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Chair

Mr. Michael Levitt

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• (1305)

[English]

The Chair (Mr. Michael Levitt (York Centre, Lib.)): I would like to call to order today's meeting of the Subcommittee on International Human Rights. Today we have two distinguished witnesses, one a past guest and former member of this subcommittee, and one with whom we share a great number of concerns and have the pleasure of hearing for what I think is the first time.

Before we begin, I want to explain that we are undertaking two days of hearings as part of this subcommittee's annual Iran Accountability Week. This past year we've seen an intensification of human rights abuses and repression in Iran, including execution and torture and the further diminishment of political and civil rights. We, as the human rights subcommittee, want to be on the record that human rights abuses in Iran are always top of mind and to ensure that these issues maintain their significance and publicity.

During these two days of hearings we'll be focusing on the Iranian regime's repression in particular of political prisoners and the grave human rights abuses faced by the LGBTQ community and individuals.

On today's panel we have, from the Bahá'í Community of Canada, Corinne Box, director of government relations, and as previously mentioned, from the Raoul Wallenberg Centre for Human Rights, we have the Honourable Irwin Cotler, founding chair.

Ms. Box, if you'd like, you may start with your opening remarks. Then we will move to Professor Cotler.

Thank you.

Ms. Corinne Box (Director of Government Relations, Bahá'í Community of Canada): Mr. Chair, thank you for the invitation to testify before the distinguished members of this subcommittee.

As many of you already know, the Bahá'í faith originated in Persia, modern-day Iran. The Bahá'í community is the country's largest non-Muslim religious minority.

Bahá'is have been persecuted since the inception of the faith in the mid-nineteenth century. This intensified soon after the Islamic Revolution in 1979. It continues unabated to this day and touches Bahá'is at every stage of life, from cradle to grave.

Of course, Christians, Jews, and Zoroastrians also face discrimination, as do Sufi, Sunni, and dissenting Shia Muslims. However, in the case of the Bahá'is, the goal of the government is the eradication of the community. In fact, this is plainly stated in a 1991 government memorandum signed by the current supreme leader, provisions of which are still very much in effect. In an attempt to conceal its ongoing efforts to destroy the Bahá'í community, the government of Iran has shifted its strategy over the years. While arbitrary arrests and imprisonments continue, the government is also using less blatant tactics such as economic oppression. This means systematic exclusion from economic life, including the denial of access to education and public sector employment, and state-sponsored attacks on private Bahá'í businesses.

Before speaking to this last point, I would like to highlight two other areas of concern: the continued imprisonment of the leadership of the Bahá'is of Iran, and the increased efforts by the government to incite hatred against Bahá'is. There are currently some 90 Bahá'is in prison in Iran; their only crime is their religion. Among them are seven Bahá'is, two women and five men, who formed an ad hoc group that tended to the spiritual and social needs of the community.

Jailed in 2008 and tried without due process, they were sentenced on spurious charges to the longest jail sentence given to any prisoner of conscience in Iran. May 14th will mark the ninth anniversary of their imprisonment. We hope that our government will take this occasion to join an international outcry that emphasizes the fact that, under Iran's own penal code, the seven are now overdue for conditional release.

Their unjust sentence will be fully served by May 2018. We must ensure that they will not be held beyond this date. Public statements by the government of Canada, a motion by this subcommittee, and statements by individual members of Parliament make a difference.

Turning now to the matter of state-sponsored incitement to hatred, since the beginning of 2014, more than 20,000 items of anti-Bahá'í propaganda have been published or broadcast in official media, through pamphlets and tracts, from pulpits, and at public exhibitions and events. There were more than 11,000 in 2016 alone.

The Iranian Bahá'í community has consistently been denied the use of any means of mass communication to respond to false allegations and misrepresentations. The result has been widespread prejudice. The effect of this can be seen in real and outrageous ways.

A culture of impunity has been created through the demonization of Bahá'ís. In an extreme case, just last September, a Bahá'í was stabbed to death outside his home by two assailants who confessed to killing him for no other reason than his religious beliefs. Another less known but equally insidious aspect of the persecution is apartheid-like economic discrimination. Based on religious grounds, it is institutionalized and state driven. Its objective is to impoverish, isolate, and ultimately drive Bahá'ís out of Iran. Three generations of Bahá'ís have been denied access to post-secondary education. Many have pursued informal studies through a self-help initiative, the Bahá'í Institute for Higher Education. Some have gone on to study abroad, but they are systematically deprived of equal access to many fields of employment.

Furthermore, since the early days of the revolution, Bahá'ís have been completely barred from jobs in the public sector. In the private sector, they are restricted in the type of business they may engage in, on the pretext of their being religiously “unclean”. Employers are pressured not to hire Bahá'ís. Consequently, many if not most Bahá'ís have started their own small enterprises to provide for their families and contribute to their community.

They too have been attacked. Since 2007, more than 1,000 incidents of direct economic persecution have been documented by the Bahá'í International Community. These include but are not limited to revocation of business licences, harassment, imposition of fines, raids, and orders for the destruction of farmland and livestock.

Of late, when Bahá'ís quietly close their shops in observance of Bahá'í holy days, their businesses are sealed off, sometimes indefinitely. It constitutes the most recent in a series of tactics to deny Bahá'ís a decent livelihood. More than 100 Bahá'í-owned businesses were affected this past November; many still remain closed. Unprecedented in scale, it's a cause for deep concern.

These incidents took place in spite of recent statements made by prominent Iranian lawyers and UN special rapporteurs and an urgent request from the Bahá'í International Community to the president of Iran to cease this economic oppression.

In the face of such relentless and systematic persecution, Bahá'ís in Iran continue to appeal to their government using peaceful and legal means. They called for the respect of their fundamental human rights and turned their attention to the contributions they can make to improve the society around them. Despite being denied the rights of citizenship, they seek out ways to work for the common good.

This non-violent response has attracted praise from an ever-growing number of Iranians. Many have risked their own safety to protect their Bahá'í friends and neighbours. Some prominent Iranians, both within and outside Iran, have publicly decried the persecution of the Bahá'ís and have spoken out for their rights.

Widely regarded as a litmus test for the country's broader human rights situation, the Bahá'í question deserves more attention. In this respect, we are grateful and proud to count this subcommittee and many of its members among those who have championed this issue. Rest assured that your actions and public statements make an important contribution to the protection of the Bahá'ís in Iran. They are clearly registered by authorities in Iran, they provide strength to

those who suffer injustice, they offer comfort to their loved ones, and they serve as encouragement to those who defend them.

In closing, we hope that our elected representatives and government will use all means available to hold Iranian authorities to account. Over the years, Canadian leadership on the annual United Nations resolution on human rights in Iran and high level public statements under both Liberal and Conservative governments have been vital components of a broad effort to ensure that Iran does not act with complete impunity. These actions must continue so that Iran's latest tactics of oppression do not succeed in their ultimate objective.

Public expressions of concern serve to expose the truth about the Iranian government's human rights abuses. They help to embolden open-minded Iranians to promote a culture of justice, tolerance, and equity.

Criticism of the government's targeted oppression of Bahá'ís can be complemented by a broader engagement to promote the value of inclusion in diverse societies. These approaches are not mutually exclusive.

As Canada pursues diplomatic re-engagement with Iran, we cannot ignore the need for a constructive dialogue on human rights and inclusion. The Bahá'ís in Iran come from every ethnic and religious background, and they present a window into the rich diversity of Iran's society itself.

In our dialogue with Iranian authorities we must call upon the government to take clear and concrete steps to emancipate the Bahá'ís. We remain hopeful that over time, Iranian officials will increasingly find in their hearts the courage to uphold the dignity and equal worth of all human beings. The future of Iran depends on it.

●(1310)

[*Translation*]

Thank you for your kind consideration. I would be pleased to answer your questions.

●(1315)

[*English*]

The Chair: Thank you very much, Ms. Box.

We're now going to move straight to Professor Cotler, for your remarks, sir.

Hon. Irwin Cotler (Founding Chair, Raoul Wallenberg Centre for Human Rights): Thank you, Mr. Chairman. I'm delighted to appear here with Corinne Box, and I want to commend her for her comprehensive and effective testimony. As she has put it so well, the condition and situation of the Bahá'ís is a litmus test of the state of human rights in Iran and the future of justice and peace with respect to Iran.

I'm pleased to be able to participate in Iran Accountability Week, which takes place against the backdrop of the toxic convergence of the fivefold threat of Khamenei's Iran. I use the term "Khamenei's Iran" to distinguish it from the people and publics of Iran who are otherwise the targets of massive domestic repression. Indeed, that is a theme that underlies your hearing today and with regard to Iran Accountability Week.

Those five threats include, number one, the nuclear threat, which now warrants monitoring in the light of the JCPOA agreement; the terrorist threat, for which Iran has been characterized year after year as the leading state sponsor of international terrorism, whose global footprint is not only in the Middle East but beyond, in Asia, Africa, Latin America, and the like; the incitement threat, whereby Khamenei's Iran is in standing violation of the international law of prohibition against state sanction of incitement to genocide, and whereby they are engaged in sustained incitement to hatred against the Bahá'í community in particular, as Ms. Box has pointed out; the regional hegemonic threat—I'm referring here to Iran's belligerent aggression in Syria, indeed aiding and abetting war crimes and crimes against humanity in Syria, as well as its belligerent and hegemonic aggression in Lebanon with regard to aiding and abetting Hezbollah in that regard, and with regard to Iraq, with regard to Yemen, and the like—and finally, and of particular concern to this committee, the massive domestic repression, which for reasons of time I will just summarize telegraphically.

Number one, Iran executes more people per capita than any other country in the world, as the former special rapporteur for human rights in Iran, Dr. Ahmed Shaheed, testified before this committee. In 2017, in the first four months alone from January to April, Iran has been executing prisoners at a rate of one almost every nine hours, and on May 3rd, at the beginning of this month, eight were executed in one day alone. So this pattern of unwarranted and indeed binge executions continues.

Second, Iran engages in the intensified persecution of religious and ethnic minorities, for which the Bahá'í offer a particular case study of the singling out of a religious minority not only for differential and discriminatory treatment and indictment, but of how in fact the very practice of the Bahá'í faith is effectively illegal.

Third is the criminalization of fundamental freedoms, including in particular the freedoms of speech and assembly and of press and association and conscience and belief, concerning which Dr. Asma Jahangir, the United Nations special rapporteur for human rights in Iran, recently specifically addressed the issue of Iran's imprisoning more journalists and bloggers than any other country in the world.

Fourth is torture in detention, graphically described in Dr. Shaheed's report.

Number five is the culture of impunity that attends all this, dramatically illustrated by the fact that the Minister of Justice in Iran, Mostafa Pourmohammadi was the person responsible for the 1988 massacre of political prisoners in Iran, yet he presides over the justice system in Iran today.

Number six is the assault on the rule of law and any semblance of an independent judiciary.

Number seven is the assault on leaders of civil society in Iran.

● (1320)

Number eight, again, is the state-sanctioned discrimination you mentioned, Mr. Chairman, in your opening remarks against gays and lesbians, women, vulnerable minorities, and the like.

Number nine, and of particular concern to this panel, is the continuing and unjust imprisonment of more than 1,000 political prisoners including, as was mentioned, the leaders of the Bahá'í, whose 20-year sentence at an advanced age is an effective death sentence in and of itself, and lawyers, trade union leaders, human rights defenders, artists, students, and journalists. In a word, as I've said, they are the leaders of Iranian civil society, including many of them being threatened or even themselves the objects of execution.

In fact, I appear before you as a counsel to some of those imprisoned right now in Iran, including in particular the seven religious leaders of the Bahá'í, the Ayatollah Boroujerdi, one of the heroic figures in Iran who has been not only imprisoned for 11 years but tortured and consistently imprisoned for advocating nothing other than freedom of religion in Iran and the like. As well, Saeed Malekpour, a permanent resident in Canada, is now in his ninth year of imprisonment in Iran for exercising nothing other than his right to freedom of expression.

I will summarize now.

The patterns of persecution and prosecution visited upon political prisoners, using the three that I represent as case studies, find expression, number one, in on-going, arbitrary, and illegal imprisonment. Indeed, as the United Nations Working Group on Arbitrary Detention has found, the pattern of arbitrary and illegal arrests is persistent and pervasive in Iran.

Second is the prolonged and illegal pre-trial detention.

Third, as I mentioned, is the criminalization of fundamental freedoms in the three cases that I have referenced, whether it be the Bahá'í Ayatollah Boroujerdi, or Saeed Malekpour.

Fourth is wrongful conviction on trumped-up charges as false as they are absurd, such as the charge of corruption on earth.

Fifth is torture in detention, often to seek to secure a false confession, as in the case of Saeed Malekpour.

Sixth is the culture of impunity where, in the cases that I have mentioned, there's an ongoing culture of impunity. No one has been held accountable for the illegalities in these cases.

Seventh is the denial of the right to a fair hearing, which includes very often the denial of the right to counsel, the denial to make independent argument, the denial to rebut accusatory arguments, the denial of the right to appear before an independent judiciary, and the like.

Eighth is the intimidation and harassment of family members.

Ninth is the imprisonment of even those who would seek to defend them.

Last, which we must always appreciate, is the state-sanctioned character of these patterns of persecution and prosecution.

If I may, Mr. Chairman, I will close with some very specific recommendations for the committee in the matter of the situation of human rights as a whole.

Number one, I would invite this committee to repeat what it has done in the past and condemn the systematic and widespread state-sanctioned assaults on the human rights of the Iranian people and particularly the leaders of Iranian society.

Two, recognize the importance of not allowing the nuclear agreement to overshadow, distract from, or even sanitize the ongoing human rights violations of Khamenei's Iran.

Number three, call upon the Iranian regime to declare a moratorium on its state policy of wanton executions.

Number four, call on the Iranian regime to cease and desist from its prosecution and persecution of the Bahá'í community and, in particular, to release the seven Bahá'í leaders.

Number five, urge the Iranian regime to release its political prisoners. I made reference also in that regard to Ayatollah Boroujerdi and Canadian Saeed Malekpour.

And finally, call upon the Iranian regime to uphold the rule of law, to protect the independence of the judiciary, to end the culture of impunity, and to cease and desist from its arrest and imprisonment of lawyers for no other reason than that they have defended victims of human rights violations.

• (1325)

Let us never forget that on this specific responsibility to political prisoners, it is our obligation as a committee. This committee has a specific and distinguished role—and has played a distinguished role in all of this—to let the political prisoners in Iran know that they are not alone and that we stand in solidarity with them, that we will not relent in our advocacy and our pursuit of justice, that the release of political prisoners must always be a priority for us as a matter of principle and policy, and that the release of political prisoners can have a transformative impact in the pursuit of justice in that country and beyond.

I'll close with just one example. Nelson Mandela endured 27 years in a South African prison and emerged not only to preside over the dismantling of apartheid, but also to become the president of the first-ever democratic, free, and egalitarian South Africa.

Thank you, Mr. Chair.

The Chair: Thank you very much to both of you for your testimony.

We're going to move right into questions and begin with MP Sweet.

Mr. David Sweet (Flamborough—Glanbrook, CPC): Thank you, Mr. Chair.

Chair, I don't want this to sound like I'm apportioning any blame, but we should hold ourselves to account, so that whenever we hold an Iran Accountability Week, we make sure that every meeting is televised. I think both witnesses just made a very clear point that raising the issues publicly is one of the most important things we can do. As well, capitalizing on a broadcast is the best thing we can do.

Thank you to both witnesses. I appreciate your testimony.

I can imagine, Ms. Box, the amount of emotion and anguish that the Bahá'í community endures all the time, not only with regard to the persecution of the Bahá'ís currently in prison, but also with this kind of religious genocide, as you've said, that this country has right in its own statutes in regard to eliminating Bahá'ís from Iran.

Mr. Cotler, you mentioned the word “transformative”, and I want to mention in my prelude here that this can also have the opposite effect when not reined in, when human rights violations are not brought to the fore. We see what's happening now in Yemen in regard to persecution of the Bahá'í community, and I would suggest that it has something to do with the fact that it continues to stay unchecked in Iran.

Mr. Cotler, thank you for all the years that you've served on this committee and for all your other efforts in regard to championing the human rights of others. I noticed that you've added one more “fold”; when you were working with us we had a fourfold threat, and it's now a fivefold threat. I think that is a very good edit in the sense of what's happening currently throughout the region, as you've mentioned, and not only in Syria, but in Yemen, as I just mentioned, and of course throughout the area.

I wanted to ask you, because you have some specific ideas in this regard, why is it important when we're dealing with human rights to look at Iran in the full scope of all the threats it faces? Why is that important?

Second, with regard to the importance of keeping this in the public eye, which both of you have expressed, I noticed from a quick Google search when I was preparing for this meeting that there's really been nothing published about Zahra Kazemi and the fact that her remains still have not been returned to Canada. It's been almost a year...well, right after Ms. Hoodfar was liberated. There is nothing in the media at all. I also want your thoughts on that, because I know that you've made some very firm statements. It's not just up to us to make sure that human rights issues remain public. It's also the responsibility of the media to make sure that people know about this.

I want to give you those two items so that you can respond, please.

Hon. Irwin Cotler: Thank you, Mr. Sweet. I appreciate your question. When I sat on this committee, I was always able to respect your consistent and committed involvement in the work of this committee and beyond.

In the particular matter with regard to the importance of publicity, I just might add parenthetically that you are right about the fact that I added a fifth threat to the fourfold threat that used to underpin my involvement here on Iranian accountability at the time, but this also demonstrates and dramatizes an additional concern that we now must have with Iran, and that is its regional hegemonic belligerency. That relates, as I say, to what is happening in the Middle East. You made reference to Yemen. There, you have the extension of the persecution with regard to the Bahá'ís in Yemen, as well as its overall belligerency in that regard, along with Syria in particular.

In the matter of human rights and the importance of relating to it, if we indulge in a culture of impunity with regard to massive human rights violations in Iran, that not only undermines our *engagement* with respect to human rights, but it in fact undermines the nuclear agreement that we have entered into with Iran, for example, because if Iran believes that they can engage in massive human rights violations with impunity and not be called to account, they may say it invites them to engage in violations of the nuclear agreement, because there too they may not be held to account.

I regretted the fact that the nuclear agreement did not include any reference to—let alone sanctioning—the other threats, but I say with regard to the matter of the nuclear agreement alone that if we do not sanction human rights violations, we may find that this itself will undermine the nuclear agreement.

This also holds true with regard to the issue of Mrs. Kazemi. If we ignore that case, if we do not engage with regard to the impunity and immunity that attended her torture and imprisonment, and if we do not hold to account and sanction those in Iran who are engaged in these human rights violations, both with respect to what happened to Mrs. Kazemi and in the situation today, then we will encourage violations across the whole fivefold threat of toxic convergence that we're seeing in Khamenei's Iran.

Again, we are here on behalf of the people of Iran to hold those in Khamenei's Iran accountable for their involvement and their assault on the people of Iran.

• (1330)

Mr. David Sweet: Since the revolution, we've heard promise after promise of reformation. The current president right now, Rouhani, said that he was going to deal with human rights for women. I think we can see the evidence of his inaction in that regard. In fact, the persecution of women has probably increased.

I wanted to ask you about this. Elections are coming up. Mousavi is still under house arrest, and that was the last really large promise we saw with the Green Movement. Do you see any promise in the elections in days ahead?

Hon. Irwin Cotler: One of the problems we have is that under Rouhani there has in fact been an increase in wanton executions, and an increase, an intensification, of the assaults on human rights, and he is characterized as a moderate, which worries me with respect to the candidacies of the others and the manner in which we indulge what is happening. Let me give you one example.

There are nine government ministries that are under the direct authority of the president—in this case, Rouhani—and which are themselves responsible for ongoing human rights abuses. I'll be very brief. These include the Ministry of Culture and Islamic Guidance, which continues to engage in the suppression of, quote-unquote, subversive views; the Ministry of Intelligence and Security, which engages in the arbitrary and indefinite detention of human rights defenders in secret locations, using torture and other inhumane and degrading treatment to extract and coerce confessions, as I mentioned; and, a third one, the Ministry of Interior, which continues to engage in the suppression of peaceful gatherings by routinely denying permits for peaceful assembly and is otherwise engaged in the criminalization of those who engage in it.

These ministries are under the authority of Rouhani, yet they are engaged in persistent and pervasive patterns of violations of human rights, and they continue to do so with impunity.

• (1335)

The Chair: Thank you very much.

We're now going to move to MP Fragiskatos.

Mr. Peter Fragiskatos (London North Centre, Lib.): Thank you.

Thank you for being here today and for your tireless advocacy.

I wonder if either of you could comment in particular on the Bahá'ís and methods and tactics used by the regime in Tehran to co-opt the minority. I'll give you the example of the Kurds in Iraq, and the Kurds in Turkey, Syria, and Iran. One way that the regimes in those countries were able to subdue rebellion and opposition—it wasn't successful—was to bring them into the fold, to have them work in the bureaucracy within the president's office and in ministries, and to give them a high rank, politically speaking.

If this has happened in Iran, if efforts have been made to subdue potential opposition on the part of the Bahá'í minority through such tactics, I wonder if you could point to examples.

Ms. Corinne Box: What you must know about the Bahá'í is that the Bahá'ís are non-violent and non-partisan. You'll never see a Bahá'í in politics.

Mr. Peter Fragiskatos: No, I didn't know that. Thank you very much. That question has stopped, and I'll move on to the next one.

Could you speak about the Bahá'í Institute for Higher Education and some of the challenges it faces? I've read about this. It looks as if lessons are run out of homes, in a makeshift sense. Skype conversations and Skype lessons are basically what is carried out in terms of lessons. It seems very difficult, to say the least.

Ms. Corinne Box: The Bahá'í Institute for Higher Education was one of the responses to the fact that the Bahá'ís are denied access to higher education. It's an example of constructive resilience. You soon realize that the fact that they've been able to do this for almost 30 years or more is really sheer perseverance. It also represents the community coming together and realizing how important education is.

When it first started, a lot of the classes were held in personal homes, as you say. Now it's moving to be more online, and it continues to be difficult. Not only are they denied access to higher education, but the initiative that they've started is also under attack. Over the years, there have been raids. Anybody associated with the BIHE—we refer to it as the BIHE—has been imprisoned, including some who have studied here in Canada. There was a contingent of Bahá'ís who came to Canada to study in order to be able to go back to Iran with up-to-date methods [*Inaudible—Editor*]

Mr. Peter Fragiskatos: Thank you very much.

I'm going to be splitting my time with my friend Mr. Housefather.

Mr. Anthony Housefather (Mount Royal, Lib.): Thank you very much.

Thank you very much, Ms. Box and Mr. Cotler, for your testimony.

It's very compelling to talk today about the human rights violations in Iran and to recognize that Iran still sits on UN subcommittees and committees that vote to tell other people that they're human rights abusers. We need only look at UNESCO's vote the other day, when Iran voted in favour of disregarding Christian and Jewish links to the holy city of Jerusalem and condemning Israel for human rights abuses, to see how preposterous it is that our international agencies allow rogue nations such as Iran to vote on issues like this.

What I want to draw out are a couple of issues that I think would help the Canadian public to better understand this. We've talked a bit about Iran, its system of government, and its presidential elections that are coming up. I think most Canadians don't know or understand that the president of Iran is not really the leader of Iran, but that there's a supreme leader, and that in the presidential elections, the candidates need to be approved by the Guardian Council of Iran. Anyone who doesn't support the regime cannot be a candidate. Could one of you perhaps talk a bit about the political system?

Also, Mr. Cotler, could you talk about the legal system? In most countries, people would assume that those who are being sentenced to prison in Iran are going through what we would understand to be the judicial process, meaning public trials and trial by jury, and meaning that the defendant has the right to an attorney of their choice and there's representation. Can you talk a bit about what type of procedural system is used when people in Iran are sentenced to jail or to death for political crimes?

• (1340)

Hon. Irwin Cotler: I'll be happy to respond to your question, but I want to say first, parenthetically, that with regard to the Bahá'í Institute for Higher Education, as I think Ms. Box pointed out, you have not only a denial in Iran of Bahá'ís practising their faith, but also a denial of their right to access higher education. I think it should not be ignored that those who managed to graduate from the Bahá'í Institute for Higher Education, with its resilience and commitment to education and peace, and who came to Canada to pursue post-graduate studies, when they returned to Iran were themselves imprisoned there. You have an Iran-Canadian connection, and we must not indulge that impunity. I had the pleasure to nominate the Bahá'í Institute for Higher Education for the Nobel Peace Prize for the manner in which they have pursued education and peace with such resilience and commitment.

This brings me to your specific questions and comments. I would agree with you on the matter of the culture of impunity with regard to the United Nations. The fact that Iran, a major human rights violator in the manner that I've described, not only continues to violate human rights with impunity but is also rewarded for it, with a seat on the UN Human Rights Council, makes a mockery of the commitment we have to the UN Human Rights Council, which is the body that is to be responsible for standard-setting in matters of human rights for the promotion and protection of human rights. To me, a major human rights violator like Iran being rewarded and elected to that council is a dramatic example of the culture of impunity in all its manifestations.

With regard to the president of Iran...and that is why I initially used the term "Khamenei's Iran", because it is the supreme leader who effectively dictates process and outcome with regard to

elections and with regard to the entire governance in Iran. On procedural matters, with regard to the legal process, there are those who are falsely accused, let's say, of trumped-up charges such as, quote-unquote, corruption on earth or whatever may be the charge. I sought to summarize the patterns of prosecution and persecution in Iran today, but on the specifics of legal procedure, there is an utter denial of the right to a fair hearing before an independent tribunal in all its configurations. That means there is not only a denial of the right to counsel of one's choice but very often even the imprisonment of that counsel who would seek to defend the political prisoner. There's a lack of the right to adduce evidence on one's own behalf, or to rebut the evidence, which may not even be presented before a conviction is secured. Where that evidence is secured through torture and a false confession, as in the case of Saeed Malekpour, there's no right to rebut it and the like. In the end, what you effectively have is either sham show trials or sometimes not even trials at all.

All of this is taking place under the authority of Supreme Leader Khamenei, where the president is in charge himself of some nine other government ministries who alone or in concert with others engage in these violations of human rights, and also attend, and are attended by, the culture of impunity.

The Chair: Thank you very much.

MP Hardcastle.

Ms. Cheryl Hardcastle (Windsor—Tecumseh, NDP): Thank you, Mr. Chair.

Wow, there are a lot of thought-provoking ideas here. I'm intrigued by some of the comments that some of my colleagues made with regard to the theme of the culture of impunity and the mockery of the commitment to human rights.

I'd like to hear from both of you, if I may, about the concept of sanctions and what Canada can do, what parliamentarians can do. We have the Special Economic Measures Act, which eased some of the sanctions against Iran in January of 2016. What are your thoughts on that? What way or what direction we should be taking?

I would like to give both of you time to answer that question. If that's all the time I get, that's fine. I'd just love to hear you give us some of your depth on that. Thanks.

• (1345)

Ms. Corinne Box: My answer is going to be very short. My community doesn't have a position on sanctions.

Ms. Cheryl Hardcastle: Further to that, I want to give you a moment to explain that because you've used that opportunity to answer a question and advocate for the Bahá'í community before. Because the Bahá'í community isn't political or doesn't have a position on sanctions, who is advocating for them? Where is their voice in Iran? Presumably, you're here as that voice. What would you like to see happen, then? Because they don't believe in sanctions doesn't then mean they don't deserve having a voice.

Ms. Corinne Box: Sure, I can answer that.

In broad terms what the Bahá'í community would like to see, or what I could recommend that our government and elected officials explore, is raising awareness of the situation of the Bahá'ís in Iran; condemning the human rights violations quietly and publicly; maintaining scrutiny, not the least through the UN resolution; reprimanding non-compliance under international law and non-cooperation with the UN mechanism; and insisting on change in our dialogue with Iran. As that pertains to the Bahá'ís' example of insisting on change and testing the sincerity of the government in a dialogue on human rights, it could take the form of releasing the Bahá'í seven immediately without any conditions. It could be rescinding the 1991 memorandum, which I referred to in my testimony, which really is a blueprint for the elimination of the Bahá'í community in Iran. It could be allowing Bahá'ís to attend university and calling for an end to the incitement to hatred, the list goes on.

From my experience, governments and elected officials have a multitude of spaces to explore these actions. It could be with their counterparts, with other countries. It could be quietly, publicly, informally, formally, bilaterally, multilaterally, and at various levels of government too.

Hon. Irwin Cotler: Thank you for that question. Again, I commend Ms. Box for her response on the particulars with respect to the Bahá'ís.

Number one, with regard to sanctions, I believe we should support sanctions under subsection 4(1) of the Special Economic Measures Act, otherwise known as SEMA, against the major human rights violators in Iran, be it those who are complicit in the wanton executions and who continue to engage in these with impunity, those engaged in the imprisonment of political prisoners, or those involved in the assaults on the Bahá'ís and the like, and put them on notice that they will be held accountable before the law. If they know they can continue in their violations with impunity, this invites them to continue to do so, and we effectively become enablers of that by not sanctioning them for their violations.

Two, I think that this committee, which has been engaged in hearings, is aware of the proposal for global justice via Sergei Magnitsky legislation, which would have the effect of sanctioning human rights violators, first, by at least excluding them from coming into our country, and second, by not allowing them to launder their proceeds in our country. Regrettably, some of that has happened with regard to people who have come and laundered their proceeds in this country, including those from Iran.

Number three, we need to urge and call upon Iran to permit the special rapporteur on the situation of human rights in the Islamic Republic of Iran to be able to visit the country.

Thus far, the special rapporteur has been excluded, whether it be to visit the prisons, to interview political prisoners, or to monitor the situation with regard to Bahá'í. The UN special rapporteur on the situation of human rights in the Islamic Republic of Iran has not yet been permitted to come to Iran, nor to have any of the other United Nations special procedure people, be it the United Nations special rapporteur on the situation of human rights defenders; the United Nations special rapporteur on torture, and other cruel, inhuman or

degrading treatment or punishment; or the UN special rapporteur on freedom of religion or belief.

None of them have been allowed to come into Iran, so the culture of impunity continues by their exclusion.

Finally—this is in respect of the question of Mr. Housefather and others—we should urge not only the Iranian regime but also the international community to ensure that the rights of all Iranians to run for elected office are respected, and that the elections in Iran are free and fair.

We need to increase the transparency of the Iranian electoral process by allowing elections to be monitored by independent domestic and international elections observers. This has not taken place in the parliamentary elections, and it's not taking place in the upcoming presidential elections.

I remind you that we are now in the sixth year of imprisonment of the leaders of the democratic opposition in Iran, who remain under house arrest, a standing impunity which continues to be indulged.

● (1350)

The Chair: Thank you very much. We will now move to MP Tabbara.

Mr. Marwan Tabbara (Kitchener South—Hespeler, Lib.): Thank you, Mr. Chair, and thank you both for coming here today. I really appreciate your coming here. This is an issue that we keep following up on, year after year, and it's great that we shed some light on it.

In 2014, the Canadian government gave five recommendations to the Iranian government, and they were all rejected. I'm going to read one of the recommendations:

Take legislative and administrative measures to remove legal restrictions and social barriers to women's equal participation in the work force and access to education and government decision-making positions;

This is one of the recommendations that was rejected. Can you tell us what Canadian parliamentarians can do to encourage women's equal participation in Iran and how some women's advancements have been hindered under this regime?

Hon. Irwin Cotler: Canada, to its credit, has been the leader in co-sponsoring the annual resolution at the UN General Assembly on the situation of human rights in Iran. Your references also come out of that resolution, which we co-sponsored. As well, there is a country review of human rights violations, and we have made specific recommendations in that regard, including specific recommendations with regard to the pain and plight of the Bahá'í, which have gone unaddressed and unresolved. That is why I say that you have a situation where Canada, to its credit, makes appropriate, effective, and specific recommendations with regard to improving the human rights situation in Iran and countering the human rights violations in Iran, and Iran responds to that by increasing its human rights violations amidst a culture of impunity.

The time has come for us to begin to sanction those major human rights violators to end that culture of impunity and to say, "Look, we want to engage with Iran, but that engagement cannot be a one-way street where, if we make recommendations, the response is effectively to ignore the recommendations and in fact intensify the violations". Our engagement is on behalf of the people of Iran, on behalf of the rule of law in Iran, on behalf of an independent judiciary, and on behalf of freely elected leadership in Iran, all of the things we have referenced here.

Again, I want to single out the pain and plight of the Bahá'ís as a litmus test for the situation of human rights in Iran.

• (1355)

The Chair: Thank you very much.

We have time for one last question.

MP Anderson.

Mr. David Anderson (Cypress Hills—Grasslands, CPC): Thank you, Mr. Chair.

I want to thank both of you for being here today. It's a pleasure to be able to learn from you.

In 2016, the Iranian government passed a bill. I believe it's called the political crimes act. It criminalizes what it calls lies and attempts to reform the state. I'm just wondering if that has been used against your community in the last year or so, or is the oppression so strong it doesn't really make any difference. Is this another tool they've been using against you?

Ms. Corinne Box: I'm not familiar with that. I can't respond.

Mr. David Anderson: To Mr. Cotler, then, can you just tell us a little more about the culture of impunity. It seems to start at the top, but who does it affect the most? Is it the legal system, the criminal system, the police? Is it regional or national? Tell us a little more about that.

Hon. Irwin Cotler: Well, it's persistent and pervasive.

If you look at the report of the international campaign for human rights in Iran, now the Center for Human Rights in Iran, they identify nine major government ministries, three of which I've referenced. Those nine major government ministries are all under the authority of the President of Iran, but effectively under the authority of the supreme leader, the Ayatollah Khamenei, and are all engaged both in the human rights violations and the attending culture of impunity.

We have to address what is happening in Iran in the manner I referenced earlier. When we speak about Iran as well, we have to realize in our representations that they are in effect violating their own law in many of these matters. They are violating international treaties to which they are a co-state party with Canada. When they violate those treaties, they are violating bilateral obligations they have made to us.

When you look at the situation with regard to the Bahá'í, the prosecution and persecution of the Bahá'í leadership is a case study of the systematic character of Iranian injustice. What you have, on

the 9th anniversary of the imprisonment of the senior leaders of the Bahá'í faith, is arbitrary, illegal, and prolonged detention; torture and ill-treatment in detention; false and trumped up charges, such as "spreading corruption on earth", which is a capital crime; denial of the right to effective trial; denial of the right to see and rebut the prosecutorial indictment against them; and trial hearings that are devoid of any semblance of due process before a political judiciary.

That is why I say that the Bahá'ís' situation is a case study of widespread and systematic injustice, but with a particular injustice, whereby the very practice of their faith is being denied, their very right to an education is being denied, and where they endure a specific form of exclusion and indictment in Iranian society, marked by the fact that they are the most peaceful and law-abiding of groups.

I think to whatever extent we can address and redress the pain and plight of the Bahá'í and bring about the release of their leadership, we will be advancing the case and cause of justice and peace as a whole.

The Chair: Thank you very much.

I want to recognize both witnesses today for their testimony before this subcommittee.

In particular, Professor Cotler, I want to acknowledge the work you have done on this file, initiating Iran Accountability Week in this subcommittee a number of years ago, and your continued advocacy on behalf of the Iranian people and political prisoners. You have been a model and a mentor for many of us on this committee, with your work on Iran, keeping this front and centre within the Canadian Parliament, and now, of course, more broadly, with your work for the Wallenberg caucus.

I want to pass on that sincere appreciation, I'm sure from all members of this committee.

• (1400)

Hon. Irwin Cotler: Thank you, Mr. Chair.

I have just one word of comment, if I may.

There is one part of Iran Accountability Week that I hope can be sustained. We had the Iranian political prisoner advocacy project, where members of Parliament took up the case and causes of political prisoners, made interventions in Parliament and the like on their behalf, and held appropriate press conferences. May I say that this has led, in certain instances, to the actual release of some political prisoners in Iran.

I am hoping that this Iran Accountability Week will again witness the taking up of the case and cause of political prisoners, and, as I say, particular support for the leadership of the Bahá'í as we approach the ninth anniversary of their imprisonment.

Thank you, Mr. Chair.

The Chair: Thank you very much to you both.

The meeting is adjourned

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