



HOUSE OF COMMONS
CHAMBRE DES COMMUNES
CANADA

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

SDIR • NUMBER 069 • 2nd SESSION • 41st PARLIAMENT

EVIDENCE

Thursday, May 7, 2015

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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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•(1305)

[*Translation*]

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

Fellow members, today is May 7, 2015, and this is the 69th meeting of the Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development.

[*English*]

We are televised today, so don't do anything you don't want your mom to see.

Colleagues, we have with us today two witnesses as an ongoing part of what we've been calling Iran Accountability Week. It's actually several weeks. We're reviewing the human rights situation in Iran.

Testifying first, from the United Nations, is Ahmed Shaheed. He is the special rapporteur on the situation of human rights in the Islamic Republic of Iran. Testifying after him will be Maziar Bahari, who is a journalist and filmmaker.

Colleagues, we will do this the normal way. We will listen to the presentations of our two witnesses. When they are done, we will divide up the remaining time among the six members of the committee, and that will determine how long we have for questions and answers.

My understanding is that Mr. Shaheed will begin.

I invite you to begin your testimony, please.

Dr. Ahmed Shaheed (United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, United Nations):

Thank you, Chair.

Distinguished honourable members, it's a great pleasure to be here at the committee to speak on Iran.

Six weeks ago I made much discussion about the state of human rights in Iran. The UN Human Rights Council voted to renew my mandate for another year. The same week, Iran pledged at the UN to implement 130 of the recommendations that were made at the second review of Iran under the universal periodic review of the country at the Human Rights Council, which was done in October of the previous year. As it did in its previous review four years ago, Iran

agreed that it would accept these recommendations because a lot of them were actually rooted in what they were doing already, or were on their way to realizing them, but of course, the four-year review showed that that was not the case. I'm very much hoping that there is greater awareness of the need to encourage Iran to comply with its own commitments at the universal periodic review.

A number of the recommendations at the universal periodic review are calling on the Government of Iran to consider strengthening protections for civil and political rights and to cease practices that violated those rights. They also entreat Iran to accede to several conventions that abolish the use of the death penalty, protect against torture, address the rights of migrant workers, and advance gender equality, all of which are areas of serious concern in the country.

Recommendations also pertain to improvements in protections for vulnerable groups, including religious, ethnic, and sexual minorities, and encourage the establishment of a national human rights institute mechanism which meets the Paris principle's criteria and enjoin cooperation with the United Nations human rights mechanisms, including the country mandate.

Unfortunately, developments in the biannual reports that I and the UN Secretary-General have presented to the council and the General Assembly appear to be lacking in application in the country, and in many areas we have spoken about, the situation appear to be deteriorating quite seriously.

Aspects of laws, policies, and practices previously identified by Iranians and the United Nations, by its mechanisms, and that are presented in all eight reports that I have presented since my initial setup in 2011 continue to create a situation in which rights are undermined in the country and capacity to improve conditions is limited.

A number of draft laws and policies containing provisions that appear to further negate national and international guarantees are either currently under consideration or have been adopted in the past 12 months. These include provisions that appear to expand the government's influence over the media, civil society, political organizations and the legal community, and they seemingly extend policing powers to civilians with an interest in enforcing Islamic moral codes.

The resulting adverse effects can be observed in reports that have continued to emanate from the country this past year about the ongoing arrests of human rights defenders, lawyers, journalists, and ethnic and religious minorities, accompanied by open letters and confidential communications about torture and violations of fair trial standards. Closure of media outlets and severe limitations on the Internet and social media tools also continue. Policies that further limit economic opportunities for women and that segregate them in the workplace are currently under consideration and/or are being implemented by the government.

One of the most serious concerns I have expressed in my report is the alarmingly high rate of executions in the country, which has continued to surge in recent times. Iran is the highest executor, as it were, on a per capita basis. I wrote in my last report to the UN that at least 754 individuals were executed in the 12 months preceding my report in March. Today I am very concerned about another serious surge in the past few months and past few weeks in the country, including over a period of six days, eighty executions in the country. A number of these are also carried out in public. It is a matter of serious concern and a violation of international law in the country.

• (1310)

A large number of these executions are for drug offences. About 30% are for homicide-based offences. Seventy per cent are drug offences not involving a serious crime that would allow in international law the expectation of the death penalty. In the past four months of this year, up to 400 individuals have been put to death in Iran under these laws.

One of the main reasons the death penalty is so widely used in Iran is the use of the current anti-narcotics drugs law. I note that the authorities mentioned last year in press conferences that one way of reducing these incidents would be to amend the narcotics law, but I haven't seen this happen in practice. A further concern is that the death penalty is applied for a range of non-homicide offences, including sexual offences, corruption. Also in the past 12 months, it has included a growing number of juvenile offenders, 17 over the past 12 months that I have been observing this. There are a number of serious human rights concerns that pertain to the right to life in Iran.

Another area of concern, as I mentioned in the introduction, is that efforts appear to be under way to further diminish the space allotted for the use of counsel in the country, including the arrest of a number of lawyers. Laws are in the pipeline to end the independence of the bar council and create a government-sponsored, government-controlled bar association. That will further diminish the ability for Iranians to have a lawyer of their choice to defend their rights. There is a concern, and I draw attention of the world community to the importance of focusing on this subject.

On media freedom the existing laws themselves are quite restrictive. There are 17 impermissible types of content the press law currently prohibits. There are further developments in this area, including the use of the computer crimes law and cybercrimes law, dating from 2009 and 2010 respectively, which limit and violate the ability of Iranians to access information and use as expression in the country.

Iran claims that journalists aren't put into detention for carrying out their professional work, but that is because Iran uses very broad and vague national security laws to prosecute people who they regard as threats to security but who are essentially carrying out the work of journalists and human rights defenders.

President Rouhani campaigned on the promise of giving more space for the media and journalists. There were, of course, some symbolic gestures made early on in his administration, but we've seen again closures of newspapers and people being prosecuted for activities that would clearly be regarded as normal activities for journalists, particularly in international law.

I am very seriously concerned about gender equality and the plight of women in the country. Iran is right to boast that women in Iran have a high level of education, but as I said in my last presentation here, laws have now come in which will limit women's access to universities, both a quota on the number that can go and also single-gendered causes that will further limit access to universities. Added to this has been a bill called the family excellence plan, which is designed to increase the country's population to a very high level in a very short time. This will further undermine women's ability to access employment. Under these laws there are a number of disincentives for women to be hired for jobs. The plan will require employers to give precedence to married men with families, followed by married men. Then, lower down in the pecking order are women. This puts further restriction on access to employment for women.

There's also a bill which was submitted last October regarding a plan to protect the hijab and modesty. This will further enforce restrictions on women in the workplace, including limiting the hours of work for women from 7 a.m. to 10 p.m., unless they are in certain kinds of work, such as nursing or the medical profession. By and large, this will further limit the ability of women to secure more work.

• (1315)

The bill also attempts to regulate workplace dress codes, mandating that employees in the public and private sectors who do not meet the clothing standard be penalized by a reduction in their pay of up to a third of their salary for dress that doesn't meet the requirements in this bill.

I have repeatedly spoken about the plight of religious minorities in the country, the fact that the constitution itself creates a hierarchy of communities and religion, and that some communities, the Baha'i in particular, are left out of protections under the constitution. Beyond that, Sunni Muslims report that their requests to have a mosque constructed in Tehran have been denied since 1979. The government hasn't contested this claim. They say that they are welcome to pray in any mosque in Tehran, which of course is not the same as having a Sunni Islam mosque which they want to construct.

There is also persecution of other religious communities, including Christians, especially those who convert to Christianity from Islam. Persian language service hours are restricted. Persian language bibles are also restricted. This imposes further restrictions on these communities to freely exercise their religious freedom. Iran has signed on to the ICCPR, the International Covenant on Civil and Political Rights, without any reservation at all, and signed article 18 of that covenant, which requires them to grant freedom of worship and manifestation of worship.

The Baha'i, of course, face the brunt of this policy of discrimination on religious grounds. As of December last year, over 100 Baha'i remained in detention, including the top Baha'i leadership. There's been a growing incidence of incitement against the Baha'i and hate speech against the Baha'i, which is again a matter of serious concern.

I reported in my last report to the UN that there were about 70 Christians in detention. These are converts who were detained over the past 12 months. The authorities tend to target house churches in particular in terms of searches to find people from Muslim backgrounds.

I want to conclude by saying that the overall picture I gained of Iran's human rights situation is one of very serious concern, of alarm. Life certainly remains very dire for the people of the country. I also want to mention to you that my efforts to engage the Government of Iran have been only partly successful. I haven't yet been able to visit the country, nor have they allowed me to go into the country, nor have they said I am welcome in the country. That being said, they haven't diminished my power to report, my scope to report on the country, using a variety of means, including technical electronic means, and also a well-organized Baha'i Iranian civil society within the diaspora community, who are a valued source of information.

I have been able to interview about 600 Iranians since I began my work, over a third of whom are actually in the country. Despite not having physical access to the country, I have been able to get information from the country. My information is now also officially sourced. Iran does put a lot of their own activities online. Their parliamentary debates are reported online. These and their reports on findings all give me a substantial amount of official information on which to base my reports.

I wish to conclude by thanking you for your interest in the work I do, and also by stating that this sort of interest is very valuable to the task of promoting human rights in Iran. I thank you very much.

•(1320)

The Chair: Thank you very much, Mr. Shaheed. That was thorough, as always.

Mr. Bahari, please feel free to begin.

Mr. Maziar Bahari (Journalist and Filmmaker, As an Individual): Thank you, Dr. Shaheed.

Mr. Chair, and distinguished members, thank you for inviting me to testify before you today.

I am delighted to have the opportunity to address the Subcommittee on International Human Rights. I hope my contribution will be useful to the House of Commons.

Thank you also to Mr. Cotler and to all of you for holding the fourth annual Iran Accountability Week. You have created a valuable forum for all of us who care about the future of Iran and the well-being of all Iranians.

I would like to be clear in my comments that while I will use the words "regime" and "government" in my testimony, I do not refer to every person who works for the Iranian government. There are many individuals within the Iranian government who do not support human rights abuses in the country, but these individuals are either coerced to be silenced, or they remain silent because of self-interest. I believe there are still many good and decent men and women who work for this bad system. I'm sure one day they will join the struggle of the Iranian people for a more open and accountable government.

I was arrested for working as a journalist in June 2009. After 118 days in prison, I was released on bail. During that time I was brutally tortured, physically and psychologically. I was humiliated and threatened that if I spoke about the injustices I witnessed in prison, I could always be brought back to Iran in a bag. Because of this experience, I believe I have a good understanding of how the Iranian regime works, how it tries to frighten the people of Iran, and how it controls them through this fear.

Since coming out of prison, I have been involved in a number of campaigns supporting the basic human and citizen rights of Iranians, including the journalism is not a crime campaign and the education is not a crime campaign, to support the rights of the Baha'i religious minority to teach and study in universities in Iran.

The other "is not a crime" web names, which I've registered, include dancing is not a crime, happiness is not a crime, and most recently one called being a dog is not a crime, which was started in reaction to inhumane methods of killing stray dogs and the plan by some members of the Iranian Parliament to ban pet ownership in the country.

I'd be happy to talk about that later on, but in this testimony I will focus on journalism.

According to Reporters Without Borders, there are 46 journalists, bloggers, and Internet activists in jail in Iran today. Five journalists have been killed in custody since 1997. The Committee to Protect Journalists says that since 2009 Iran has been one of the top three jailers of journalists in the world.

According to our own journalism is not a crime survey, almost 300 professional and citizen journalists have been arrested and incarcerated since the disputed presidential election in June 2009.

These individuals are not just numbers, but they are fathers, mothers, wives, and husbands who have been taken away from their dear ones. They remain unfamiliar names to the outside world. Very few of these journalists have had the chance to present their cases to the Canadian Parliament and the international community. Many of them have been arrested in small towns and villages across Iran where the human rights situation is even more dismal than in the main urban areas.

I have been lucky to be one of the few journalists whose name is known outside of Iran. This morning I thanked some people who can pronounce my name correctly as well.

The other dual citizenship journalist currently in jail is Jason Rezaian, a *Washington Post* reporter who was arrested in July 2014. According to his lawyer, Jason was charged with espionage and three other serious offences. Jason could be in prison for up to 20 years if he is found guilty. This mockery of justice is typical of what many Iranian journalists are going through every day.

• (1325)

Jason was arrested with his wife and two other friends. His wife and two friends were released soon after, but they have been warned about talking to the media. Most probably based on previous similar cases, Jason's family and friends have been intimidated by the revolutionary guards' intelligence agents who arrested him. The family must have been told that if they said anything about Jason, his situation would get worse and he could spend years in prison.

My family was told exactly the same thing. My torturer beat me before I made a call to my wife, forcing me to tell her to stop campaigning for me. Fortunately, my wife lived thousands of miles away from Iran, in London, England, and was able to continue leading the campaign for my release. I was ultimately released because of an amazing global campaign by my family, colleagues, and friends.

I would like to thank the Canadian diplomats who worked tirelessly for my release while I was in prison.

Jason has also, allegedly, been forced to confess in front of the cameras. The exact content of his forced confession is not clear, but according to a hardline member of the Iranian Parliament, he has confessed to economic espionage, a crime that is not defined in Iranian law and most probably has to do with his work as a journalist reporting on sanctions against Iran.

Forced confessions have become one of the preferred tools of the trade for the Iranian regime in the past 35 years. I was also subjected to a forced confession while I was in prison. The experience made me feel invaded and sullied. I felt raped. It was a rape that happened in front of cameras and then put on YouTube.

Ten months after the arrest of Jason, the Iranian government still has not announced the reason for Jason's arrest and incarceration. We have heard the charges only through an interview his lawyer gave to a news agency associated with the revolutionary guards. This utmost lack of accountability is typical in the Islamic Republic of Iran. According to some legal experts, the charges announced by the lawyer in the interview violate article 24 of Iran's own constitution as well as the government's obligations under article 19 of the International Covenant on Civil and Political Rights.

Also, the judge presiding over Jason's case is a notorious human rights violator. Judge Abolghassem Salavati has been named by the European Union as an individual subject to sanctions for human rights violations. This same judge sentenced me on a variety of charges to thirteen and a half years' imprisonment in absentia after I left Iran. In case you wonder what the six months was for, it was for someone tagging a picture of former president Ahmadinejad kissing a boy on my Facebook wall. Judge Salavati deemed that by not removing the tag, I implied that then president Ahmadinejad was a homosexual.

Journalists in Iran are harassed on a daily basis by officials such as Judge Salavati and his agents. Even those who are not jailed are under constant harassment and pressure. They have to work within the constraints of one of the most intense censorship regimes in the world. Journalists live under constant threat of closure of their newspapers and websites.

The regime has many red lines and red subjects. Crossing those red lines and reporting on those red subjects are considered crimes. In many cases these red lines are left to individual judges, such as Salavati, to interpret. Many judges are persuaded by the security agents and interrogators to interpret the red lines as harshly as possible. In the words of my interrogator, Iranian justice is ultimately in the hands of interrogators and not the judges.

These harsh interpretations of red lines are effective tools to put pressure on publications and journalists. In a recent example, a newspaper was shut down because it insulted the prophet Mohammed, the reddest of the red lines. Of course, what constitutes an insult is not clear in Iranian laws. The newspaper *Mardom-e Emrooz*, in English "Today's People", was shut down earlier this year for publishing a picture of George Clooney on its front page in which Mr. Clooney declared, "*Je suis Charlie*", after the massacre of *Charlie Hebdo* cartoonists in Paris in January 2015. Mentioning the quote in the newspaper was deemed to be in support of the insulting cartoons and vicariously insulting their prophets; hence, Tehran's prosecutor general ordered the closure of the popular newspaper.

• (1330)

President Hassan Rouhani was elected in 2013. He promised reform, greater respect for civil liberties, and more press freedom, but none of these have improved since his election. President Rouhani has not only been silent about human rights abuses in the country, but he has also long denied that journalism is not a crime in Iran and that journalists are not detained or jailed in Iran solely because of doing their jobs.

It is true that the judiciary and the security forces, which are not controlled by the president, are the main human rights violators in Iran, but according to article 113 of the Iranian constitution, the president is the head of the executive branch and in charge of supervising proper execution of the constitution by other branches of the government. Also, according to article 24 of the Iranian constitution, journalists are free to carry out their jobs, and any restriction of the media is unconstitutional. According to the Iranian constitution, the president has a duty to protect freedom of expression; otherwise he has failed his duties.

The least many Iranians expect from their president is to be honest with them. If President Rouhani believes curbing human rights abuses committed by the guards and the security forces is beyond his power, he should share this information with the millions of Iranians who voted for him. If he cannot do anything to stop these abuses, at least he should talk about them; at least he should talk about his lack of power.

I also voted for Mr. Rouhani in 2013, understanding that he was the best of the bad choices available to Iranians. I wanted to believe in at least some of his promises. I'm still hoping he can fulfill some of those promises in the next two years.

I also hope he can hear my testimony today, or preferably, read the Persian translation of it. Iranian intelligence agents translate everything, so I'm sure the translation will get to him one way or another.

I would like to end by saying that this testimony does not represent only my opinions. My words were chosen in consultation with many of my colleagues inside and outside of Iran. They represent the opinions of many in prisons, and censored Iranian journalists in exile and inside Iran.

Thank you very much.

•(1335)

The Chair: Thank you.

Colleagues, it's 1:35. As a practical matter, this leaves us with 25 minutes, which means four minutes each. That's probably going to mean one question each, unless you get a very brief answer to your initial question.

Let's begin with Mr. Sweet. Then we'll see if we're able to fit a second question in for each questioner. It will have to be based on the time used up in the responses.

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

I'd just like to say one thing on the record. I said it last time, but I would like to say it a little bit more fulsomely. How are we, or really anybody who's observing, to believe there's any level of authenticity or credibility on behalf of the president and the Iranian regime's nuclear negotiators when they continue to make commitments, repeatedly, to take action to remedy their human rights infractions, but subsequently not only fail to keep those promises but also increase their barbarity and tyranny over their own citizens?

We've just again heard testimony today from Mr. Bahari and Mr. Shaheed that nobody is really out of the purview of persecution, whether it's women, youth, Sunni Muslims, Christians, or Baha'is. It just continues to go on, promise after promise after promise.

With that in mind, I hope I can get two questions out. Perhaps I could get a quick response.

Mr. Shaheed, do you know what the disposition of Pastor Saeed Abedini is at this time? Do you know if he's still alive and safe inside prison in Iran?

Dr. Ahmed Shaheed: Thank you for the question.

I am very concerned about his health and safety. There have been some concerning reports of his access to health care and of course, his condition in prison. I don't have any current information beyond the last couple of weeks, but the last reports I had were of concern about his health condition, access to services, and the particular prison in which he was being kept.

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

Mr. Bahari, what do you say to this comment based on a question regarding Jason Rezaian that was raised by Charlie Rose on the Public Broadcasting System? On April 28 he asked a question of Mohammad Javad Zarif, and his response was, "We do not jail

people for their opinions....The government has a plan to improve, enhance human rights in the country...."

Mr. Maziar Bahari: I was asked to be brief. It's a lie.

Mr. David Sweet: Thank you.

The Chair: You don't have to keep it too short. It wasn't meant to cut the length of your responses down. It was actually meant to ensure that you're the ones who do the talking, not the questioners, and you still have time.

Mr. Maziar Bahari: It is a lie, and I cannot say anything beyond that. It is a lie. Mr. Zarif knows it's a lie. Different people are trying to interpret it differently, that technically it's not a lie because he's talking about Jason Rezaian, and Jason Rezaian technically was not arrested because of his work as a journalist. But Mr. Zarif knows it's a lie. Everyone knows it's a lie, and unfortunately this is a regime that is being based on a lie. Even some of the supporters, they think that a white lie is a good thing if it's necessary to protect your interests.

Mr. David Sweet: Thank you, Mr. Bahari, and if I may say to the Chair, it's an example of Mr. Bahari's character that he can come here, and after being jailed and tortured, he can still say that there are some good people in the regime. It speaks to the immensity of your character, Mr. Bahari. Thank you very much for your testimony.

Mr. Maziar Bahari: Thank you.

The Chair: Let's go to Mr. Marston.

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): I'll start off with Mr. Bahari. The first thing is, when Rouhani was running, you yourself supported him because, as you said, he was the best of a bad bunch. Do you think the fact that he has not implemented some things in the platform that he ran on is his own choice, or is it because of the pressure of the people around him not to?

•(1340)

Mr. Maziar Bahari: I think it is a combination of the limit of his power as the president of the country, and also Rouhani, in his heart of hearts, is not a democrat. He is a businessman. He's a pragmatic politician and as a pragmatist, he knows that respecting human rights, not persecuting different groups, including the Baha'is and Christians, is good for business. He's also a man who places his own self-interest above anything else, so while the judiciary, the guards, and the police are persecuting different groups, he's not going to say anything, because he doesn't want to jeopardize his own situation.

Essentially, what happened in 2013 during the presidential elections was a referendum for the nuclear negotiations. People voted for Rouhani because they did not want to be a pariah state much longer, and Rouhani presented the best way out of the nuclear impasse.

Mr. Wayne Marston: Mr. Shaheed, we had Shirin Ebadi, a Nobel prizewinner and a lawyer from Iran, before this committee. Dr. Akhavan has testified here on a number of occasions. Both of those people, who have deep roots in Iran and very strong interest in the future of Iran, said that any systemic change in that country to overcome the violations of human rights and the violations of their own constitution in so many ways has to come from within and not without. There are a lot of people who are critical of Mr. Obama for the package that has been put together to prevent nuclear spread. People are saying that it won't stop the spread, that it will just delay it.

On the first point, I'm curious to hear your observations as to what you think. Is there life to a movement for change in that country?

Dr. Ahmed Shaheed: In the four years I have been observing Iran, I have seen the government dismantle systematically whatever space, whatever structures there were for the people to be more assertive of their rights. Civil society is now severely curtailed in the country. Three or four years ago, it remained viable to organize protests and push back laws that were in the parliament for their interests. Now even that space is gone.

Really, what we saw in Iran a few years back, a very active civil society that was able to mobilize itself, has now been dismantled by a mixture of, I think, persecution, regression and other developments, leaving almost no space for a homegrown, as it were, movement in that country.

I do agree there must be domestic ownership of change. That is what makes it sustainable, but if you look at what happens in the world, it's a combination of domestic ownership and international support that maintains momentum towards positive change.

Mr. Wayne Marston: How is my time, Mr. Chair?

The Chair: You have 20 seconds.

Mr. Wayne Marston: On the periodic review of Iran, like so many other things, they agree to it, but they're not living up to it. I think one of the ways to support what you're saying about international pressure is to keep it on Iran.

It's more of a comment, because I only had 20 seconds.

Thank you, Mr. Chair.

The Chair: Thank you.

Ms. Grewal, please.

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Thank you to the witnesses for your time.

Mr. Shaheed, in March, you indicated that the situation in Iran was worsening under President Rouhani. You warned that Iranian authority continues to harass, arrest, prosecute, and also imprison many members of society who express criticism of the government or who publicly deviate from officially sanctioned narratives. Our government is deeply troubled by the ongoing and deliberate failure of the Iranian regime to abide by domestic and international human rights obligations and commitments. We have applied sanctions, including sanctions under the regulations implementing the United Nations regulations on Iran, and we have made public statements calling on Iran to fulfill its human rights obligations.

Could you please tell us what more nations could do to improve human rights conditions in Iran?

• (1345)

Dr. Ahmed Shaheed: There's a lot more, in fact, that I think our countries can do.

Of course, continue sustained focus and pressure is one. Another, I think, is engage more broadly the whole community of human rights promoters, including the UN system. There is a UN country team in Iran which has programs in which they are in contact with the government. These could have a sharper human rights focus. The UN membership can support or encourage these people to become more focused on human rights. The UNODC, United Nations Office on Drugs and Crime, has a program in the country supporting combatting the drug trade. This could become more human rights friendly, or become more focused on rule of law and the judiciary, so there are still avenues open for countries to take them to task in a more fine-grained manner on human rights violations.

Mrs. Nina Grewal: Is there a danger, if the nuclear issue with Iran is solved, that international pressure on human rights will ease? What measures can be taken to ensure that a nuclear deal doesn't betray human rights?

Dr. Ahmed Shaheed: I don't think a nuclear deal would suddenly ease the pressure on human rights, although it could have a distraction from it. I think because of continued human rights violations in the country, people and countries will remain concerned about rights violations. With persecutions of the order you referred to, then it is right and would be the case that we would be concerned about that.

It will be important to give more space to the Iranian people to activate their voices, to hear more from the victims of rights violations, to give more encouragement that they can become active in talking about themselves and therefore ensure that their own commitment to more human rights remains strong, regardless of other considerations, which are also legitimate and are also ongoing at the same time.

Mrs. Nina Grewal: Thank you, Mr. Chair.

The Chair: Thank you.

You still have another minute and a half, if you'd like to use it.

Mrs. Nina Grewal: Mr. Chair, I'll pass my time to Mr. Sweet.

The Chair: All right.

You're okay as well?

Mr. David Sweet: Yes.

The Chair: All right.

In that case we'll now go to Mr. Cotler.

Mr. David Sweet: To whom I will donate that minute and a half.

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

I want to commend both our witnesses for their exemplary and excellent testimony.

Since I have an extra minute and a half, I'll put two questions, one for each of you.

The first question is for Maziar Bahari.

You shared with us some of your initiatives in terms of journalism is not a crime and education is not a crime, and the last, as you mentioned, dogs are not a crime. You mentioned that if you had more time, you might elaborate on some of this. I'd like to give you more time on any of those issues.

Dr. Shaheed, as we've said, we've been having Iran Accountability Week while the nuclear negotiations have overshadowed, if not sanitized, the human rights violations. We wanted to sound the alarm on these human rights violations. How can we try to help to make sure this alarm is being heard?

We'll start with you, Maziar.

Mr. Maziar Bahari: Thank you very much for your question.

I think, as Dr. Shaheed said, the Iranian regime is trying to limit the space available to the Iranian people, especially young Iranians, as much as possible, to deny them physical space by persecution, incarceration, torture, and a crackdown on different newspapers and publications, but they're also quite active in cyberspace.

We have to realize the Iranian regime is ultimately an analogue regime operating in the digital world. It's a regime that is very similar to the Soviet Union's regime, which is very good at interfering with shortwave radios, shutting down newspapers, and jailing people, but when it comes to social media, to Internet digital technology, the people of Iran are always one step ahead of them.

In our initiatives, which are mostly online initiatives, we are trying to provide that cyberspace to Iranian activists and civil society. As Dr. Shaheed correctly noted, Iranian civil society is physically restricted, but there is a very vibrant and very lively dialogue going on in cyberspace and that has an inevitable effect on the physical civil society discourse as well.

One of the initiatives that we started about two years ago was education is not a crime, which is a campaign for the rights of the Baha'i religious minority to study and teach in universities. As you know, Baha'is cannot teach or study in a university. I made a documentary film called *To Light a Candle*. Then we made that documentary available online in Persian for anyone who wanted to download it. From what we know, and of course we cannot have any official statistics, different groups of people download that film and watch it together.

Also, we had another international campaign last year on the last Friday of February in almost 400 cities around the world from New Zealand to Hawaii. They watched the film on the same night. The campaign is still going on. In the second phase of the campaign we want to create murals and graffiti all around the world, again with the help of citizens, not only Baha'is or Iranians, but other people, to raise awareness about this issue.

With journalism is not a crime, the website is available for Iranian journalists to be in touch with each other. As I mentioned in my testimony, many people around the world do not know the names and faces of these Iranian journalists. They're just statistics: 45, 56, 65. They don't mean anything, so we are trying to document every person who's been in prison in Iran. We started in 2009 and right now we have a wall of shame. The website is going to be revamped,

and we're going to have different events around the world with different festivals.

We also provide psychological and legal counselling to journalists. When people are arrested, they do not know their legal rights. When their belongings are confiscated, they do not know whether it is legal or not. In the interrogation room the interrogator can mention different articles of the constitution and they do not know that. We are providing legal counselling, both for the journalists and for the families of journalists to refer to, but lawyers are also available to give counselling.

There are many other "is not a crime" topics. As you know, they arrested some young people who were dancing to the song *Happy*. Maybe young people know the *Happy* song by Pharrell Williams, so we have made a website for happiness is not a crime.

• (1350)

The last one is "being a dog is not a crime", which in a few days has gained 5,600 followers on Facebook, because the inhumane treatment by the Iranian government goes beyond people. Stray dogs are killed on the streets of different cities across Iran. We think, and I think the majority of young Iranians think, that life has to be respected. That's why they have reacted positively to our campaign.

Hon. Irwin Cotler: Dr. Shaheed.

Dr. Ahmed Shaheed: Thank you very much. It's a very vital question.

I hold that a nuclear deal is not the end of anything. I think it's the beginning of a new phase. I liken it to a first half goal rather than the golden goal that finishes the match. There's a need to maintain and to play the game to make sure you defend your interests.

It's been said for a long time now that security, peace, and development are interrelated. Without human rights we don't have peace, or development, or security.

If we are seeking security through a nuclear deal, it becomes important to realize that unless the countries concerned also respect your human rights you will continue to have that country as a source of concern.

We aren't concerned with human rights in Iran because they possess a nuclear weapon; we are concerned because these violations represent a very egregious situation for the values we hold dear. When countries violate human rights, they become a problem of their own, to their neighbours, and to others as well.

These concerns will continue regardless of whatever deal may become feasible on the nuclear front. Once they have a deal of any sort, any agreement of any sort, what is required to maintain that transparency? Accountability, good faith, and performance all apply in a good equal measure to those undertakings and on the human rights field as well. If countries aren't willing to address these concerns across the board in the same manner, then how secure are you on any front?

I maintain that you cannot divorce security from respect for human rights. In the long run, if we are concerned about stability, and if we are concerned about security, we have to take on board the fact that democracy and respect for human rights are an integral part of the order of framework. Therefore, we have to bear that in mind.

• (1355)

Hon. Irwin Cotler: Thank you.

The Chair: Thank you very much.

We'll go now to Mr. Hillyer.

Mr. Jim Hillyer (Lethbridge, CPC): You talked about some of the reasons that the current president was elected. How much choice did they have in electing whomever?

Mr. Maziar Bahari: How much choice did people have?

Mr. Jim Hillyer: Yes.

Mr. Maziar Bahari: There were six or seven candidates. People could choose any of them.

Mr. Jim Hillyer: Were these six or seven...could anyone run?

Mr. Maziar Bahari: No. That's what I'm saying. He was the best of the bad choices. They had to go through the filter of the Council of Guardians. Of course, many people were rejected, including former presidents. Only these people were available to the people. People were wise enough to vote for the candidate who was least liked by the supreme leader of Iran.

I think what we have to understand about the 2013 election is the fact that Rouhani was elected as the legacy of the 2009 election, and that people came to the streets in millions and protested against the rigging of the election in 2009. The regime did not want a repeat of the same thing and allowed people to vote for the person they elected.

Mr. Jim Hillyer: When it comes to other countries putting pressure on countries with human rights problems, the reason it works presumably is that even dictators and abusers of human rights care about the world view. They get shamed. That's one of the reasons the Obama administration pulled back on the sanctions.

At the last meeting we were told by witnesses they believed the international community was on the verge of success with the sanctions, and they were about to do their job, when they pulled back. One of the reasons given is if we isolate them, then the shame doesn't work. It only works if there's a relationship.

I want to get your comments on that balance between having a relationship and where the shame works. If you go really far, and the shaming is high and you don't talk anymore, now you don't have the relationship for it to have an effect.

Mr. Maziar Bahari: What we have to understand about the Iranian government is that it is not North Korea. It is not Saddam Hussein's Iraq. It is not Nazi Germany. It is a country that is authoritarian, but it's not totalitarian. It's an oxymoron. It's an Islamic republic, as they call it.

It is an authoritarian regime that has a supreme leader who has the ultimate power in terms of military and foreign affairs, but at the same time, the regime was brought to power by a very popular revolution, and it needs people to support it.

On one hand, they have to be in power through any means possible, but on the other hand, they have to seek legitimacy. In that order, if you think about the Iranian narrative from that point of view, the sanctions work in order to put pressure on the Iranian regime, but they do not work if you want to change the regime with the sanctions. You can change certain things within the regime through the sanctions, but you cannot change the regime through the sanctions.

Ultimately, when you also look at the Iranian historical narrative, the Iranians are very resentful of foreign interference because Iran has been at the crossroads of different cultures. It's been invaded since Alexander the Great invaded Persia and burned down Persepolis. Then the Arabs invaded Iran, then the Mongols, then the allied forces.

Iranians are really resentful of any kind of foreign pressure, but at the same time, young Iranians would like to be in touch with the rest of the world. It's a very delicate balance: how much pressure should you put on the Iranian government and where?

• (1400)

The Chair: Thank you.

We'll go to Mr. Saganash, please.

Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP): Mr. Chair, first of all, I want to thank and commend the two witnesses today for their extremely important testimony. It's very important for this subcommittee.

I feel very privileged, as well, because as a jurist specializing in international law and international human rights law, these are issues that I've dealt with my entire life, so thank you for that testimony.

I would like to ask Mr. Shaheed some questions.

I know the very important universal periodic review mechanisms at the United Nations are important for the kinds of issues that we deal with. Having participated in those different mechanisms over the years, for 23 years, as a matter of fact, I know very well the halls of the Palais des Nations in Geneva. I know their relative influence sometimes on the member states that are being reported on. I know the limited possibilities of the conclusions and recommendations being actually implemented by the member states.

How important is it still to pursue those mechanisms?

I know Canada has been introducing resolutions to the UN every year condemning the human rights violations in Iran. How important are these initiatives for a country like Iran, and situations in Iran?

Dr. Ahmed Shaheed: I want to make two comments on that.

One, there is something called the spiral model in the literature on human rights promotion. There are countries that want to take care of their reputation. Iran does care for its reputation. They engage in a limited fashion hoping to tactically remove the pressure, but in the end, they get caught up in deeper affairs at home. For this, what must be done is to identify aspects in which Iran could, in their perspective, safely pursue engagement and embed a structure that can lead to longer term change. In that way, pursuing this would be important as long as there's an effort made to pursue them. I think more can be done in the UN context to operationalize those recommendations and pursue them going forward.

The resolution that Canada proposed in the UN General Assembly remains the highest bar for Iran to achieve and the loudest message that Iran gets on what it ought to be doing. Therefore, it has a very valuable purpose in helping everybody, Iranis, and whether to go....

Again, unlike other countries, as we mentioned here, like North Korea and so on and forth, Iran cares more about its reputation than North Korea does, so it does engage in Geneva and in New York. It tries to elect members from Iran into various bodies in the UN. Sometimes they do get elected, and sometimes they don't. This discourse in the General Assembly, to highlight their reputation, does give them an incentive to make some changes.

The follow-through needs to be more consistent and more penetrative in order to pursue those to a more effective conclusion.

Mr. Romeo Saganash: I'm a true believer in the principles and purposes of the United Nations. I think no country should ever shy away from reminding other member states that we are bound by the UN charter. I think that is something that needs to be said over and over again to other member states. I think Canada should never shy away from doing that. Do you agree?

Dr. Ahmed Shaheed: Absolutely, I think it falls upon all members of the United Nations to ensure that all members actually advance the common goals, set the common standard of 70 years ago now when the UN charter was set up. I certainly agree with you, sir.

• (1405)

Mr. Romeo Saganash: Thank you.

Thank you, Mr. Chair.

The Chair: Thank you very much.

Colleagues, we are indeed out of time.

First of all, I appreciate our witnesses, who I think deserve thanks from all of us for their excellent testimony and their ability to focus on the facts and on what's important, and to convey that to us. That's very much appreciated, and thank you to all of you as well.

We are adjourned until next Tuesday.

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