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Mr. Michael Levitt

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•(1305)

[English]

The Chair (Mr. Michael Levitt (York Centre, Lib.)): Good afternoon, everyone. Today we have two very special guests, both past guests of this subcommittee and appearing by video from Oxford in the United Kingdom and Munich in Germany.

Before we begin, let me say that we are undertaking two days of hearings as part of this subcommittee's annual Iran accountability week, the fourth annual Iran accountability week. We, as the human rights subcommittee, want to be on the record that the aspect of human rights issues in Iran is always top of mind, and we want to ensure that these issues maintain their significance and publicity.

On today's panel we have from Munich Dr. Ahmed Shaheed, UN special rapporteur on the situation of human rights in the Islamic Republic of Iran, and from Oxford, Payam Akhavan, professor at McGill University—my alma mater—and founder of the Iran Human Rights Documentation Centre.

Professor Akhavan, if you'd like to start with your opening remarks, that would be fantastic. You have 10 minutes.

[Translation]

Dr. Payam Akhavan (Professor, McGill University, As an Individual): Thank you.

Mr. Chair and honourable members of the committee, good afternoon.

I'd like to begin by thanking you for the opportunity to appear before the committee. I'm sorry that I can't be there in Ottawa with you, in person.

For more than 10 years, I have been reporting on human rights issues in Iran, and while many things have changed, much has stayed the same. However, we are now at a crucial point in the relationship between Iran and the international community, making this a perfect opportunity for Canada to revisit its policy on Iran to determine whether and how restoring diplomatic ties with the country would improve the human rights situation for Iranians.

[English]

I will reflect today on whether and how Canada should restore diplomatic relations with Iran in order to advance the cause of human rights. I will begin with a short summary of the current conflict to shed some light on this complex question.

As you're aware, on July 14, 2015, the P5+1 concluded the joint comprehensive plan of action in Vienna to resolve the confrontation over Iran's nuclear program. This was made possible by the pragmatic shift in the foreign policy of Iran, beginning with the presidency of Mr. Hassan Rouhani in 2013.

Under his more divisive predecessor, Mr. Mahmoud Ahmadinejad, relations with Iran were defined by threats of war and punitive economic sanctions on the nuclear issue. The willingness to compromise on the nuclear issue reflects the cost-benefit calculus of self-preservation. The regime needs international engagement to survive. It struck a bargain because it had no choice.

This rapprochement has certain benefits. For one thing, it has reduced the threat of war. The violent disintegration of Iraq, Syria, and Yemen demonstrates the catastrophic consequences of armed conflict. The nuclear bargain has also given ordinary Iranians hope that the lifting of sanctions may improve their difficult living standards, just as they suffer from hyper-corruption and economic mismanagement.

The pragmatists understand that they must produce results for the people in order to keep the hard-liners at bay. The regime has not forgotten the Green Movement of 2009. Although it was brutally crushed, it signalled a seismic shift in Iranian popular consciousness. Just beneath the surface of authoritarianism, there is a significant fragmentation of power among political elites and, more important, a vibrant youthful population and civil society clamouring for change. These forces cannot be repressed indefinitely.

Among bad options, a gradual non-violent political transition is still the least bad option for the future of both Iran and the region. Having said that, there should be no illusion that strategic concessions in foreign policy would immediately translate into improvements in the human rights situation.

The pragmatists are not reformists. They are skilful at the double-talk of telling western audiences one thing while continuing business as usual at home. The Iran Human Rights Documentation Center reports that in 2015, the same year as the nuclear accord, there were 966 executions, an increase of 34% over the previous year. This spike in capital punishment occurred at the same time as Iran's diplomatic charm offensive; so did the escalation of atrocities against civilians in Syria, in which the IRGC and Hezbollah have played a vital role.

In their eagerness to reap commercial profits, some of the Europeans have hastily swept human rights concerns under the carpet. There are lucrative deals to be made, but those who would only think of money without ethical concerns should think twice about doing business in a country in which anyone can be arbitrarily imprisoned.

Consider the case of Siamak Namazi, a respected Iranian American businessman and vocal opponent of sanctions who was imprisoned in October 2015 on baseless charges. To add insult to injury, his 80-year-old father, Baquer Namazi, was also arrested in February of 2016. It seems that dual nationals are particularly attractive bargaining chips for the Iranian regime.

Canada must consider renewed relations with Iran with its eyes wide open. In particular, there's a danger that the diplomatic pendulum will now swing from belligerence to appeasement. In that regard, the resumption of diplomatic ties is an important bargaining chip that Canada should not easily throw away. Canada is important for the Islamic republic's political elite, and not just for international legitimacy. Many regime insiders have both their families and their investments in Canada. Canada benefits from this immense flight of capital. It also benefits from the massive brain drain of highly skilled young Iranians who leave in search of opportunity.

With such a significant Iranian community, Canada has a special moral responsibility to speak truth to power, at the very least.

We should not forget that many Canadian Iranians are deeply affected by these abuses. In fact, today is the fifth anniversary of the execution of two brothers, Mohammad and Abdullah Fathi Shoorbariki, aged 27 and 29 when they were put to death, apparently on political grounds. Their mother, Ms. Mahvash Alasvandi, lives in Toronto, mourning the loss of her children every day. The suffering is right here in our own midst in Canada.

In this context, while there may be good reason for Canada to cautiously begin engagement with Iran, the resumption of diplomatic ties is a bargaining chip that can only be used once. Since the Islamic Republic of Iran is so good at bargaining, what will Canada get out of giving Iran what it so eagerly seeks? Of course, Iranian Canadians need consular services and Canada needs to play the geopolitical game in the volatile region of the Middle East, but is there also room to extract concessions from Iran on the human rights front?

I will begin with the notorious case of Saeed Malekpour, a Canadian resident awaiting his citizenship when he visited his ailing father in Iran in October 2008. He was imprisoned on baseless charges and has endured eight years of abuse in the infamous Evin prison. Surely, Canada can demand his release as a precondition for diplomatic re-engagement. Yesterday, Saeed's sister, Maryam, living in Vancouver, sent me the following message:

The only hope we have for Saeed's release is the Canadian government. I would like for them to ensure that Saeed's release is a pre condition for reestablishing relations with the Iranian government. If the Canadian government doesn't push for Saeed's release, I can't see the Iranian authorities releasing him.

What a powerful message it would send to Iran if Canada demanded the release of Mr. Malekpour.

I would also like to mention here the case of the Baha'i religious minority. This community is the canary in the mine shaft for human

rights in Iran. As the regime's scapegoat of choice, Baha'is are vilified through a steady stream of hate propaganda as American spies, Zionist agents, Russian imperialists, Wahhabis, satanists, promiscuous drug dealers, and every other conceivable evil in the fertile imagination of Iran's demonologists. More simply, they're deemed wayward infidels and systematically denied basic human rights. Putting an end to the persecution has emerged as the litmus test for equal rights in Iran.

I should mention here the case of the seven Baha'i leaders who were arrested on May 14, 2008, exactly eight years ago this past Saturday. They were sentenced to 10 years for baseless crimes of espionage and insulting Islam and the like.

• (1310)

It is a sign of the times that human rights icon, Ms. Nasrin Sotoudeh has joined forces with the eminent Shia Ayatollah Masoumi Tehranito call for their release.

One of the prisoners is Ms. Fariba Kamalabadi. Her daughter was 13 years of age when Ms. Kamalabadi was first arrested. She had to watch from behind bars as her daughter graduated, then married, then became a mother. Just recently Ms. Kamalabadi was given a short leave. She was visited by her former cellmate, Faezeh Hashemi, the daughter of Iran's powerful former President Akbar Hashemi Rafsanjani.

Her visit was a matter of acute controversy. It was covered, apparently favourably, by the Islamic republic's television news. This is an unprecedented rebuttal to the hate-mongering of the past, yet at the same time there have been mass arrests of Baha'is elsewhere in the country, and many have been subject to torture.

In these circumstances if Iran wants diplomatic relations, could Canada call for the release of the seven Baha'i leaders as a gesture of goodwill?

These contradictory forces are a stark illustration of the past and future of Iran. Just as a new political space of reconciliation and shared humanity emerges, the fanatics and hard-liners desperately cling onto their old ways through hatred and violence.

As Canada pursues its policy of principled pragmatism, or what Foreign Minister Stéphane Dion called "responsible conviction", we should ensure that we are on the right side of history. The political elite of the Islamic republic are only one part of the picture; the people of Iran are the more important part. Re-engagement must go hand in hand with moral clarity.

Thank you, Mr. Chair.

• (1315)

The Chair: Thank you very much, Professor Akhavan.

Dr. Shaheed, would you please also do 10 minutes for your introductory remarks.

Dr. Ahmed Shaheed (United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, United Nations): Thank you, honourable Chair, and honourable members.

I will begin by thanking the committee for inviting me to contribute to hearings as part of Iran accountability week, and on my work for the UN in investigating the human rights situation in Iran.

In 2011, when I began my mandate, Iran's record of co-operation with UN human rights mechanisms was arguably at an all-time low. Iran was still reeling from the effects of its biggest post-revolution crisis: the post-2009 election protests, which led to the death of peaceful protestors at the hands of security forces and thousands of arrests and convictions following grossly unfair trials. The experience appeared to have emboldened hard-liners' stance against engagement, or as they called it, "interference" by the UN or the international community in the name of "human rights".

The UN special procedures had been denied country access for six years despite a standing invitation pledging to allow special procedure requests to visit the country, and Iran had the largest number of unanswered communications issued by the special procedures. Despite being a signatory to five international human rights treaties, Iran had not undergone a review by a relevant treaty body in years. At the start of my mandate, the government rarely addressed the allegations in my reports with qualitative information, and instead chose to dismiss them as propaganda and lies.

Now almost six years later we can look to a record of co-operation with UN rights bodies and mechanisms and acknowledge Iran has indeed made some progress toward engagement on this front. It has invited two mandate holders to visit the country in the coming months, undergone reviews by three treaty bodies, and will submit to a review by a fourth treaty body next year. Its rate of response to special procedure communications has improved, including my own. In fact, over the past five years, the quality of the government's response to my reports has improved and now includes substantive information regarding specific allegations.

In addition, the Iranian authorities regularly meet with me in New York and Geneva and have increasingly arranged meetings with other stakeholders, including judges, security forces, and members of civil society, including independent NGOs.

I firmly believe the current course of action taken by the world community has contributed to Iran's reorientation. This includes the UNGA resolution on Iran first tabled by Canada in 2003, after the torture and murder in an Iranian jail of the Iranian Canadian photojournalist Zahra Kazemi, and the Human Rights Council's decision to return Iran to its agenda in 2011.

Both of these measures have played a unique and vital role in encouraging the authorities in Iran to increase their co-operation with UN human rights mechanisms. Without a doubt, some of this progress in co-operation is a result of internal political changes in the country, including the election of President Hassan Rouhani and an administration that has put re-engagement with the international community at the top of its agenda albeit, as Professor Akhavan noted, out of lack of choice.

There is little doubt in my mind that continued international focus on Iran's human rights record has also played an important role in the government's changing behaviour. After all, Iran is a country that cares about its global reputation, and I believe the price of non-cooperation became too high to accept for government officials keen on re-engaging with the world community.

More specifically, when it became obvious to government officials that non-cooperation with my mandate would not prevent me or the UN Secretary General from producing detailed reports alleging serious rights violations in the country, cooler heads, I believe, prevailed and decided to advance a policy of engagement with the international human rights system, even if it meant only to give their side of the story. Even if, as some say, this change is a result of moderates convincing hard-liners in Iran that it makes sense to engage with the UN rights mechanisms in order to ultimately convince the world community that they no longer needed it, it is indisputable that the pressure and focus have resulted in a change in behaviour. If this change continues in a meaningful way, it can save lives.

Last year, 70 members of Parliament tabled a bill, which if approved by the Parliament and the Guardian Council, would reduce the punishment for non-violent drug crimes from death to life imprisonment.

● (1320)

If the bill becomes law, it could reduce execution rates by as much as 65% to 70%. Officials, including judges, who have sentenced non-violent drug offenders to death, cited the increasing number of criticisms from UN human rights bodies regarding execution of drug offenders as a reason that it was necessary for them to rethink the use of the death penalty in Iran. The world community needs to continue supporting these mechanisms because we have not yet seen demonstrable and concrete improvement in the situation in the country on the ground.

Though I applaud the government's increasing engagement with my mandate, I want to stress that Tehran still refuses to allow me into the country to carry out my work.

Perhaps more troubling, people in the country who the government assumes have co-operated with my mandate have been the targets of government reprisals. And although two special procedures have been extended invitations, Iran continues to ignore repeated requests for country access from special procedures that have been trying to visit the country since 2003 to document pressing rights violations. Iran has refused to accept the vast majority of recommendations that member states provided regarding core civil and political rights reforms during the last two rounds of the universal review process conducted as part of the universal peer review process in 2010 and 2014.

More importantly, however, the human rights situation in Iran remains quite grim and requires continuing international attention. Just this morning I heard the grim news that 13 individuals were put to death in Iran, including one public execution. In my last address to the Human Rights Council this past March, I identified some very real challenges Iran faces and must address if there is to be a real improvement in what's happening in the country.

My last report included information regarding a wide range of issues, from the staggering surge in the execution of at least 966 prisoners in 2015, executions that Professor Akhavan referred to just now, the highest rate now in well over 20 years to discriminatory practices against women and girls. The government continues to execute juveniles, fundamental problems with the administration of criminal justice persist, religious and ethnic minorities face persecution and prosecution, and human rights defenders, including journalists, the mainstays in any democracy, continue to face capricious treatment at the hands of the authorities.

In short, much work remains ahead, and I don't believe that now is the time to divert attention away from Iran's human rights record, abandon the support for rights mechanisms, and course of action that have been invested to date, and which may have produced some results.

We must not forget the lessons of the past. In 2002, the mandate of the previous UN special rapporteur on the situation of human rights in Iran, Professor Maurice Copithorne, was not renewed. At the time, a reformist president, Mohammad Khatami had just begun his second term. The UN began a dialogue with Iran, and there was much hope that the world community engaging with Iran would improve the public situation, but this didn't happen. Hard-liners in Iran increasingly frustrated Mr. Khatami's reforms, and the political openness that characterized his first four years soon evaporated.

By 2005, the EU's dialogue ended. Iran stopped granting access to UN procedures, and Iran became ripe for rights abuses perpetrated by members of security forces and the judiciary.

Today as we consider our future engagement, we must reflect on this past and on the sense of the time. We must encourage accountability by applauding progress, demanding accountability, and admonishing non-compliance.

I believe now more than ever it is time for Canada and the world community to work hand in hand to find effective and better ways to engage with Iran on human rights as they look to broaden their political, economic, and cultural engagement with Iran. Increasing engagement with Iran and continued focus on human rights, in my view, are not necessarily mutually exclusive. As I've said before, Iran's re-engagement with the world provides a golden opportunity, not just to reach out to world leaders, but also to ensure that businesses and others can also contribute to advancing human rights in the country. But such engagement, partly inevitable as the sanctions regime is wound down, must still proceed with caution, never at the expense of clear, strong, and public support for better human rights protection without which there are no real long-term dividends. Engagement must create more transparency and not obscure the focus and concern for human rights.

Thank you.

•(1325)

The Chair: Thank you very much, Dr. Shaheed.

With that, we will go into the first round of questioning, and MP Anderson, you have the floor.

Mr. David Anderson (Cypress Hills—Grasslands, CPC): I want to thank you, gentlemen, for appearing before us today. I appreciate your testimony.

I'm a bit concerned when I hear you talking at the end about the fact that we need to demand accountability. It's great that we're engaging with them, but then earlier you had said that we've not seen any demonstrable and concrete improvements in the human rights situation.

Is most of what they're doing a public relations exercise rather than something that's practically affecting the people of Iran?

Dr. Ahmed Shaheed: If I may answer, I have not observed substantive change in the way the government has operated with regard to human rights. In fact, in some areas there is a serious escalation of violations. An example would be the right-to-life situation in the country. At the same time there have been some modest steps taken with the intent of addressing issues. This includes the reform of the criminal procedures court, which have a number of elements that are worth noting, but also areas of concern. One example here of course is that while the new procedure would allow access to a lawyer from the very first day of detention it also has a provision that, in certain crimes, that lawyer would have to be somebody who is from a list of chosen [*Inaudible—Editor*]. There are some signals that things could change but the reality, the actual output on the ground, is really either the same or in some areas getting worse.

Mr. David Anderson: Go ahead, sir.

Dr. Payam Akhavan: Let me just quickly add to what Dr. Shaheed has said. I think that we have to see the questions of improvements in a broader context of what is happening in Iran today. The Iranian political elites are under pressure both from above and below. They need to re-engage internationally but they also need to appease their own populations because they fear a resumption of the popular uprising that Iran witnessed in 2009. So the point is that it's not just about what the political elite wants to do, it's under pressure. That is why I think there is an opportunity beyond the short-term concessions they've made simply to get it their way on the sanctions to make it clear to them that re-engagement will come at a cost in terms of improving their human rights record.

If I may just add, the example I gave of the Baha'i community shows that Iran is moving in two opposing directions. On the one hand, there is an unprecedented outpouring of sympathy for this persecuted minority, but because of that the hard-liners are escalating and becoming even more violent and fanatical. So we may see opposing tendencies at the same time.

• (1330)

Mr. David Anderson: I'm glad you brought that up. We did do a statement last week on the issue. I'm just wondering about something. You mentioned that one person had been released on a short-term leave and they set up, I assume, a public relations meeting. But has there been any progress made, in your opinion, in securing their release and the release of other religious prisoners in Iran? When you see these kinds of activities, where they're increasing that kind of persecution, is that more of a local nature? We see in China that a lot of the provincial authorities seem to make those decisions. But is this a national approach that they're taking still or is it now being isolated into local areas where people would be picked out specifically because of their faith in the local community?

Dr. Payam Akhavan: I will defer to Dr. Shaheed on that but my observation is that the persecution of the Baha'i religious minority is a very long-standing policy in Iran. It is very deeply held. It's almost obsessive. I don't think that the local incidents are unconnected with centralized policy and design. At the same time, as I explained, the fact that the daughter of the former president is now consorting with Baha'i prisoners or the fact that a Shiite ayatollah is expressing sympathy is deeply disturbing for the regime. It's a sign of how much they're losing their grip on power. That's why I think that the release of the seven Baha'is is not just about the seven Baha'i leaders but it's about forcing the hand of Iran to end its wider campaign of incitement to hatred and violence. I think they will listen very carefully if a government like Canada demands the release of these prisoners.

Mr. David Anderson: Where do you see this going in the future? If you're talking about their being on a tipping point, where do you see it going? What are the two potential directions? Is it just a case of needing to keep international pressure on them and eventually they're going to change their ways, because it doesn't seem that they want to do that? You said there is no demonstrable or concrete improvements in human rights. I think both of you said that. But where do you see this going in the next six months or a year?

Dr. Ahmed Shaheed: If I may come in, the recently held election at the parliament has produced a parliament that, compared to previous parliaments, has less representation for the clerics and hard-liners than before. By and large, we're saying the majority are the pragmatists or moderates, and 18 women MPs also returned. There is potential that the new Majlis may be more open for moderate policies. I would not say reformist or progressive, but maybe moderate policies compared to previous parliaments.

There is a sense that Iran needs to address some issues that are long standing in the country, and President Rouhani's election pledges signify the need to cater to certain demands from these people.

Let me just add on the Baha'i issue that although the release of one of them is welcomed, and I have been calling for the release of all the seven leaders, I have noticed a steady rise in rhetoric against the Baha'i community. I've also reported, in my view, a growing victimization of them through a variety of means.

In my engagement with them, the one issue that they will not budge on is the Baha'i issue. They refuse to acknowledge that the Baha'i actually have any rights in terms of being citizens of the

country. If they proclaim to be Baha'i, then they lose a whole range of rights. This is one issue that I think we really need to be very, very adamant about, in ensuring that we demand that Iran change its behaviour towards this community.

The Chair: Thank you very much, gentlemen.

MP Khalid, your questions are next.

Ms. Iqra Khalid (Mississauga—Erin Mills, Lib.): Thank you, gentlemen, for coming in today to give us your presentations.

My question is specifically with respect to the sanctioning situation with Iran. The Government of Canada did cut diplomatic ties with Iran in 2012, and though we haven't officially restored them, we have announced that we're willing to open a dialogue with Iranian officials and use that opportunity to promote human rights for Iranians.

Would a restoration of diplomatic ties increase Canada's ability to engage Iran on its human rights record?

Either one of you may answer.

Dr. Ahmed Shaheed: The big contribution that Canada has made towards advancing human rights in Iran has been the resolution that Canada has been tabling at the UNGA and making sure it gets a growing number of countries supporting it. This remains the only, if you like, international announcement that has been made with regard to what Iran ought to do. That remains the most important platform.

In my view, if additional channels are opened which will also prioritize or stress human rights, then obviously that's an advantage. However, if what is chosen is quiet diplomacy through which transparency and rights issues are lost, then it would not add anything. In fact, it could probably demoralize many who are actually working to advance human rights in the country.

It is a choice to be made. How much public scrutiny will be maintained on Iran's human rights practices?

• (1335)

Dr. Payam Akhavan: If I may add to what Dr. Shaheed has said, I was speaking about the pendulum swinging from one end to the other. At one end, the pendulum is at a situation of total isolation, and the other is in a situation of unconditional re-engagement. I think the question, really, is how Canada can re-engage on a principled platform.

As I explained, I think Iran has much more to gain than Canada does from re-establishing diplomatic relations. Canada should use its bargaining chips with a great deal of thought. If there is a moment when we can extract some concessions, it may be now, when Iran doesn't have the guarantee that Canada has in fact re-established diplomatic relations. Let's use that bargaining chip as best we can.

Ms. Iqra Khalid: Thank you.

In using that bargaining chip, what concrete methods do you think that Canada should be using to re-engage Iran, specifically with respect to the human rights issue?

Dr. Payam Akhavan: I would think of two or three different items.

Firstly, as I explained, I think Canada should, perhaps through quiet diplomacy or otherwise, demand the release of certain prisoners. The Iranian regime has been taking prisoners for a long time and using them as hostages in effect. As I explained, the arrest of dual nationals, or simply people with foreign ties, is by deliberate design. I think that Canada should demand the release of Saeed Malekpour and the release of the seven Baha'i leaders. That is one concrete step that Canada can make.

Secondly, Canada can make it clear that resumption of trade and diplomatic relations will come hand in hand with a regular dialogue on human rights, and not the dialogue that happened with the Europeans during the Khatami regime, when nothing in fact changed on the ground.

Thirdly, I think Canada can continue to support the mandate of Dr. Shaheed, and continue to sponsor resolutions, which it has since 1980.

I think at three levels, Canada could engage in a kind of principled pragmatism in its relations with Iran.

Dr. Ahmed Shaheed: If I might add just one bit to this forum, I would also highlight that engagement is not just for the Government of Iran. It must also be with the Iranian people and Iranian civil society in the country in ways that they can be supported and encouraged to be more active in demanding their own rights.

Ms. Iqra Khalid: Thank you.

Changing tracks a bit, being a woman in politics, I was very happy to hear from you, Dr. Shaheed, that 18 women were elected to the Iranian government. It's very good to hear. Can you give us a bit more background on gender discrimination in Iran specifically?

We know that where there are minority rights violations and discrimination, the people who bear the hardest brunt of it are women, so I would like to have a better understanding of the situation of gender in Iran.

Dr. Ahmed Shaheed: In my reports, I have expressed CEDAW's concern about structural discrimination against women in the Iranian system. It's built in through the laws and through the practices. There's also a paradox to this, in that over the past 30-odd years women have attained huge strides in education in Iran. As a consequence, Iranian women are amongst the most educated, in fact, in the entire region.

What happens, though, is that this doesn't translate into actual economic empowerment. There are laws and practices that often inhibit women from joining the workplace. A new law that is just making the rounds of parliament now would actually require an employer to give first preference to married men with families, then to married men, and then to married women, leaving out any consideration for single women. These sorts of policies actually hinder women's rights.

Having said that, over the past five years that I have been observing Iran, women remain very powerful and active advocates for their own rights and also for the wider community as well. The election of 18 women to parliament I think signals the continuing role women have in public life, but it also has a lot of inequality built into the system.

• (1340)

The Chair: Thank you very much.

With that, we will now move to MP Hardcastle.

Ms. Cheryl Hardcastle (Windsor—Tecumseh, NDP): I'd like to thank the professor and the doctor for giving us their comments today. There's a lot for us to think about.

A few things were said recently that are very intriguing and that I want to ask about, but first I have a question.

I think it's most appropriate to go to you, Dr. Shaheed, with regard to the drug issues and the drug problems. In February of this year, Iran claimed to have executed the entire adult male population of a village with regard to drug offences there. I want to have some clarification about Iran's crackdown on drugs. Also, is Iran still receiving any funding support from the UN anti-drug agency?

Dr. Ahmed Shaheed: For the clarification on what you just cited, it was a report forwarded from the vice-president for women's affairs, Ms. Molaverdi, who said that there are villages—and she said “villages” in the plural—in Sistan and Baluchestan province where the entire population of males have been put to death due to drug policies. It is not just one village. It could be a lot more than that.

Around 60% or 70% of those who are put to death in Iran are put to death for non-violent drug offences. That is the scale of the use of the death penalty in various cases. This doesn't include those who get killed at the border, without any sort of legal process.

In terms of the UNODC and their program, yes, they have a fairly substantive program in the country. It focuses on supporting Iran's ability to interdict drug trafficking, but I have failed to impress upon them the need to use their experience or their expertise in supporting Iran in dealing with human rights issues in regard to the drug trafficking issue.

I also want to point out that recently Iran concluded a wider UN development framework program with the UN system, a three-year program. Again, I regret that it doesn't include any reference to human rights.

There is a lot more the UN can do, especially for those who are underground, in terms of taking a clearer stance on the human rights situation in the country.

Ms. Cheryl Hardcastle: Thank you.

Doctor, maybe that's an area this committee can think about with regard to some of the ways we can maybe clarify messages with the UN.

Dr. Ahmed Shaheed: Yes.

Ms. Cheryl Hardcastle: I just wanted to make sure that was an area we should focus on.

My next question would perhaps be for the professor.

With regard to engagement with the Iranian people as part of this platform for some type of diplomacy renewal that would tread carefully and would actually help Iran, I want to know a little bit more about what you see as some of the hurdles to engaging with the Iranian people, given that some of these human rights issues actually have to do with accessing social media, being informed citizens, and having freedom of the press.

What do you see as the underlying issues that this committee could really look at and consider?

Dr. Payam Akhavan: I think, as Dr. Shaheed said, it's very important to understand that there is a civil society in Iran, which is an entirely different political space, and that the Canadian government should include in its restoration of diplomatic relations people-to-people diplomacy.

We have in Canada a very large number of Iranian students, for example, and we have different means of trying to influence that growing public space.

I think in that regard, the total isolation of Iran has served the interests of the hard-liners. The more that Iranian civil society is cut off from the rest of the world, the better it serves the interests of hard-liners who want to keep people backwards and disengaged and isolated.

I also want to explain that sometimes symbolic gestures can go a very long way. For example, a delegation from the European Union visited Iran a few months ago and they insisted on meeting with Miss Nasrin Sotoudeh, who I mentioned in my testimony.

She is, if you like, Iran's Nelson Mandela. We had a question about gender discrimination. The biggest heroes of human rights in Iran are women like Shirin Ebadi and Nasrin Sotoudeh. The fact that the delegation insisted on meeting her very seriously irritated the Iranian government, but it sent a signal that these are the rules for re-engagement with the European Union.

I know that within the European Union there is also a big fight now among those who want human rights to be an ingredient and those who want to sweep it under the carpet.

In that sense, Canada can do a lot that may be of a purely symbolic nature, in addition to having programs that reach out to students, labour unions, women's groups, and environmental groups. That's why the gradual opening, if it is skilfully exploited, can actually help empower those progressive forces, which I think will reshape the future of the country.

•(1345)

Ms. Cheryl Hardcastle: Excellent. Thank you very much.

The Chair: Thank you.

Now for a five-minute question, we go to MP Miller.

Mr. Marc Miller (Ville-Marie—Le Sud-Ouest—Île-des-Sœurs, Lib.): Thank you both for coming. The question I have really goes to the point that Mr. Akhavan made about there being extremes in the pendulum regarding the approach to re-engagement. You mentioned initially that Canada had to play the geopolitical game. I guess it's a very important game and indeed not a game, but

at the other end, blind re-engagement is not advisable for all the reasons you mentioned.

Mr. Akhavan, you made a number of statements about Iranian civil society, notably that it has the biggest potential to develop and flourish compared to its similarly situated neighbours. I'd like you to develop that in the context of a careful re-engagement in terms of trade or lifting of various sanctions. Perhaps you could take a few minutes to juxtapose that with what the Europeans are taking and what kind of symbolic acts Canada can perform in order to get the right point on the pendulum to engage Iran and use the chips carefully.

Dr. Payam Akhavan: Well, as someone who formerly worked with the United Nations, I can say that in looking at how people look at peace negotiations, for example, there are those who are the political realists. They believe that human rights ideals are for a bunch of NGO activists and naive idealists, and that the real issues on the table are security, economic relations, and so on and so forth.

That is a very big mistake. The problems in the Middle East that we witness today, whether in Iran, Iraq, or Syria, are inextricably tied to the nature of the regimes. A regime that stays in power through inciting religious hatred and violence will not be a regime that is a good business partner or a means for sustainable peace and stability in the region.

I think in that sense, we need to mainstream human rights issues and not see them as the exclusive preserve of some naive idealists and activists. Respect for human rights is central to global governance. It's central to the future of the Middle East. One can just imagine what would happen, not just in Iran but throughout the Middle East, if those progressive forces, which are just beneath the surface, came to power in Iran. How would Iran reimagine not just its relations with its own citizens but its role in Lebanon, in Syria, and its relations with Israel and Iraq?

I don't have too much time to develop these ideas here. I just want to explain that human rights isn't just a moral issue. It's also a pragmatic issue, and it's part of the geopolitical equation.

•(1350)

Mr. Marc Miller: Thank you.

Dr. Shaheed, perhaps you could build on that. I note that your report was criticized by Iran in a very cavalier fashion. Where do you think western powers are going right in their approach to Iran—right or wrong, in fact—in light of the P5+1 agreement?

Dr. Ahmed Shaheed: In terms of human rights, I think maintaining that focus is the right thing to do. If there were a tendency to put human rights issues under the carpet, then obviously it would be a tragic mistake, with serious consequences down the line. It would not be sustainable, either.

To add to what Professor Akhavan said minutes ago, on the need to have engagement with civil society, when businesses or companies go into Iran, as they'll now be going in, it will be important to remind them of their own obligations under the Ruggie principles. This is in terms of both what the parent countries or governments do in terms of holding their companies to account for their adherence to the Ruggie principles and also ensuring that the businesses in the country itself, in Iran itself, do not reinforce discriminatory policies or rights violations as they are occurring in the country.

Mainstreaming human rights where you engage with Iran is an important thing to do. I would not say that the engagement so far has been in error. I think it has gone on in a very measured fashion, but it must continue in such a fashion that there is actually substantive progress in the country or enough evidence of improvement as the engagement moves forward.

The Chair: Thank you very much.

MP Kent.

Hon. Peter Kent (Thornhill, CPC): Thank you very much, Chair.

Gentlemen, as you know, in 2008 the European Union delisted the Mujahideen-e-Khalq as a terrorist organization, and every year recently the democratic Resistance of Iran, as the organization affiliated in Canada is known, has sent delegates to the annual Paris conference. A number of Canadian politicians have attended over the years.

I'm wondering what your thoughts are of reaching out to the diasporan Iranian civil society as well as the domestic, specifically with regard to this organization.

Dr. Ahmed Shaheed: If I may, in my view, it should be pointed or directed at a very broad range of the Iranian diasporan community. There is a wide range of communities out there, including ethnic minority communities, religious communities, and so on. Rather than focus on one specific community, it would be important to ensure broader engagement across a full spectrum, covering a whole range of different interests.

In my work, it's important, in my view, to distinguish between politically motivated activities and human rights focused activities. Having a very clear human rights focus would not only give a higher moral voice to what's said but also could make it clearer what the objectives are. I would suggest that it would be more useful to have a very broad spectrum of engagement with a very wide range of civil society, both in-country and in the diasporan community as well.

Hon. Peter Kent: Professor Akhavan, go ahead.

Dr. Payam Akhavan: I think that, in principle, any group that renounces violence as a means of change should be given a seat at the table. As Dr. Shaheed said, Iran is a very complex society. It is multi-ethnic, multi-religious, and politically complex. The point is to understand that all of those elements are part of the future of Iran, part of creating a culture of human rights. The problem in the past has been exactly that political groups use human rights in order to gain power, and then become the worst abusers of human rights. That is why I think civil society is so important—because it is, in a

sense, divorced from power and creates a different set of rules for legitimacy.

I think the diaspora has a very important role to play, because Iran has a very sizable diaspora thanks to the many refugees or economic migrants who have left because of the terrible circumstances in Iran. They travel back and forth; they transmit information. One of the reasons why the regime is having a hard time is the Internet and satellite television. The young people in Iran are savvy, cosmopolitan. They know what is happening out there in the world.

I think that nurturing those relations is very important, which is why Canada has quite a lot more influence than it may imagine. Beyond diplomacy, defined in a narrow sense, Canada can shape things in a much broader way for the better.

● (1355)

Hon. Peter Kent: Gentlemen, coming back to the sharp rise in executions last year in Iran.... Many of the executions are attributed—again, as we heard earlier—to drugs, drug trafficking, and common criminal acts. Is there any credibility at all with regard to the justice process by which these sentences are given and carried out?

Dr. Ahmed Shaheed: By and large, and on a very grand scale, I get reports of unfair trials, including some cases of trials lasting no more than a few minutes before a capital sentence can be handed out. The rule of law is very poorly administered, and in some types of courts, the judiciary courts especially, there is in fact no semblance of justice being done at all. The bigger concern, of course, is that there are a number of capital offences in the country, including ones that are illegal under international law, but the process by which they arrived at these sentences is seriously flawed as well.

Dr. Payam Akhavan: If I may add to that. First of all, the Iranian judiciary is fundamentally flawed. After the revolution, qualified judges were replaced by religious jurists. There is a fundamental problem having a set of qualified judges in Iran.

The second point is that the issue of narcotics trafficking is rather complex, and there are many accounts of the IRGC being one of the key players in narco-trafficking, which shows a rather cynical game of executing people while the IRGC is trafficking in narcotics. Opium use, including by the Supreme Leader Ayatollah Khomeini, is almost a well-known fact in those inner circles.

What I want to point out is the public spectacle of executions. It doesn't matter why people are being killed, but when you hang them from cranes in the middle of a public square, we think about the law of retaliation in pre-modern Europe. The point is to strike terror into the hearts of the citizenry. It is less important for people why someone is killed; it is more important that they are killed, and they are killed in a gruesome way in public. I think one of the issues that should be on the table—in addition to what Dr. Shaheed said, which is restricting the number of crimes for which there is a death penalty—is simply to push Iran to abolish the death penalty, and I think that within Iran there are many elements that want that to happen.

The Chair: Thank you very much.

We have time for one short question from MP Tabbara.

Mr. Marwan Tabbara (Kitchener South—Hespeler, Lib.): Thank you very much, both of you, for being here.

Because of the short time, I am just going to skip right to it.

Dr. Akhavan, you spoke last time at the committee here, in May 2013, about the case of Barmaan, who was one month old when his mother was taken away from him. She was serving a 23-month prison sentence in July 2012, and her only crime was that she was Baha'i.

Can you give us, briefly, an update on the situation of Baha'is, whether persecution is still ongoing, and what the situation is?

Dr. Payam Akhavan: Sadly, the persecution is ongoing and escalating. As I explained briefly in my presentation, recently there have been about 50 arrests of Baha'i in various provinces in Iran. Many Baha'i shops have been burnt down and ransacked. Baha'i children are being terrorized in school by their teachers. Just as there is an unprecedented outpouring of sympathy by leading public figures and dissidents, the hard-liners are panicking and trying to really dramatically increase the pressure on the Baha'i community.

This group I mentioned in the province of Golestan that was recently arrested was a group of about 20 or 30 youth. They were subject to severe beatings and torture. It's a very serious issue, and

there's a danger that, if the hard-liners feel that they are losing their grip on power, we will even resume once again the executions of the Baha'i, which occurred in the early days of the revolution.

• (1400)

The Chair: Thank you very much, Professor Akhavan and Dr. Shaheed.

We're actually now out of time. It's right on 2 o'clock.

I want to thank you for being with us on teleconference today and for starting our Iran accountability week in the subcommittee for human rights. It's been a very insightful hour spent with you. We have more witnesses coming in tomorrow. Again, thank you for shining a light and giving us some direction on such an important issue for our government and our Parliament.

Thank you for joining us here today.

Dr. Payam Akhavan: Thank you.

Dr. Ahmed Shaheed: Thank you.

The Chair: This meeting is adjourned.

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