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EVIDENCE

Thursday, February 26, 2009

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Chair

Mr. Scott Reid

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• (1310)

[Translation]

The Chair (Mr. Scott Reid (Lanark—Frontenac—Lennox and Addington, CPC)): We now begin the third meeting of the Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development.

[English]

We have two distinguished witnesses with us today, who came on extremely short notice. We're very grateful to both of them, Professor Akhavan and Susanne Tamas.

I'm told that in addition to the information we could find on the Internet, the breaking news is that the professor has been appointed to the board of directors of the International Centre for Human Rights and Democratic Development.

We are getting a late start, in fact 10 minutes late, thanks to the fact that we had a committee that ran a bit late before us. We can always use the clock as generously as possible, but in order to make this work mathematically, our two presenters are going to go for almost exactly 10 minutes each.

Then I'm going to have the rounds consist of five minutes of questions and answers. I've kept careful track from the last time around, and five minutes mean that people tend to go a little longer, because they tend to eat up the time with questions. That should allow us to get through to the end and let everybody get a shot at speaking on the record to our witnesses. If you push your time a bit too much, I'm going to have to be a bit ruthless. I'm speaking, of course, to our members, not to the presenters.

I invite you to split your time as you see fit. If one of you would like to go first, I'll let you start.

Professor, please.

[Translation]

Prof. Payam Akhavan (Professor, Faculty of Law, McGill University): Mr. Chair, distinguished committee members, thank you for the invitation. It is a very great privilege to be able to share with you some ideas on the status of human rights in Iran and, specifically, on the persecution of the Bahá'í minority.

[English]

I'm very grateful that the committee has seen fit to organize this session. I begin by emphasizing the tremendous importance of speaking out in what is a very delicate period of transition in Iran,

which I will address shortly. I think it's in that broader context that the persecution of the Bahá'ís has to be understood and it's against that context that our response has to be gauged.

First of all, I want to emphasize, in providing the context of what is happening to the Bahá'ís—and Ms. Susanne Tamas will be speaking in particular about the situation of the Bahá'í leaders who are being persecuted presently—that the persecution of the Bahá'ís is not a religious issue. This is not an issue about Islam; it's an issue about the monopolization of religious truth in order to buttress authoritarian power in Iran. That understanding is essential in appreciating how the Bahá'ís are being demonized as the source of all evil, as an all-purpose scapegoat, in order to distract the attention of Iranian people from the real issues that matter to them: issues relating to prosperity, corruption, economic opportunity, cultural openness, and human rights.

The Bahá'í issue therefore cannot be isolated. It is not just a question of ensuring respect for the human rights of Bahá'ís. The Bahá'í minority, because of the nature of the Iranian constitution, has become emblematic of the structural, systemic problems with the Iranian constitution, in which the enjoyment of human rights is conditional on belonging to an approved religion. In that sense, the wider Iranian human rights community has come to appreciate that the fate of the Bahá'ís has consequences for the overall situation of human rights in Iran.

In short, article 13 of the Iranian constitution does not recognize the Bahá'ís as a legitimate religious minority. Only those who are considered to be “people of the book”—Christians, Jews, and by special dispensation Zoroastrians—only members of those recognized religious minorities have legal status under the Iranian constitution, which, once again, as I explained, places the limiting condition of belonging to an approved religion on the enjoyment of rights. For that purpose, according to the hardline elements within the Islamic republic, the Iranian Bahá'ís are unprotected infidels who are beyond the pale of legal protection.

This has had very serious consequences. In the early 1980s, the consequence was the systematic execution of the entire Bahá'í leadership. Some 200 members of the Bahá'í community were systematically executed throughout the 1980s, and although the official explanation of the Islamic republic was that this was a political group opposed to the Islamic republic, the reality is very clear that those who were executed would have been absolved of all guilt had they recanted their faith. The religious nature of the persecution is very clear.

The consequence in more recent times has been a more subtle form of repression that aims to bring about a civil death for Bahá'ís. Bahá'ís are systematically eliminated from economic activities: the right to education, the right to pensions, the right to employment in the public sector. All of these forms of repression are a different means of achieving the same end that the government had tried to achieve in the 1980s through systematic execution. The documents that have been leaked from within the ranks of the Iranian government indicate very clearly that the stated objective of the government is to eradicate the Bahá'í religious minority. What we are witnessing in recent times is a process within Iran involving the emergence of a more liberal, post-ideological culture among the 70% of Iran's population who are under 30 years of age. They are post-ideological, pragmatic, and much more concerned with issues of economic opportunity and openness than they are with the ideology of the Islamic revolution.

• (1315)

It's for that reason that hardline elements have used various issues—whether it is the nuclear issue, the conflict in Gaza, or the bellicose rhetoric of the Bush administration about military confrontation—to construct an external enemy in order to demonize the enemy within, which includes not only Bahá'ís but labour union leaders, student movement leaders, human rights activists such as Shirin Ebadi, and others. All of these elements of an emerging civil society in Iran are branded as part of a foreign conspiracy. In a sense, the renewed attempts to crush civil society in Iran and to persecute religious minorities are a sign of desperation on the part of hard-liners who appreciate that the demographics of Iranian society are on the side of openness and engagement with the international community.

In that context, the question of whether to confront the Iranian government or engage the Iranian government is a matter of some complexity. We see now the prospect of some sort of rapprochement between the United States government and Iran. Once again, the openness of Iran and its engagement with the international community is, in many respects, to the detriment of those hardline elements who have nothing to offer the Iranian people except chants of “death to America” and the utilization of a clash of civilizations view of the world in order to deflect attention away from the real pressing issues among the Iranian public.

In that context, engagement is extremely important in undermining those elements, but at the same time, there is a risk that a grand bargain with Iran will sweep human rights violations under the ground. So there is considerable risk here that the Iranian government will get the wrong message, that with some sort of engagement they will be allowed to continue business as usual.

This brings me to my final point, which relates to what sort of responses the international community, including Canada, should adopt in light of this very complex situation. There are the hardline leaders, such as President Ahmadinejad, and their deliberate provocations, including the persecution of the Bahá'ís, on the one hand, and then a resurgent culture of reform and democracy among Iran's youthful population. It is essential that, while civil society is empowered and the hand of cooperation is extended to those who want to bring about democratic transformation in Iran, hard-liners

are isolated, and that we send the message to them that these sort of atrocities will exact a price.

I have appeared previously before this committee to discuss, among other things, the case of Zahra Kazemi. You may recall the motion that was adopted by this committee calling for an investigation against Saeed Mortazavi, the prosecutor general of Tehran, who incidentally is also implicated in the persecution of the Bahá'ís, of student leaders, human rights activists, and so on. When the Canadian Prime Minister called for the arrest of Saeed Mortazavi, who was attending the inaugural session of the UN Human Rights Council in Geneva in the summer of 2006, it sent shockwaves through Iran because all of a sudden it exposed the vulnerability of the seemingly untouchable henchman of the hard-liners. I regret that the committee's motion was never adopted by the foreign affairs committee and that it was never brought before the House of Commons.

• (1320)

I would invite the committee, in its deliberations, to consider how, beyond condemnation of the Iranian government's human rights violations, it may be possible for Canada to take the lead in pursuing a policy of targeted sanctions, whether we're speaking about travel bans, asset freezes, or judicial measures to isolate those individuals who are resorting to human rights violations in order to remain in power, so that those elements are isolated without isolating the Iranian people as a whole. For the most part, they want nothing to do with this sort of hate-mongering.

I will stop there, Mr. Chairman, and I will be available for any questions you may have.

The Chair: Thank you, Professor.

We turn now to our second witness.

Ms. Tamas, please.

[*Translation*]

Ms. Susanne Tamas (Director, Office of Governmental Relations, Bahá'í Community of Canada): Thank you for the opportunity you have given me to have this discussion with the committee today.

[*English*]

I'm very grateful to have the opportunity to speak to you along with Professor Akhavan and to discuss the imminent threat to the lives of the Bahá'í leadership in Iran in the context of the 30-year persecution of the Bahá'í community, which at 300,000, according to UN demographic figures, constitutes Iran's largest religious minority.

The persecution of the Bahá'ís of Iran is symptomatic of the desperate human rights situation in Iran, as Professor Akhavan has pointed out, and although our focus today is on the Bahá'ís, we are deeply concerned by the suffering of their fellow citizens.

Canada has played a leadership role internationally in calling attention to Iran's human rights record; however, the deteriorating human rights situation in that country suggests that more is needed.

Professor Akhavan provided us with an overview of the range of human rights violations that have been instigated and/or perpetrated against the Bahá'ís by the government of Iran and its clergy. He explained the motives that have prompted these attacks, whose purpose is to destroy the Bahá'í community as a viable entity, and has discussed somewhat the tensions at work within Iran and its government at this time.

I'd like to turn our attention to the urgent situation that has brought us together today. I'll begin with some background information.

There is no clergy in the Bahá'í faith. Its affairs are administered at the local and national level by nine member bodies that are democratically elected every year. Those elected are not vested with individual authority but rather serve as members of the consultative bodies whose responsibility it is to provide spiritual guidance and comfort to the Bahá'ís, to organize gatherings for worship and holy day commemorations, to provide for the spiritual and moral education of youth, to authorize marriages, provide access to sacred literature, and to nurture a sense of community and unity. I'm serving as a member of the National Spiritual Assembly of the Bahá'ís of Canada at this time.

The seven Bahá'ís whose fate we are discussing this afternoon served as members of an ad hoc coordinating group that was established to administer to the needs of the Bahá'í community of Iran as best they could following the dissolution of Bahá'í assemblies in the early years of the Islamic revolution. We refer to this group as the Friends in Iran. Similar groups were established at the local level. The Iranian government has always been aware of these ad hoc groups and from time to time has met with various members to obtain or convey information.

On May 14, in a move that recalled the early years of the revolution when Bahá'ís serving on administrative bodies were disappeared or executed, the six members of the Friends in Iran—the seventh having been detained in March—were arrested. Their names are Fariba Kamalabadi Taefi, Jamaloddin Khanjani, Afif Naeimi, Saeid Rezaie, Behrouz Tavakkoli, Vahid Tizfahm, and Mahvash Sabet, who served as their secretary. These Bahá'ís have been held in Evin prison without formal charges and often in solitary confinement ever since. They've been subjected to intense interrogation and have been denied access to legal counsel.

After Nobel laureate Shirin Ebadi announced that she and her firm would represent these Bahá'ís in court, her offices were closed down and she was subjected to death threats and false accusations that her daughter was a Bahá'í.

On February 11, the deputy prosecutor general announced that Bahá'í prisoners would be brought before the revolutionary court for a decision the following week on charges of “espionage on behalf of Israel”, “insult to the sacredness of Islam”, and “propaganda against the regime”. I'd like to take a moment to respond to those charges, which are categorically denied.

Iran is well aware that the location of the Bahá'í World Centre in Israel is the result of an historical event of their own making. Baha'u'llah, the founder of the Bahá'í faith, was exiled at the behest of the Shah of Iran to Iraq, Constantinople, Adrianople, and eventually to Akka, the prison city where he died in 1892, in what

was then Palestine. Iran is also well aware that Bahá'í teachings recognize the Prophet Mohammed as a manifestation of God and his book as a holy book, as indeed Baha'is recognize all the world's great religions and are called upon to befriend their followers.

• (1325)

Finally, Iran knows that Bahá'ís are bound by the teachings of their faith to avoid partisan politics, to be obedient to their government, and to strive for the advancement of their society.

The baselessness of these charges is further illustrated by the fact that time and again Bahá'í prisoners have been told that the charges against them would be dropped or they would be released from prison if they would recant their faith. In September 2008, in a blatant attempt to justify actions against the Friends in Iran, an oversized petition was posted outside a mosque before Friday prayer service when Ayatollah Khamenei was preaching. Worshippers were pressed to sign it as they entered the mosque.

The poster they signed read as follows:

Bahá'ism is an organized sect, with its leadership residing under the protective shade of the militantly aggressive occupier of Jerusalem, and has established its foundation by spreading lies against Islam and Iran and by openly and fearlessly advancing the political, cultural, and economic aims of global Zionism. This Zionist Bahá'í organization not only has targeted Islam for its cowardly attacks, but is negligent of humanity and its principal needs. We the undersigned, in carrying out our Islamic and human duty, request the country's esteemed Attorney General to confront all elements of this organization and dissolve its administration.

In a recent letter to the Minister of Intelligence, Iran's Prosecutor General said:

The administration of the misguided Bahá'í sect at all levels is unlawful and banned, and their ties to Israel and their opposition to Islam and the Islamic regime are clear. The danger they pose to national security is documented and proven, and therefore it is necessary that any substitute administration that acts as a replacement for the original be confronted through the law.

The Prosecutor General also called for the administrative element of the Bahá'í community to be confronted decisively until its complete destruction.

On the February 17, judiciary spokesperson Dr. Jamshidi announced that the charges had been completed. An indictment would be issued against the Bahá'ís the following week.

It seems that there is a struggle going on between different factions within the Iranian government over these prisoners. There are those who, for reasons of religious intolerance or the need for a scapegoat in the face of economic catastrophe—or those who wish to scuttle the proposed dialogue with the U.S.A., or who hope to attract the hardline vote—would want the Bahá'ís executed. There are others who, while no friend of the Bahá'ís, oppose this move as not worth the political consequences internationally.

The lives of the Friends in Iran hang in the balance.

As Professor Akhavan explained, the impending trial of the seven Bahá'ís takes place in the context of an upsurge of attacks against the Bahá'ís. There have been 34 arrests since the beginning of December. Graveyards have been destroyed, the trees planted in their cemeteries have been chopped down, gravestones overturned and smashed. Thousands of pamphlets attacking the Bahá'ís have been handed out. A series of articles vilifying the teachings of the Bahá'í faith are being published in state-controlled media, and the Bahá'ís have been denied right of reply. Seminars misrepresenting the Bahá'í faith and demonizing the Bahá'ís are being provided to schoolteachers and to youth, and a 31-page list of Bahá'ís in Shiraz, providing their names, addresses, and professions, has been distributed along with statements by clergy condemning any association or business with them.

The list of these atrocities is far from complete, but it's clear that the stage has been set for an all-out attack on the Bahá'ís of Iran. This situation is very grave; however, there is reason for hope. On the day of the arrest of the Friends in Iran, Grand Ayatollah Hussein Ali Montazeri issued a fatwa declaring that Bahá'ís should be accorded their rights as citizens and treated with compassion, notwithstanding that the Bahá'ís do not have their own heavenly Book, in his view, and are thus not recognized as a protected religious minority.

The past nine months have also seen an unprecedented outcry from Muslim human rights activists protesting the persecution of the Bahá'ís and calling for the release of the Bahá'í leadership and of all the Bahá'ís in prison because of their faith.

What more can Canada do to encourage those promoting human rights in Iran by peaceful means and press Iran to respect its freely given international human rights commitments and hold it accountable?

• (1330)

As Professor Akhavan pointed out, Iran is sensitive to international opinion. We therefore ask that the SDIR consider supporting whatever action would lead to the adoption of an all-party motion in the House of Commons. We would ask that this motion call upon Iran to release the seven members of the Friends in Iran forthwith or, failing that, to reconsider the charges against the Bahá'ís and ensure them a fair and open trial in the presence of international observers, and secondly, to cease all human rights violations against its Bahá'í citizens and against all members of religious and ethnic minorities.

Iran is more responsive to countries in the Caribbean, Africa, and Asia than it is to the western group. We would therefore ask that the SDIR recommend that Canada raise the urgent situation of the Bahá'ís in Iran with the Commonwealth Secretariat's human rights unit, and that efforts be made to inform Commonwealth members and to encourage them to intervene bilaterally with Iran.

And finally, as mentioned at the outset, in view of the deteriorating human rights situation in Iran, and notwithstanding efforts being made by Canada and the international community to address it, we would ask that the SDIR undertake an in-depth study of the human rights situation in Iran with a view to identifying additional strategies to complement the very important initiatives already under way and to provide adequate resources to implement them.

Thank you very much.

The Chair: Thank you.

It's now 1:33 p.m., so we have to move with some speed. I understand that the two Liberals want to divide their time because someone has to leave early.

Mr. Mario Silva (Davenport, Lib.): No, don't prolong the debate. Just go and then—

The Chair: I'm asking that because I'm wondering if we should give more time at the front end.

Mr. Mario Silva: We don't have a lot of time.

The Chair: Okay, fire away.

Hon. Irwin Cotler (Mount Royal, Lib.): As we've seen from the witness testimony today, we're clearly witnessing a pervasive prosecution and persecution of the Bahá'ís in Iran. One of the more disturbing phenomena, apart from the increasing arrests and human rights violations and the like, is the state-orchestrated incitement in the media, the demonization of the Bahá'í as a community.

I'm just wondering whether you observed what appears to have been a discernable escalation in this demonization over the past several months. There is a statement made by Iran's prosecutor-general, Qorbanali Dorri-Najafabadi, which I found rather ominous, where he's reported to have said that the administrative element of the Bahá'í community will be confronted decisively until its complete destruction. So we are hearing language with very ominous tones.

Is it correct to say that there has been an escalation in what has already been a pattern of persistent and pervasive prosecution and persecution? Second, is the demonization a manifestation of that escalation?

Finally, you mentioned, Payam, that the approach would be targeted sanctions in terms of travel bans, asset seizures, and judicial sanctions. I imagine you're thinking not only unilaterally in terms of what Canada could do, but multilaterally in terms of what can be incurred. I'm wondering if you could expand on that.

• (1335)

Prof. Payam Akhavan: There are a number of approaches, both multilateral and unilateral. The point is that, given the complexities of the political situation in Iran, one cannot apply indiscriminate sanctions in exacting a cost for the regime of recourse to human rights.

We are in a situation where decisive international action could potentially prevent far more serious human rights violations. That's why I began by saying that we are at a very critical juncture. In particular, leading up to the elections this summer there may be a temptation, as Ms. Tamas has explained, among hard-liners to start a campaign of executions and mass arrests in order to show that the Islamic republic is decisively confronting its enemies. That's why there is some urgency.

In terms of multilateral action, the Security Council has adopted targeted sanctions with respect to those involved in the nuclear industry. The question is why those who are responsible for crimes against humanity are not given similar treatment. Indeed, the whole nuclear issue has eclipsed the human rights issues, whereas the two are inextricably related.

I would submit that even adopting resolutions that begin to name and shame particular individuals—someone such as Hossein Shariatmadari, the editor-in-chief of *Kayhan*, the government's mouthpiece, which in the past few years has published several hundred articles that have been spreading hatred and calumny against the Bahá'ís, accusing them of everything from working for the Americans, the Israelis, Wahabists, the Russian Imperialists.... I'm not sure whether I've missed any foreign conspiracies that they've hatched, but this hatred has had very real consequences, ranging from the harassment and intimidation of Bahá'í school-children to arson attacks and much more serious threats of death.

Incidentally, this has also included my student, Nargiss Tavassolian, the daughter of Shirin Ebadi, who while at McGill University had an informant, I discovered, find out her thesis topic and pass the information on to the Islamic Republic News Agency, which published a famous newspaper article accusing me of having converted her to Bahá'ism as an agent of the Central Intelligence Agency.

What disturbs me in particular is how this campaign of hate-mongering has now infected Canada. We have operatives in Canada, at my university in Montreal, who are gathering information in order to intimidate and harass. There is a broader question of how Canada can begin to clean up its own backyard and also how it can begin, in a multilateral forum, to draw the link between respect for human rights and the hard geopolitical issues that seem to predominate in the discussion. There is a lack of awareness of how these sorts of soft human rights issues have very concrete and far-reaching consequences on the broader question of peace and stability in the Middle East.

Ms. Susanne Tamas: In response to your question, Dr. Cotler, there has been an increase. In fact there's been such an increase in the defamatory articles about the Bahá'ís and their beliefs and practices that it's hard to remember them all, so I'm going to refer to a report and give you just an example of the kinds of things that have been produced between October and January of this year.

IRNA, which is a state-controlled media organization, has issued an article entitled "Being a Bahá'í from the memoirs of Sobhi", which is opposed to the faith. In September and October, a new anti-Bahá'í booklet was distributed in a cultural centre in Fardis, in Fars province. It was 30 pages long and it was titled "Imprisoned Ideology: an Introduction to the Perverse Bahá'íst Sect", and included misinformation about the history of the Bahá'í faith and its alleged involvement with colonialism and Zionism.

In Gilavand, which is a small city near Tehran, there was an article published entitled "Fatwas regarding social interaction and business transactions with Bahá'ís", citing fatwas prohibiting all interactions with the Bahá'ís.

There were similar booklets distributed in Shiraz and Karaj, and it seems that classes were conducted to study this booklet.

In Karaj, another pamphlet was published on the "dangers of a number of deviant sects", which called the Bahá'í faith a perverse sect and linked it to pernicious cults such as devil worshippers and warned the citizens of Karaj of the dangerous influence of these cults on their youth.

People in Marv Dasht also were subjected to a pamphlet wherein the Muslim population had allegedly sought guidance about whether Bahá'ís are unclean—is it permissible to shake their hands or share their food—whether they are impure, and is it lawful to be involved in transactions with them? And the pamphlet quoted three ayatollahs as having said that the Bahá'ís are impure infidels and it's not permissible for Muslims to have any association with them, and so on.

There are classes being conducted in Shiraz for 20,000 school-teachers serving with the ministry of education, called "fabricated religions", which run down the Bahá'í faith.

I could go on. There are several more pages of this.

What needs to be remembered is that the Bahá'ís have been denied access to the media. They have no means to correct what is being said about them that's false. Their access to public copying facilities is restricted. When their homes are raided, their copiers are taken from them. So they're vilified and have no opportunity to correct what's being said.

What this does is create an atmosphere of prejudice, which allows the Iranian government to continue to persecute the Bahá'ís with impunity. We're grateful for those human rights activists who are starting to speak out, but they're still in the minority.

● (1340)

The Chair: That took nine and a half minutes, so we're going to go directly to the Bloc Québécois.

Madame Thi Lac.

[*Translation*]

Mrs. Ève-Mary Thāi Thi Lac (Saint-Hyacinthe—Bagot, BQ): Thank you both for having come here at quite short notice; I know that you were invited at the last minute. I am very glad to be able to listen to your testimony this afternoon.

A number of Bahá'ís have been imprisoned and some have been released, but they have been subjected to pressure, intimidation and repression. For those who remain in prison, what are the penalties that they might incur as a result of the legal proceedings or the charges against them?

[*English*]

Ms. Susanne Tamas: According to Amnesty International's report, the charges against these Bahá'ís are capital offences, and the sentence could be execution.

[*Translation*]

Mrs. Ève-Mary Thāi Thi Lac: You mentioned the commitment to the community that you are looking for from Canada. Could you tell us which countries have already indicated their support for the Bahá'í community?

[English]

Prof. Payam Akhavan: I'm sorry, I did not hear that. There was a bit of noise.

[Translation]

Mrs. Ève-Mary Thaï Thi Lac: I wanted to know if, in fact, other countries have also indicated their support for the Bahá'í community. You asked for Canada to pass a motion of support for the community. Are there countries that have already done so?

Ms. Susanne Tamas: Yes. Chancellor Merkel of Germany,

[English]

made a statement. In the EU there was a declaration by the President of the European Parliament. The United Kingdom foreign office minister, Bill Rammell, made a statement. The U.S. State Department made a statement. In the U.S. Congress they're debating resolution 175, which concerns itself with this issue. Congressman Frank Wolf made a statement. I also understand there's been a statement by Australia.

• (1345)

[Translation]

Mrs. Ève-Mary Thaï Thi Lac: Are you able to say that the countries that have made statements and expressed support have actually had a positive effect? If Canada did the same, could it help to bring about a swift and concrete improvement in the Bahá'ís situation?

[English]

Ms. Susanne Tamas: We feel it's really important that there not be a lull, that continuous attention be paid to this. If there were a lull, we're really afraid that Iran would take advantage of that and act. So we're really happy about the statement made on the 11th that the trial scheduled for next week has been postponed. Now they're talking about next week, next week. We attribute that, at least in part, to the international outcry, and we think it's essential that there be continued attention paid to this.

[Translation]

Mrs. Ève-Mary Thaï Thi Lac: Thank you.

[English]

The Chair: *Merci, madame Thi Lac.*

Mr. Marston, please.

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Thank you, and I also thank the guests for joining us on such short notice.

One of the things we often see in evidence given to this committee is that totalitarian regimes often resort to scapegoating or demonizing people. In a sense it's a sleight of hand, using the nuclear issue to mask the kinds of crimes that are taking place.

I was particularly concerned when Professor Akhavan spoke of Iranian agents functioning in Canada. That's something I'm sure Canadians as a whole would be repulsed by and very concerned about.

When you spoke of targeted sanctions, I had an immediate flashback to the failure of sanctions in Iraq when the population paid

such a huge price, with hundreds of thousands of children dying. I'm nervous about that one.

I certainly accept your proposal to engage the Commonwealth nations. They're respected worldwide, and as a tactic I think that's very important. But we're talking about capital offences, and in this particular culture these people are in very imminent danger. I think this committee should respond today with some kind of very clear message coming out of here.

I have a very minor question, in light of what I've just said. On the maligning of these folks in all the publications, I don't know what level of active Internet traffic there is in that country, but are they blocking and controlling that as well?

Prof. Payam Akhavan: There clearly is censorship of the Internet, but Iranian web bloggers, Iranian youth, are among the most sophisticated users of the Internet and have found all sorts of ways of avoiding these filters. Apparently, after the English language, Persian is the second most widely used language for web blogs; there are some 70,000 Persian-language web blogs. The younger generation in Iran are Internet savvy, they're glued to satellite television, and that is part of the problem that the hard-liners have. Even when oil was trading at \$140 a barrel—let alone at \$40 a barrel—and in an economic system that is really not viable, a system of crony capitalism and patronage to particular groups that support the government, the temptation to create these types of distractions is now that much greater, which is why there is a particular danger of massive crackdowns, executions, and these sorts of policies.

I want to quickly mention two points. Your point about collective sanctions is exactly correct. The point is that punishing the Iranian people is not going to achieve the objective. Really, the majority of people need to be empowered to express what are in large part liberal, though nationalistic, sentiments. The question of pursuing targeted sanctions is an essential part of facilitating the transformation of Iran, just as threatening military confrontation is a very bad idea, not only because of its international law dimensions but because of the way in which it is used by hard-liners to rally people's nationalist sentiments.

The idea of an unconditional engagement, of a grand bargain, an appeasement, is equally a problem, because it will sweep under the carpet any discussion of human rights violations. The international community has to begin to move in the direction of holding particular leaders accountable for demonization, for incitement to hatred, for the crimes that are occurring.

What we see now is a much more sophisticated way of achieving the same thing as was achieved in the 1980s through systematic executions. You have thousands of newspaper articles that demonize the Bahá'ís and people like Shirin Ebadi as an agent of the Bahá'ís. Then you have a mob that mysteriously shows up on her doorstep and begins to threaten her with death. This is the way in which the regime is now trying to silence its dissidents.

On the question of agents in Canada, there is a very significant Iranian community here, which for the most part is very prosperous, very successful, and very committed to its Canadian citizenship. But exactly because of that sizeable group here, the regime has tried to infiltrate and identify those it perceives as a threat. This also shows that Canada has considerable leverage, probably because it's the favourite and most attractive place, after Dubai, for Iranians to emigrate. Many of those who are here have very close ties with the inner circle of the regime and have begun to infiltrate that community.

Anyway, that's a discussion for another time, but it also shows that we have leverage by virtue of that presence here in Canada.

● (1350)

The Chair: We're out of time on that question and response.

Mr. Hiebert, you're next.

I'll just mention that if we keep these brief, we'll have time for Mr. Silva and then Mr. Sweet, allowing everybody to have a question.

Mr. Hiebert, please.

Mr. Russ Hiebert (South Surrey—White Rock—Cloverdale, CPC): Thank you.

Mr. Chair, I'd like to start by saying that I'd like to give notice of motion to consider adopting a motion at our next meeting. I don't think we'll have the time to do so today, but I would certainly be prepared to draft something and have it for everybody's review at our next meeting.

Thank you both for being here.

With the limited time I have, I wanted to clarify a couple of things. You mentioned more than once targeted sanctions, travel bans, asset freezes. You mentioned a third option as well, Mr. Akhavan. I didn't catch it. After travel bans and asset freezes, in your opening presentation you had another suggestion.

Prof. Payam Akhavan: Judicial sanctions.

Mr. Russ Hiebert: Judicial sanctions from Canada?

Prof. Payam Akhavan: Well, they could in part be from Canada. With respect to the Zahra Kazemi affair, the Criminal Code clearly provides jurisdiction for Canadian courts where the victim of torture is a Canadian citizen. And I'm dismayed that if two Canadian tourists are killed in Mexico, there is an immediate RCMP investigation, but when a Canadian citizen is brutally tortured and murdered in Iran, there is a tremendous resistance to taking any action.

In the case of Canada, it's an unhappy coincidence, if you like, that one of the most notorious figures in the repression of dissidents also happens to be implicated in the Zahra Kazemi affair. At the international level, there is the possibility of at least discussing before the United Nations Security Council the referral of crimes against humanity committed by the Iranian leadership to the International Criminal Court.

I think the mere discussion of this issue would have an impact, even if we believe it's not politically feasible. The adoption of resolutions that name the particular individuals involved in orchestrating these crimes is, I think, the direction in which both

the diplomatic discourse and the prospect of more tangible judicial sanctions should go.

Mr. Russ Hiebert: And how would you identify who would deserve to be named and sanctioned?

Prof. Payam Akhavan: Well, that's interesting. If one looks at the nuclear issue, the Security Council seems to have had no problem identifying particular individuals. There can be a commission of inquiry, there can be appropriate procedures to ensure this is not done in an arbitrary or indiscriminate way.

And we've seen this issue raised in many, many contexts—for example, the financing of terrorist activities, and the multinational corporations that might be doing business in the Congo. This is not something that is entirely alien to the Security Council and other bodies.

● (1355)

Mr. Russ Hiebert: Why do you think Iran is so sensitive to the views of the countries of the Caribbean and Africa? Does that extend to other members of the Commonwealth?

Prof. Payam Akhavan: Part of the rhetoric of Iran is that the human rights record of Iran is fine, but that western countries under the influence of American and Zionist circles are using this as an issue to denounce the Islamic republic and the sovereignty of the Iranian people. It's extremely important to demonstrate that this is not the case, that it is a wider global concern. The Iranian government has gone to great lengths, even with respect to small South Pacific states, such as the Solomon Islands, basically to give them small aid packages in order to make sure they don't vote against Iran in the General Assembly.

So the fact, for example, that Asma Jahangir, a Pakistani human rights expert, denounces the persecution of the Bahá'ís is far more damaging, in a sense, than western leaders doing so, because they are expected to make these remarks.

Mr. Russ Hiebert: All right, my last question is this. You've talked about other religions being recognized within the constitution but the Bahá'í faith not being recognized. Are there other small minority faiths that are also being persecuted like the Bahá'í?

Prof. Payam Akhavan: It's a very good question. I would say that the majority are being persecuted. There are more ayatollahs in prison today in Iran than there ever were under the secular government of the Shah. A special court was established in 1987 for the specific purpose of prosecuting dissident clergy. Ayatollah Montazeri, referred to by Ms. Tamas, who had issued a fatwa saying that the Bahá'ís had the rights of every other Iranian citizen, was supposed to be the successor to Ayatollah Khomeini. He's been under house arrest for the past 20 years.

So the Bahá'ís are the only minority that is categorically legally excluded. They're not recognized as a legitimate religious minority, so they have no rights under the constitution. But other minorities are under various degrees of pressure.

The point is that in an authoritarian theocracy, monopolization of religious truth is the basis of power. So one of the biggest threats to the regime are dissident Islamic clerics who say that for 500 years of Shia Islam, there has always been a separation of state and religion, and who believe that the orthodoxy of their faith requires a separation of political power from the spiritual life of people.

The Chair: That uses up all the time in that round.

Mr. Silva, please. I will ask you to be brief.

Mr. Mario Silva: Mr. Chair, I'll be very brief.

First of all, I want to thank both of you for coming here on such very short notice.

When we hear, both from the witnesses today and from other reports, of the demonization of the Bahá'í people, the language that has been used, the identification and monitoring of the Bahá'ís, and the arrests that have taken place of people of that faith, this is incitement to genocide. It really is the beginning stages. This is what we have witnessed in many other countries, and it's very frightening.

Canada, as the champion and author in many ways of the responsibility-to-protect doctrine, has an obligation as well to be proactive. It's not just incumbent on this committee, which has adopted the motion that was put forward last Tuesday, but I think this also requires Parliament to give its stamp of approval and of concern. I would hope that from this meeting we would be able to ask the foreign affairs committee to adopt the motion that was adopted at this committee and that we would be able to have a debate in the House of Commons so that the House of Commons could also pronounce itself publicly on this issue.

That's a statement and also a motion.

The Chair: Duly noted. We have a notice of motion requirement that it will have to deal with at our meeting next Tuesday.

If you have no questions to the witnesses, we'll turn to the last but not least member of the committee, Mr. Sweet.

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

Congratulations, Professor, on your appointment.

I would like to echo what Mr. Silva just said. I was listening to the testimony from both of you, and things such as the daily incitement of hatred in all kinds of mass media, the desecration of graves, the ransacking of property and sometimes confiscation of it, and the arrests, all sound eerily like the events leading up to pogrom of the Jewish community prior to the Second World War. So like Mr. Silva, I have some grave concerns in that regard.

I want to zero in on one point that my colleague Mr. Hiebert had talked about, but I just want to get a little more detail.

Is the sole reason the persecution is so pernicious towards the Bahá'í religious minority because they're excluded, or is there some other element of independence that terrifies the ayatollahs?

• (1400)

Prof. Payam Akhavan: It's a difficult question to answer. I think there is a combination of fanatical hatred in certain quarters that have been indoctrinated with this demonology for many years and those

who genuinely believe that the Bahá'ís are out to destroy Islam. But I think at another level there is a much more cynical scapegoating of the Bahá'ís as a sort of convenient political tactic to rally the masses. We know hate-mongering and political homogenization is one of the oldest and most convenient instruments of authoritarian regimes.

The Bahá'ís historically have been used in this sort of "othering" and stigmatization. This device has been used to consolidate Iran's Shiite identity. In that sense, it is a contrived and instrumentalized use of religious belief in order to consolidate political power.

But I want to end by saying that one of the promising signs, which Ms. Tamas alluded to, is that in addition to Ayatollah Montazeri, you have student leaders, human rights leaders, Kurdish leaders, Communist Party members, an incredibly broad array of Iranians who are now standing in solidarity with Bahá'ís. Recently, 300 Iranian non-Bahá'í intellectuals wrote a letter of apology for their silence in the face of the persecution of the Bahá'ís, and that is what is really scaring the regime. That there is now widespread sympathy for the Bahá'ís among the Iranian public, and they're losing their grip on power. That's why the ominous prospect of an escalation of violence in the coming months goes hand in hand with great promise of the emergence of a liberal culture in Iran.

Mr. David Sweet: That plays into the next and last question—because of the time—that I have.

On the 300,000 Bahá'í people in Iran who are having their property stolen, being jailed, and having no access to universities, what is the state of the human condition right now in the community? For 30 years this persecution has been happening and accelerating. The two of you must have some communications there. Are these other intellectual communities that are rising up and defending them enough to encourage them through this?

Ms. Susanne Tamas: One of the things that have stunned me about the Bahá'ís I've met from Iran who have suffered imprisonment or torture or confiscations is the complete lack of resentment in their hearts. The manner in which they've responded to their oppressors has been quite atypical from what we would expect from our society. I think they've shown an incredible resourcefulness.

When their universities were closed down and after they couldn't persuade the government to let them put their students in university, the professors who were fired started their own little underground basement university and started educating the youth. They noticed that there are literacy issues in disadvantaged children, so they're out trying to help by doing literacy in neighbourhoods, not mentioning their faith, simply as a service to the community.

I would say their spirit is far from extinguished, but that doesn't change the agony in their hearts. I'm thinking a lot about the 12-year-old and the 14-year-old children whose parents have been in Evin prison since May 14, and what that is like for them every day when they get up in the morning and don't know where mom and dad are.

So there is human agony, but in terms of response, there is no question the spirit has not been broken and that the Bahá'ís of Iran turn to the people in their community and try to be of service and be good citizens.

• (1405)

Mr. David Sweet: Thank you, both.

Thank you, Mr. Chairman.

The Chair: Thank you to our witnesses as well.

Mr. Marston.

Mr. Wayne Marston: On a point of order, I'd like to suggest, since I think there's a kind of consensus around this issue, that the committee waive the 48-hour notice for Mr. Silva's motion.

The Chair: Is there consent to waive the 48-hour notice period for the motion?

Mr. Hiebert.

Mr. Russ Hiebert: Mr. Chair, of course we all feel the same way. It was my intent to bring forward a motion more uniquely crafted than what we've looked at in the past, and for us to discuss this on Tuesday. The witnesses have provided us some additional information and ideas that we could incorporate into a motion that would be more specific in its usefulness in seeking that the Government of Iran make some changes to its policies.

It's my hope that we would have at least a couple of days to incorporate these excellent suggestions and then debate and hopefully pass the motion at our next meeting.

The Chair: We could do something like that.

Procedurally, what I have to do here is ask if we have unanimous consent for this, just so that members know what it is, because the clerk was writing this up as we were chatting earlier.

The motion that would be before us would be to ask the main committee, our parent committee, to adopt the motion that was passed by this committee in the 39th Parliament on the issue of abuse of the human rights of Bahá'ís in Iran, and to table it in the House.

Procedurally I have to ask you if there is consent to that. I'm just going to find out if there is consent.

Yes.

Mr. David Sweet: Mr. Chairman, I think we're in semi-agreement here. I would say that if we have unanimous consent on this, the additional motion for our present circumstance could still be worked on for the next meeting.

The Chair: Yes, I agree. There's nothing that precludes that.

I'm losing track of the speakers. I saw Mr. Hiebert, and then I'll see Mr. Cotler.

Mr. Russ Hiebert: I just don't want us to be in a situation where we're doing multiple motions and being seen as not speaking with a coherent voice on this matter. I haven't read in detail what was passed in the previous Parliament. I just want to make sure we use this opportunity to be even more specific than perhaps we've been in the past to address this matter.

But I would not want to see two motions of virtually the same tone go to the foreign affairs committee for movement to the House of Commons. I'm hoping we can come up with some agreement on one motion that we would send to the upper committee and to the House.

The Chair: The next person I have on the list is Professor Cotler.

Hon. Irwin Cotler: Mr. Chairman, having listened to the witness testimony, I've already drafted a motion. I think because of the urgency of it, we might be able to get a consensus to act on it right now.

The Chair: Now we're talking about a third motion. It was Mr. Silva's motion that Mr. Marston spoke to, and that's the motion before us. Procedurally speaking, I have to stick with that.

Mr. Silva, do you have it in front of you? If you do, could you read it to us?

Mr. Mario Silva: Yes. I move that the Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development table the motion pertaining to the situation of the Bahá'í community in Iran adopted at the last subcommittee meeting on Tuesday, February 24, 2009, in the House.

That is the motion that was adopted last Tuesday. Everybody got a copy of it.

•(1410)

Mr. Russ Hiebert: I'm fine with that.

The Chair: Okay.

I know you're fine because you proposed it, Mr. Silva.

I'll just confirm with Ms. Thi Lac. I think she's reviewing it.

[*Translation*]

Are you in favour of this motion?

Mrs. Ève-Mary Thāi Thi Lac: Yes.

[*English*]

The Chair: In that case, we have unanimous consent.

(Motion agreed to)

The Chair: I'm going to take a moment to once again thank our witnesses. You've been very good witnesses and very informative. It's been educational having you here. It was also educational reading your testimony from previous appearances before this committee. Because not everybody in this committee may have seen your testimony from those previous meetings, I'm going to ensure it gets distributed to all members of the committee prior to our meeting next Tuesday.

Thank you again.

This meeting is adjourned.

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