard to be able to bring good news out of Iran. That is because I want to see the people who are doing good and I report on these activities. In my reports I have documented the provisions made by the president with regard to increasing media freedom and with regard to discrimination and women's rights.

The positive change, if I can really say, is that in some areas there has been a softening of approach. For example academic freedom is still severely limited, but I have seen that some of the professors who were dismissed previously in the past few years have some form of reinstatement. Not completely, but they have been allowed to go back to some degree to their old profession or universities. Many students who were expelled in the past three years have been allowed to go back to university. There's been some form of relaxation in that regard and the oral rhetoric from the government has in many ways diminished.

I've seen, on occasion, the president speaking in a different manner to the supreme leader on women's rights this year. A slight nuance perhaps, but at the end of the day not sufficiently strong enough to change anything in the country. I am inclined to document these pronouncements, to be able to amplify these pronouncements, and to be able to encourage these pronouncements moving forward.

With regard to the bill on feminist strengthening, the initial draft did have this provision where single women would be marginalized, but there are reports that this may be reviewed. I haven't seen the final case of it and it hasn't been passed to the parliament. I'm hoping that it does get through and that this provision will not be there.

On the other hand, a year and a half ago, the Iran government withdrew the bill on what they call the bill of formal attorneyship, which is designed in my view to increase control by the authorities over the bar association. It was withdrawn at the end of spring last year, but then has come back into the parliamentary process.

There are very few steps in terms of what can be done, but then more backsliding.

**Mr. Wayne Marston:** That withdrawal of the bill was probably close to the time that Rouhani had taken over and it was almost like they were trying to impress the outside world with at least the rhetoric.

I found it interesting where they didn't respond to you six times. At least they could say they didn't deny you access.

When we talked about the Baha'i community, you mentioned it in your remarks, is there any positive light there whatsoever? The indications we have is that there might have been for a time, but it's almost like they've reverted.

**Dr. Ahmed Shaheed:** Over a 30-year period you can see a number of ebbs and flow, and fluctuations in the trends, in the rhetoric and actions. In recent times I've seen a sharpening of the rhetoric against the Baha'i. The vilification of them in society, and therefore the sense that they will feel under threat, is something that has to be noted.

At the same time, in the way the government speaks on the issue in the UN forums, again there's a change in tone. It's used for the case...government will deny them, call them a cult, and therefore deny them recognition as a faith. They still haven't taken that step, but they now refer to them as citizens and speak of equality of rights as citizens, so long as of course they do not disclose they're Baha'i. So in a sense there hasn't been a change.

**Mr. Wayne Marston:** The other thing we had noted previously was the rhetoric directed toward them was encouraging the citizens of Iran to confront Baha'is and that some violence had occurred. You don't see a lessening of that, and the rhetoric is still there that might lead to that type of a problem for them. Is that right?

• (1330)

**Dr. Ahmed Shaheed:** Indeed, yes, sir.

**Mr. Wayne Marston:** We hear pronouncements and it sounds like the court system is working somewhat. Is there any place where the courts can actually intervene to prevent an execution? We had the young woman executed last week. If she had been found guilty of that so-called crime in Canada, the worst charge would have been manslaughter. Is there any place for the court to intercede in that, or are they simply bypassed once the sentence is passed?

**Dr. Ahmed Shaheed:** I think in terms of the human rights development in Iran, an important aspect would be looking at the way the judiciary works to see what the deficits are in terms of human rights standards. Now, in many ways the shortcomings have been highlighted, both in the UPR reviews four years ago and the treaty body reviews under the [*Technical difficulty—Editor*] political rights and many other areas. They are primarily focused upon the due process deficits in the way trials are carried out.

There's also a question of qisas, that is the Islamic law of retribution, and to what extent therefore the state can exercise the role of clemency it has under international law. In this particular case, many issues were raised with the government through my own work, and the response I got is that the state can't intervene in the case of qisas. They were trying to persuade the family to forgive, rather than demand retribution as qisas. But the only qisas issue I had with this particular case was the fairness of the trial. The irregularities in regard to due process rights, the extent to which the victim had the chance to defend herself, had a chance to have all the evidence considered, and the extent to which her story was given under some sort of duress.... And, of course, the absence of a motive. There was never a motive—at least in the response I got—established by the state. So there are a number of issues about this particular case that go beyond, perhaps, the issue of qisas in general.

**Mr. Wayne Marston:** How's my time?

**The Chair:** It's over by a minute and a half.

**Mr. Wayne Marston:** Oh, that was generous of you, Chair.

Thank you, sir.

**The Chair:** Ms. Grewal, please.

**Mrs. Nina Grewal (Fleetwood—Port Kells, CPC):** Thank you, Chair, and thank you, Mr. Shaheed, for speaking to the committee on the issues of human rights violations in the Republic of Iran, where specific communities in Iran have been at the forefront of many human rights violations, in particular toward women.

I want to return again to what Mr. Marston was asking. You said that women trying to leave an abusive marriage must prove they have a significant risk of bodily harm. In this case, can you elaborate on the case of Reyhaneh Jabbari, the young woman who was executed this past Sunday for killing the man who allegedly raped her?

**Dr. Ahmed Shaheed:** Both cases referred to speak generally to the second-class status women have in society. I don't think they are linked directly, but the fact remains that there is frankly a gender hierarchy in society, and certainly in marriage as well. Some of the laws try to enforce this. But I don't think the hierarchy was what was at issue here in the Jabbari case. The Jabbari case was actually a failure to further proper legal procedure, a failure to ensure that the defendant had all her rights respected, the failure to look at all the evidence properly and therefore give her a fair trial. Without that, even if there was gender parity, then the outcome would still be unfair.

By and large, the laws entrenched hold women in a second-class status. For example, a woman cannot go out to work if the husband objects to it. The greatest complaint, I'm told, is a similar law that allows a wife to complain and have the husband stay home, but there the judge must determine that it's detrimental to the children's welfare and so on.

So in a society in which women don't enjoy a substantive equality, then formal equality of this sort doesn't really go very far.

• (1335)

**Mrs. Nina Grewal:** Mr. Shaheed, over the past decade, we have seen dramatic increase of known female executions taking place there, from 25 between 2001 and 2009 to 58 between 2010 and 2014. Can you elaborate on this increase?

**Dr. Ahmed Shaheed:** Would you repeat the question, please? That the figures about women or....

**Mrs. Nina Grewal:** We are talking about women. Why is there an increase in the executions?

**Dr. Ahmed Shaheed:** To be honest, I haven't looked at executions from a gender perspective. I can't explain why the figure is going up in a particular class. Overall, there has been a very sharp rise in executions in the past five years. In 2004, the total number was below 100 and now it has gone all the way up to almost 800 this year. That's across the board. Most of these are for drug offences. About 70% to 80% are for drug offences. There are other categories.

I have not seen the death penalty being used as an instrument to undermine women's rights. I have not made that correlation. However, I have seen the death penalty clearly being used to combat drug trafficking, and it isn't working. I wasn't seeing ethnic minorities perhaps receiving the death penalty in greater numbers than do other classes of offenders.

**Mrs. Nina Grewal:** What can Canada do to reduce the persecution of religious minorities such as the Baha'i community and Christian groups in Iran? Are we able to approach this increasingly violent situation from afar, or must our aid come from within Iran?

**Dr. Ahmed Shaheed:** That is a question that requires multiple approaches, some of which have to be targeted at the communities you have just mentioned. Others would benefit more broadly the human rights situation. My stance is that the UN and the member states of the UN need to maintain a spotlight on rights violations in the country, documenting them and speaking about the challenges that they pose. The agenda is on the table.

Iranians themselves are not able to have this agenda domestically because of the restrictions on speech and the penalties given to those who advocate human rights. For specific communities, what we can do initially is get the information out, maintain contact, and give them a voice, so that people take notice of this. There have been many cases when issues have been raised about particular individuals. That state has stepped back and reviewed the case. We should bear in mind that this is part of the interaction we have with Iran. That's the way I have designed my work in the UN, to highlight issues, to enable a discussion of the issues, so that Iran will have the space and the motivation to take steps that address these rights.

I'd like to point out the Baha'i as a particularly vulnerable community. I think that must be recognized, and our actions must demonstrate that.

On the question of other minorities, including Christian minorities, the fact that new converts are targeted specifically is something that should be borne in mind and spoken about, and people should become aware of that. If more countries in the world know about this persecution, more countries will speak to Iran either privately or publicly on the subject, and there will be more incentive and motivation on their part to address the issues.

**Mrs. Nina Grewal:** Mr. Chair, do I have more time left?

**The Chair:** I'm afraid, you don't.

**Mrs. Nina Grewal:** Thank you.

**The Chair:** Thank you, Mrs. Grewal.

Professor Cotler, please.

**Hon. Irwin Cotler (Mount Royal, Lib.):** Thank you, Mr. Chairman.

I want to express our appreciation to you, Dr. Shaheed, for appearing before us today. Your reports and testimony have always been comprehensive, exemplary, and worthy of the recognition that they have been given. This leads me directly to my question.

In Geneva tomorrow, the United Nations Human Rights Council will be conducting its universal periodic review of Iran's human rights record. After the first UPR, in 2010, Iran accepted 123 of the council's 188 recommendations. It committed itself to complying with the international human rights obligations to which it is bound, including matters such as the free exercise of religion, the rights of detainees, protection against torture, and the like.

Now, four years later, to what extent has Iran lived up to its own undertakings from 2010, and in what way can the UN Human Rights Council hold it to account for the breach of its own undertakings?

• (1340)

**Dr. Ahmed Shaheed:** As I note in my report, there were some areas in which Iran had made attempts to live up to its pledges. This included, for example, revising the criminal procedure code and the penal code. In the penal code there were some advances, like the removal of capital punishment for apostasy, heresy, and witchcraft, but there were other regressive elements in it, such as widening the scope of capital punishment.

The criminal procedure code is more positive. It has many measures in it that I think will strengthen the way the judiciary tries to provide the main judiciary functions, but one has to see in its practice whether or not it actually does so. It provides for multiple judge benches for a wider range of trials than at the present time.

I have attached my work to these commitments that Iran undertook at the UPR to see how they have actually abided by them. I have been very disappointed in the way this has turned out.

In terms of what the UN can do, I think the UN should speak out candidly on the areas in which Iran's practice does not meet its obligations under international law. It must perform the function of being a champion of people's rights and, therefore, uphold its commitment to protecting human rights as a universal standard. I think most states should speak out on their concerns about human rights in Iran.

The UPR tomorrow will again be an opportunity to take stock of what happened and to highlight our ongoing concerns and then work with Iran in identifying an agenda to address these issues.

What is important here will be to remain engaged in this dialogue with Iran in terms of keeping a focus on the violations and a focus on the measures to be taken. It will take a long time, of course, to achieve improvements in human rights, as is the case generally, but we must persist in staying with the task.

**Hon. Irwin Cotler:** Thank you, doctor.

Three weeks ago, several of us from all parties held a press conference to warn about the threatened executions of three prisoners. One was Ayatollah Boroujerdi, who has been languishing in the notorious Evin Prison for eight years on trumped-up charges and who has been called Iran's Mandela, really a dramatic and shocking example of the plight of political prisoners.

The second was the threatened execution of Omid Kokabee, a renowned physicist, also on trumped-up charges.

The third person we brought up in our press conference was Reyhanah Jabbari who tragically, since our press conference, was in fact executed.

Do you have any information that you can update us on, either on Ayatollah Boroujerdi or Omid Kokabee, or anything you might want to say about the plight of political prisoners in Iran, generally speaking?

**Dr. Ahmed Shaheed:** I have raised my concerns about Ayatollah Boroujerdi and Omid Kokabee in my communications with them, as with my reports as well.

My concerns were, in the case of Ayatollah Boroujerdi, about his health and the need to get proper medical attention.

In the other case I've listed my concerns about the fairness of trials and the charges laid against him and the extent to which they actually meet Iran's own commitments and its own rule of law provisions and its own human rights commitments.

I have nothing new to report on these two cases. You mentioned damages in my report.

In the case of Reyhanah Jabbari, I shared the shock of everybody when we heard the news that she had been executed. There were a number of attempts made on the part of many people to highlight the concerns that were there, and I did write to the government on several occasions expressing concern about her case.

There were other communications made to the government to stay the execution and to enable us to have a chance to look at the issues at hand. So really, unfortunately, I have nothing new to add to these, other than to express my shock that the execution took place.

• (1345)

**Hon. Irwin Cotler:** About political prisoners, generally speaking, do you see any improvement in the situation? I think you yourself identified there being some 800 political prisoners in Iran? There may be more we don't know about, but are the trends improving or, as I can appreciate, are the trends not improving?

**Dr. Ahmed Shaheed:** In some senses those trends have not been improving. I mentioned earlier about the execution of a person who made a donation to a news organization, so that was clearly a political prisoner being executed. There are other instances in which my information has indicated that cultural activists may also be facing the death penalty or may have been executed. Of course, Iran and I disagree on the facts in some cases, but the concern is that unless free and fair trials are guaranteed, the possibility that genuine political activists may face the death penalty exists. I have not seen any easing of the situation with regard to the treatment of political detainees in the country.

**The Chair:** Unfortunately, professor, that uses up all your time.

Mr. Schellenberger, go ahead, please.

**Mr. Gary Schellenberger (Perth—Wellington, CPC):** Thank you.

Thank you very much for your presentation today, Mr. Shaheed.

You suggested the rest of the world should speak to Iran about their human rights. I don't think they appreciate being told by the west. Who in the rest of the world do you think should or could persuade Iran?

**Dr. Ahmed Shaheed:** The "should" includes everybody. I think human rights are universal. It's everybody's obligation to raise the issue. Who "would" I think is a different question. I will be looking at those countries that support the resolution in New York, that cosponsored the resolution, to ask people who could speak out.

There are also other countries that may not support the resolution but may feel that, at least in certain cases, their conscience requires that they speak out on Iran, such as Iran's partners in the OIC, the Islamic conference of countries, and Iran's partners in the NAM, the Non-Aligned Movement. Some of the leading actors in this movement, I think, could and should be encouraged to speak to Iran either publicly or privately on these issues. On some issues, I think, many feel compelled to speak out more so than on other issues. The Baha'i situation may present a situation for some on which they feel the need to speak out. Maybe some might want to champion increasing media freedoms. There's a range of countries out there that have different priorities, but they can all be utilized as channels to communicate with Iran.

**Mr. Gary Schellenberger:** Could Canada influence some of those people? Would some of those countries that might be able to affect what goes on in Iran be more easily influenced? Do we know of any group we could target to try to make it go after Iran for better human rights?

**Dr. Ahmed Shaheed:** I would phrase it as countries that would care about what's happening in the country, countries that would therefore speak out. I think Canada and others that have traditionally championed human rights can, and in my view should, engage these wider audiences in creating a wider channel of communication with Iran. I think that will work, because Iran does stand for elections to the UN in seeking broader engagement. Iran does care about its reputation. It will be far more difficult to dismiss criticism from some quarters than perhaps from countries in the west which, Iran fears, have traditionally been critical of Iran.

**Mr. Gary Schellenberger:** Do the increased instabilities in the region have any impact on western attempts to pressure Iran to change its behaviour regarding basic human rights?

• (1350)

**Dr. Ahmed Shaheed:** I must first say that my focus has been very much on Iran and the human rights there, so in the broader sense I am an expert in this broader strategic context, but I am looking at the possible impact in Iran of some of the developments in the region in terms of how they may affect Iran's human rights situation. Ultimately, I think we must all bear in mind that human rights form part of a security agenda, and that unless people feel secure, they will say that the security agenda hasn't really been served. A focus on human security would be an important element of the broader context in which security is conceived.

**Mr. Gary Schellenberger:** I know your report took place some time ago, but I just heard on TV either last night or early this morning that Christians are leaving Iraq and going to Iran for safety. This seems strange to me after what we've heard about how minority religions are treated in Iran. As we hear that minority religions are being persecuted in Muslim-dominated countries, could you please give your opinion? I know your focus is on Iran, but I'm assuming that in these other places it must be more terrible than it is even in Iran.

**Dr. Ahmed Shaheed:** I don't have the specific information that you refer to, but I wouldn't be surprised if this were the case because Iran's persecution, since I have documented it, appears particularly focused on new converts from Islam to Christianity.

Iran presents to me—and I mean as peace is in effect—that the traditional Christian communities have an easier time than the newer converts. I am not saying that they have equality of status because if you look at the constitution, there is again a gradation there. But I think the persecution in Iran is focused on new converts to Christianity, who aren't defined by their Muslim names and therefore face harassment, persecution, and so on and so forth.

If there were traditional Christian communities coming to Iran, that may well be something that's happening and it's not out of the ordinary.

**Mr. Gary Schellenberger:** Thank you.

**The Chair:** Thank you, Mr. Schellenberger.

Mr. Benskin, please.

**Mr. Tyrone Benskin (Jeanne-Le Ber, NDP):** Thank you.

We've encountered each other a couple of times now and I'm always fascinated and my head is full after meeting with you, with the amount of information that you carry and share with us.

Like my colleagues, I'm more than a little dismayed at your report in the sense that when Rouhani was elected there was a sense of the possibility of some change towards a more progressive and positive road for Iran and the people in Iran. From what you're saying today, that's not really coming to fruition, and in fact it may be getting worse.

I'm wondering if there is a split in the total government, because there are multi-layers of government in Iran. Is there a split between what Rouhani and whoever might be progressive are trying to do, and what the establishment is trying to maintain? Or is there a slow coming around of Rouhani to the more conservative—no offence—way of thinking in terms of the old ways?

**Dr. Ahmed Shaheed:** My assessment is that, as is the case in most countries, Iran is not a monolith. There are a number of different factions competing and jostling for influence within society.

We see different voices, reflecting very different thinking from these different strands. On the one hand there are those who are inclined to be more constructive and to being more open and to following a reformist discourse. How far they are able to go or are willing to going is a different question.

By contrast, there are those who think that there is a mistake, that they should remain as they are or perhaps even increase some of their core commitments even more.

If you look at the discourse in terms of who is making these pronouncements, there are certain elements identifiable and they come from the government, who has been willing to be more open. In terms of the education sector, that is one; in terms of academic freedom, that is another.

But the judiciary, where they have spoken, by and large has spoken traditionally and conservatively in the sense of their words—now used in Iran—in their statements, such as saying that Iran does not feel obligated to observe national law above sharia commitments. They note sharia being something different from some other sharia readings that other countries profess.

So a commitment to a set of ideals that are at odds with human rights is there in some quarters. We can see in the competition between these two factions, as it were, that some ministers are facing impeachment or dismissal. All of that demonstrates that there is really no agreement as to the direction being pursued.

We saw that even a few years ago, even under President Ahmadinejad when there were issues about cabinet confirmations, about ministry appointments, all of them representing or jostling among different groups.

• (1355)

**Mr. Tyrone Benskin:** Thank you.

You mentioned that under religious persecution, the Baha'i are being singled out as probably the most severely persecuted.

I have been approached in my riding a number of times by people who are of the Baha'i faith, who were trying to get a spouse out, and were having difficulty.

I'm just wondering, from your understanding, why is the Baha'i so attacked? What is it about the faith itself that threatens the conservative whole in Iran?

**Dr. Ahmed Shaheed:** I think if you look at the constitution it becomes clear that the Baha'i are excluded from protection by the constitution. The language used perhaps indicates what the source of that is in terms of giving Shia Islam a privileged status and tolerating Sunni Muslims.

The logic for giving this protection to the other, the ahl al-kitab, the Jewish communities, the Christians, and the Zoroastrians, therefore leaves out others. It would appear that's because the Baha'i are not regarded as people of the book, and that's why they're excluded. I have not heard this spoken publicly, but there's a claim that they are a cult, a claim that they are not a proper faith, speaking of the fact that there is a problem with the Islamic creed's response to the Baha'i faith. So it is very much a religious-based objection to the Baha'i faith that underlies their policies towards the Baha'i.

**Mr. Tyrone Benskin:** With that in mind, you were talking about the persecution of new converts as far as Christianity is concerned. Would you agree that's not so much the persecution of being a Christian but of rejecting Islam and becoming a Christian?

**Dr. Ahmed Shaheed:** Yes, I think that the heart of this conversion issue is that the protection given to the Islamic system—and that's woven into the constitution—is undermined by embracing another faith away from Islam, as it is a faith that is not recognized within the broad Islamic context.

**Mr. Tyrone Benskin:** Getting back to what I was talking about before in terms of what might be driving this increase, you were saying that, within a 12-month period around your report, there were 852 executions. Is there a sense that there is a—I hate to use the term—process of cleaning house in Iran? Getting rid of political dissent? Getting rid of any outspoken...be it in the education sector, the science sector, the religious sector, or the political sector?

• (1400)

**Dr. Ahmed Shaheed:** If one looks at the pronouncements made about two years ago following on from the period after the post-election violence from five years ago, there was this articulation of the view that there was a need to sort of be more stringent with regard to the commitment to the ideals and values of the revolution. That's one discourse that is certainly active there.

I'm not saying it's linked to it, but then it was linked to the education sector in terms of the way the education sector was, I think, modified through admission policies to keep women out. The way economic freedom was dealt with and the way some curriculum was purged or revised is one discourse there.

In regard to the executions, however, the dominant claim that I come across from Iranians I speak to is the balance between the reformists and those who oppose reforms. So as a tactic to perhaps discourage the current president and his proclamations and expressions for reform last year, that's one element of it. The other element is, the reforms to the penal code may have actually enabled a speedy execution process by certain procedural issues. Really, it's not very clear to me exactly what is behind this, but the judiciary are the ones leading this trend, and its reforms are in the judiciary. It's a dialogue with them; it's their accountability or whatever that will enable people to address this issue.

**The Chair:** Thank you very much, Dr. Shaheed, for coming here at our invitation today. You've been very informative, and we're very grateful to you for that.

Colleagues, we're going to have to deal with another related matter before we leave. You've all had distributed to you two budget items. I'm seeking consent to approve them.

Our witness is excused with my apologies and our gratitude.

Thank you very much.

**Dr. Ahmed Shaheed:** Thank you.

**The Chair:** We will suspend and move in camera. Thank you.

*[Proceedings continue in camera]*







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