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Chair

Mr. Scott Reid

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

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• (1305)

[English]

The Chair (Mr. Scott Reid (CPC)): I call to order the Subcommittee on International Human Rights of the Standing Committee on Foreign Affairs and International Development.

We have with us in the room today Mark Dubowitz from the Foundation for Defense of Democracies. Welcome, Mr. Dubowitz. As well by video conference from Washington, D.C., is Mark Lagon from Freedom House and Ali Alfoneh from the Foundation for Defense of Democracies.

This is a short meeting, and we have a large number of witnesses. My suggestion is that we begin with our two witnesses from Washington, D.C. We'll ask them to begin with whichever one thinks he'll be briefer. You'll have to try to stick to the time for the initial one, and then we'll go to Mr. Dubowitz.

That will allow us some time for questions, but it will be limited, and I'll be ruthless in keeping our questions down to a reasonable level so we can hear all our witnesses responding to at least one or two questions from each party.

That being said, I'll turn things over to our witnesses in Washington.

Mr. Ali Alfoneh (Senior Fellow, Foundation for Defense of Democracies): Thank you very much, sir.

Thank you for your kind invitation and providing me with the opportunity to share with the committee my analysis of human rights developments in Iran.

Almost two years into the presidency of Dr. Rouhani, and almost two years after the beginning of the latest round of nuclear negotiations between Iran and the west, the human rights situation is unfortunately deteriorating in Iran. Many would think it is counter-intuitive. Many would think that nuclear negotiations would be followed by improvement in the state of human rights in Iran. We are seeing the opposite.

The purpose of my presentation today is to try to explain why I believe the latter is the case, and also to indicate the incidents that make the state of human rights worse rather than better compared to the pre-Rouhani, pre-negotiation era.

Just to provide you with my really short analysis, negotiations make the regime in Tehran look weak. Regardless of how small we believe the concessions that Tehran is making to the P5+1 group are,

they count for Tehran and make the regime look weak in the eyes of the Iranian public. This is why they're trying to compensate for that perceived weakness with harsher and greater brutality.

Tehran engaged in nuclear negotiations with the P5+1 group from a poor bargaining position. The international sanctions regime and eight years of mismanagement under President Ahmadinejad had taken their toll on the economy, which teetered on bankruptcy. Rouhani, of course, ran for president with the promise of improving Iran's economy. This is why he was elected by the Iranian public. And because Supreme Leader Ali Khamenei understood the sorry state of the economy, he respected the election results and allowed Dr. Rouhani to take over the presidency.

Of course, it was clear to everyone in Iran that it was the bad state of the economy that forced the system to accept and respect the popular vote. It became even more clear to the Iranian public that Iran was weak, when many officials of the Rouhani government, after taking over the government books and gaining fuller access to the state of the economy, found out and admitted in public that the economy they had inherited from Mr. Ahmadinejad was in worse shape than expected.

It was under such dire conditions that on September 17, 2013, Supreme Leader Ali Khamenei officially endorsed Dr. Rouhani's nuclear diplomacy by calling for "heroic flexibility." Heroic flexibility is something that the regime in Tehran shows when facing the formidable enemy, the United States. It has not shown any flexibility, heroic or otherwise, when facing the Iranian public and the opposition in Iran.

If we take a look at the number of executions in Iran, and I understand that several of our colleagues here today may have newer numbers, at the very least 753 individuals were executed in 2014. This is the highest total recorded in 12 years. Among these executions were 53 public executions. By comparison, there were 580 executions in 2012 and 687 in 2013. Most of the executions were either related to narcotics or homicide, but we certainly believe that the public executions were designed to demonstrate the central government's strength and power. This is all happening during the presidency of Dr. Rouhani.

It's also under the presidency of Dr. Rouhani that the Islamic republic has continued the practice of arbitrary detention of political dissidents. Most notably, Mehdi Karroubi and Mir Hossein Mousavi, the leaders of Iran's pro-democracy green movement, are still under house arrest and Dr. Rouhani has not done anything to rescue those respected individuals.

One parliamentarian, a certain Ali Motahari has actually used the podium of the parliament to call for their release. But he was severely beaten last month by vigilante groups close to the Basij paramilitary. Motahari and his driver sought refuge at a local police station in Shiraz, but officers simply watched as the mob landed their blows on Mr. Motahari.

The regime has been equally repressive when it comes to the Iranian press. According to Motahari—the same great parliamentarian, who, by the way, is not pro-western and may not even be pro-western democracy, but who is critical of the state of affairs inside Iran—says that there exists an atmosphere of fear among Iranian journalists who exercise a greater degree of self-censorship than in the past. This, too, is hardly surprising when one takes into consideration that 13 journalists and bloggers have been detained over the past year, bringing the total up to 30.

The jailed journalists include Mr. Serajeddin Mirdamadi, who is a distant relative of Supreme Leader Khamenei; Ali Asghar Gharav, who worked at the reformist newspaper, *Bahar*; and Jason Rezaian of the *The Washington Post*, of course, who is wrongly being accused by the intelligence organization of the Revolutionary Guards as being a foreign spy.

There are many other journalists. Arya Jafari and four other journalists from ISNA, the Iranian Student News Agency, were arrested in October because they were providing coverage of public protests against acid attacks on women in the city of Isfahan. Jafari has since been released, and we do not know the fate or destiny of his colleagues from that news agency.

Lesser known imprisoned journalists and bloggers include Sajedeh Arabsorkhi, whose father is a civil rights activist, but she herself was actually unknown until she began her activities and was arrested; and also Zahra Ka'abi, Hamid Hekmati, and many younger Iranians who use the Persian-language blogosphere to express their discontent with the regime.

Newspapers themselves have not fared much better. The reformist daily, *Roozan*, was closed in December 2014 after commemorating the anniversary of the passing of Grand Ayatollah Hossein Ali Montazeri, who was a critic of violations of human rights in Iran. This is actually why he lost his position in the structure of power in the Islamic Republic. The weekly, *Setareh Sobh*, was closed in January after calling for a fair trial of the opposition leaders under house arrest. Another newspaper, *Mardom-e Emrooz*, was closed and banned because it showed on its front page a photo of American actor George Clooney wearing a lapel pin to honour the satirical magazine, *Charlie Hebdo*.

Suppression of Iranian workers and labour activists is another area of concern. Eight labour union activists are currently in prison for attempting to organize strikes in protest against lacking pay. Many more are in legal limbo awaiting the ruling of the Islamic Revolutionary Court. Just last week, ahead of the May 1 labour day holiday, two more labour leaders were arrested.

Some of the worst human rights abuses, of course, happened to my Iranian compatriots who are followers of the Bahá'í faith. One hundred of them are in prison. The regime in Tehran considers the Bahá'í faith a direct theological challenge and threat to the

foundations of the regime. Whenever I hear the foreign minister of Iran, Dr. Javad Zarif, claim that there are no political prisoners, I certainly believe that we should ask him if he considers the followers of the Bahá'í faith anything but political prisoners. The same thing, of course, applies to Muslim converts to Christianity, followers of mystic interpretation, more liberal-minded interpretations of Islam, the Sufi religion. This is something that has worsened during the presidency of Dr. Rouhani.

There are also many reports of arrests of ethnic rights activists, particularly in Kurdistan and Balochistan region. We can discuss this further in the Q and A session.

● (1310)

So, who are the agents of this oppression? Fundamentally, it is the Islamic Revolutionary Guards Corps, particularly their intelligence branch, and the Basij militia, which is more or less the youth organization of the Revolutionary Guards, on the one hand, and the intelligence ministry and the revolutionary court, on the other. These institutions have overlapping fields of responsibility, and there is a state of permanent interdepartmental rivalry between them. Sometimes a political activist who has been released by one of these institutions ends up being arrested by another one because of the rivalry that exists between these institutions. Most unfortunately, President Rouhani has not shown any interest in reining in and controlling these institutions.

One of the few things—and this is going to be the last thing I'm going to say right now—that we have seen from Mr. Rouhani is his asking the police not to engage in upholding religious morality on the streets. So the police should only think of law and order, not religion and enforcement of the Sharia law, but he does not do anything to prevent the Revolutionary Guards, the Basij militia, and many other groups, vigilante groups in particular, to express what they think is the right and correct way of practising Islam.

Do allow me to thank you all for providing me with this opportunity to testify before your committee. The human rights issue is unfortunately being overshadowed by the nuclear negotiations, but I certainly believe and I do genuinely hope that the work of your committee could put the focus back on the human rights issue.

Thank you.

● (1315)

The Chair: Thank you, Mr. Alfoneh.

Let's turn now to Mr. Lagon.

Dr. Mark Lagon (President, Freedom House): Mr. Chairman, honourable Vice-Chair, committee members, thank you very much for the opportunity to speak with you today about human rights in Iran.

Let me start by first commending the Government of Canada, which year after year has been a leader in the UN General Assembly in denouncing the systematic abuses that the Iranian regime commits against its own citizens. Freedom House applauds that effort, and we pledge to work with the Canadian government, as ever, on that.

We're at a different juncture from that we experienced two years ago. International engagement on Iran's nuclear program has given hope to Iranians that they might emerge from decades-long isolation imposed on them by their own government.

Dialogue and diplomacy should always be welcomed, but they aren't ends in themselves. The talks with Iran have unfortunately coincided with deprioritizing and delinking human rights from the global agenda, when they should instead advance the concerns of the Iranian people and ensure that the world share concerning the regime's repression of its citizens.

Two years ago, in a tense environment, Iranians were deciding whether to vote in another deeply flawed election in their own country. In a courageous move, many returned to the polls in an attempt to shed an increasingly repressive eight years under the Ahmadinejad administration and to help avert the spectre of conflict between their country and the West. Some Iranian pragmatist described the choice as one of "the best of the worst" among eight candidates approved by senior clerics.

Hassan Rouhani, the self-proclaimed moderate aligned with leading reformists and supporters of human rights, was elected promising to remove restrictions on speech, advance women's rights, and release dozens of political prisoners. Eighteen months later, Rouhani's campaign promises haven't materialized. Despite the president's rhetoric and some superficial steps, he hasn't delivered on his vows of reform, and the administration is focused almost entirely on the nuclear negotiations.

The country's hardliners have deepened repression. The human rights situation has deteriorated further, whether with respect to gender equality, increasing imprisonment and execution of political opponents, as my colleague here has noted, or crackdowns on freedom of expression and religion.

Iranians continue to demand gender equality but have instead seen further deterioration. Vicious acid attacks against women have gone unpunished, and pending legislation restricts the hours during which women are allowed to work and creates a hierarchy for public sector hiring that would marginalize women, particularly those who aren't married. Other bills would empower employers and members of the religious militia to enforce the government's conservative dress code for women, curb the use of modern contraceptives, outlaw voluntary sterilization, and dismantle state-funded family planning programs.

Since 2013, authorities have banned women from 77 fields of study, effectively reversing hard-earned educational achievements. Another law, passed over the fervent objection of Iran's human rights community, effectively legalizes forced marriage by allowing men to marry girls as young as nine, provided that they are adopted daughters or step-daughters.

Iranian women are banned from watching public sporting events and have campaigned for years against this discriminatory policy. In a sign that international pressure works, warnings by international sporting authorities that would refuse Iran hosting privileges have led officials to signal a possible change. Pressure like that works.

In this context, in an especially ill-informed move on April 10, UN members elected Iran to the board of UN Women, a public

embarrassment to the body's efforts to advance women's empowerment.

A second and increasingly blatant violation of human rights is the staggeringly high execution rate. Iran is second only to China in the number of executions it carries out, and that's not per capita, but just as an absolute matter. It leads the world in juvenile executions. Let's look at a comparison. As my colleague noted here, Iran reached its highest level in 12 years last year, with 753 individuals put to death, 53 of whom were publicly executed and 14 of whom were juveniles. Think about this in comparison. Saudi Arabia, which is not attractive in its own record on executions, executed 90 in the last year. The execution rate is even higher—it seems to be 20% higher—in the current calendar year.

● (1320)

Iran holds at least 1,150 political prisoners, with likely far more, given many Iranian families' fear of government reprisals if they come forward. Some of these political prisoners are held in solitary confinement in facilities outside the purview of Iran's formal prison authority. The 2009 presidential candidates and leaders of the green movement remain under house arrest without charge for a fourth year in a row. Just this morning, prominent human rights defender Narges Mohammadi was arrested for alleged national security crimes as punishment for her peaceful activism in support of abolishing the death penalty.

Iran's media and online environment are among the most repressive in the world. This is a focus of Freedom House work. In 2014, seven newspapers and magazines were shut down, and blogs and news websites were subject to state censorship and filtering. At least 44 Iranian journalists were imprisoned. Of course, *Washington Post* journalist Jason Rezaian was among them. He's been in prison for nine months under espionage charges.

Iran's conservative Press Supervisory Board recently banned a popular women's magazine that had received a new licence from the Rouhani government after years of being shuttered under the previous government. What was the violation? It was publishing views on the cohabitation of unmarried adults and access to public sporting events by women. How dare they?

Among 65 nations that are studied in Freedom House's *Freedom on the Net* report, Iran is ranked at the very bottom. Authorities restrict online access to information through control of Internet infrastructure, extensive website filtering, rampant surveillance, and systematic arrests. Millions of websites, including Facebook and Twitter, remain blocked for Iranian citizens.

Last fall, Iran's Supreme Court upheld the death sentence of 30-year old blogger Soheil Arabi for a Facebook post deemed insulting to religious sanctities. Other online offenders were sentenced to between seven and twenty years for blogging, for a technology website, for contributing to a Sufi website, and for a Facebook post deemed blasphemous to the regime.

Religious freedom is also under serious and continued threat. Bahá'ís, Christian converts, Sunnis, and Sufis continue to be targeted and dozens put in prison.

Academic freedom is limited, especially for Bahá'ís and women, but President Rouhani has taken some positive steps to ease repression on university campuses. In 2014, about a dozen student associations were allowed to renew their work after being forcibly shut down under the previous administration, while several new groups have been recently granted permits to operate. However, real reform is unlikely, as the Minister for Science, Research, and Technology, who had lifted restrictions, was impeached by the parliament.

Independent labour unions continue to be banned, and those who participate in protests are fired or summoned to court. At least 230 people were arrested in peaceful labour protests over the last year, and nearly 1,000 were fired in February 2015 for participating in labour protests. Five labour leaders were arrested on the eve of International Workers' Day.

Unfortunately, it appears that these crackdowns will continue. The parliament has introduced new legislation that would further restrict Iranians' rights to expression and association and would enable regime conservatives to control the country's civic and political space ahead of Assembly of Experts and parliamentary elections next year. These measures would bring political parties, journalists, and NGOs firmly under the control of commissions and councils dominated by the hardline authorities and would outlaw any activity that the regime considers harmful to its interests.

Indeed elections, which are used in Iran to legitimate theocratic rule, rarely change the country's political reality. They rarely do because unelected institutions—the Supreme Leader, the Guardian Council, and increasingly the judiciary and security services—effectively have a veto over decisions of elected institutions.

While Khamenei may wish to be viewed as an overarching supreme guide, he is in reality a micro-manager over an expanding web of committees and councils and various organs and branches of the government. Khamenei's appointees control, oversee, and influence socio-cultural, foreign, and economic policy and ensure that policy making is in line with the leader's views and that no centre of power gains more influence than the leader.

Similarly, the country's electoral system is designed to ensure that candidate selection and the entire electoral process are carried out under the authority of the Supreme Leader and not the Ministry of Interior. All candidates for high public office are heavily vetted by the Guardian Council on the basis of subjective criteria and non-transparent procedures. In practice, this means that public officials and political hopefuls are accountable primarily to the Supreme Leader and only secondarily to the electorate.

• (1325)

Iranians have repeatedly attempted to achieve reform through the ballot box and through peaceful protests, but two decades of experience have proven that it will be far more difficult and costly, if not impossible, to achieve it without international support. At this critical juncture, the world must not turn its back on Iran's people's aspirations for democratic reform. Governments engaging with Iran

should make clear to Iranian authorities that attention to human rights won't take a back seat to the pursuit of strategic and security co-operation.

Leading human rights defender Nasrin Sotoudeh said recently, in April, that with regard to the nuclear negotiations, "To think that reaching an international consensus [on nuclear talks] will by itself lead to an opening in the domestic scene...is a mistake".

Freedom House looks forward to supporting a Canadian-sponsored resolution again in the UN General Assembly. That General Assembly action should urge the Secretary-General to take additional steps to strengthen his office's engagement with Iran. In particular, Freedom House recommends that the Secretary-General appoint a special adviser on Iran, similar to the one Kofi Annan appointed on Burma since 1995 to provide political guidance to Burmese authorities. This would provide access to the country by the UN special rapporteur on Iran and for other special procedures of the UN and would push for full co-operation by the Iranian government with the Office of the High Commissioner for Human Rights.

Further recommendations are as follows.

We hope that Canada will work in conjunction with the United States and Sweden at the UN Human Rights Council next March to build a stronger resolution than what already exists, that passed in 2011 on the human rights situation in Iran.

The mandate of the special rapporteur needs to be given more heft. The rapporteur's access to Iran should be a priority of international diplomacy, and countries with significant populations of Iranian refugees should allow access to their territories by the rapporteur.

As a final recommendation, I want to emphasize that Iranian officials responsible for human rights abuses should be held accountable with targeted sanctions. Even if comprehensive sanctions are lifted in the context of diplomacy on nuclear capabilities, those targeted sanctions would place effective pressure and stigma on those responsible for violating the basic dignity of women and men in Iran. We hope that Canada will join the United States and the EU in applying asset freezes and visa bans on Iranian officials responsible for abuses.

To close, the human rights situation in Iran is abysmal. Canada has been a leader in calling attention to that point. Your annual accountability week at the subcommittee is part of that leadership effort. Human rights respecting nations of both the global north and the global south need to show their solidarity with ordinary Iranians subject to repression by the government. A focus on nuclear talks and understandings doesn't justify sweeping acute human rights abuses under the rug.

Thank you very much.

The Chair: Thank you. We will now turn to our third witness, Mark Dubowitz, who has joined us here in Ottawa.

Mr. Dubowitz, please feel free to start.

• (1330)

Mr. Mark Dubowitz (Executive Director, Foundation for Defense of Democracies): Thank you, Chairman Reid.

Just in terms of a time check, Chairman Reid, how long would you like my testimony to go, just to give members an opportunity?

The Chair: We encourage people to go 10 minutes. We're going to adjust the amount of time for questions accordingly, but I like to be ruthless with the members asking questions, not with our witnesses.

Mr. Mark Dubowitz: Okay, I will keep it to 10 minutes.

Chairman Reid and honourable members of the committee, thank you for inviting me again to testify. It's a great pleasure to be testifying with two of my colleagues from Washington, Mark and Ali. I think they've done a tremendous job in laying out the vast system of domestic repression that the Iranian regime has constructed and continues to implement.

I want to talk about three issues that are all interlinked. I want to talk about Iran's nuclear breakout, Iran's regional breakout, and I also want to provide some further colour and specific recommendations on Iran's domestic crackdown.

Let me begin with the nuclear issue. The nuclear negotiations have a deadline of June 30. We know something about where those negotiations are going. Roughly speaking, there are a few issues to be resolved, but if there is a deal at the end of these negotiations, and I stress "if", the Iranian regime will be left with the significant nuclear infrastructure in place already. There will also be a sunset provision or a series of sunset provisions under which the constraints to be imposed on Iran's program will effectively disappear for the most part between years 10 and 15. Within a decade or a decade and a half, the Iranian government will be left with a significant industrial-sized nuclear program with unlimited enrichment capacity, zero breakout, the ability to build multiple plutonium heavy water reactors, a long-range ballistic missile program including an intercontinental ballistic missile program, and the ability to develop advanced centrifuges. Actually from day one they can begin testing those centrifuges and then can put it into full scale operations and production by year 15.

They will also be left with their entire infrastructure intact—their Natanz enrichment facility; their Arak heavy water reactor; and, most troubling, their Fordow enrichment facility, which is an enrichment facility buried under a mountain on a Revolutionary Guards base. There they will continue to be able to operate centrifuges, albeit in a constrained way, for at least the first decade and a half. They will emerge with a hardened enrichment facility there, including advanced centrifuges for enrichment.

So what effectively we've done is that we started off with a goal of preventing Iran from developing a nuclear weapon by trying to dismantle Iran's nuclear infrastructure and prohibit Iran from having domestic enrichment like 19 or 20 other countries, including Canada, which don't have the enrichment capacity. We've effectively gone from dismantling that capacity to talking about shuttering the facilities, and now all the facilities will stay open. As I said, most of the constraints on that program will disappear in a decade to a decade and a half. I remind the members here that 9/11 was only 14 years ago and 14 years goes by in a flash. So Iran is essentially going to be in a position very quickly to engage in a significant nuclear breakout, a covert nuclear sneakout. The Iranians will position themselves—through an inch out, through a series of serial cheating

and challenging of IAEA inspectors—to be well-poised in at least a decade, maybe a decade and a half, to have a full-scale nuclear weapons capability on a territory that's more than twice the size of Texas. I don't know what the Canadian geographical equivalent is, but Texas is a big state. More than twice the size of Texas is an awfully large territory for the IAEA to have to monitor.

As part of the nuclear negotiations, the P5+1 will give significant sanctions relief to Iran, including returning over \$100 billion in oil revenue that's currently locked up in escrow accounts around the world; allow Iran to return to selling oil, which even at the price of oil today will net the regime at least about \$15 billion to \$18 billion a year; and they will begin to be able to plug their financial institutions back into the formal financial system. They will return to the SWIFT financial messaging system, and they will be able essentially to engage in normal commercial activities like any other "normal" country. It's with this massive sanctions relief that Iran will continue its aggressive regional breakout.

The Iranians through these negotiations have used the nuclear negotiations to constrain U.S. and western pressure, and force the west not to push back against Iran's regional goal of attaining hegemony in the Middle East. Today Iran is in control of four Arab capitals. It is moving on Sana'a in Yemen, Bagdad, Damascus, and Beirut. So this aggressive regional breakout, which has been led by the Revolutionary Guards, specifically by the Quds Force and a man named Qasem Soleimani, has already emboldened Iran. With the return of tens of billions of dollars, Iran will be flush with cash and have the ability to continue to fund the Quds Force and Hezbollah, Hamas, and Iraqi Shiite militias and Houthis in Yemen, and any other surrogates who will help advance Iran's regional breakout.

•(1335)

As Iran is engaged in both a nuclear breakout and an emboldened regional breakout, which has been empowered by economic resources that the Iranian regime will get under a program of sanctions relief, they continue, as Mark and Ali have outlined, a program of domestic crackdown.

That domestic crackdown, as those gentlemen have outlined in detail, has not subsided at all during these negotiations. You would think that the Iranian government would want to show the international community some goodwill and would want to build confidence. Our diplomats talk about confidence-building measures. You would think the Iranian regime would have diminished its violent crackdown of its own citizens, would have diminished its regional aggression in order to build confidence that they can be the kind of government that should be trusted to have an industrial-size nuclear program with unlimited enrichment capacity and near-zero breakout in just over a decade.

Instead, this regime has gone in the opposite direction, as we've heard: to a vast system of domestic repression that is only growing, a regional aggression strategy that is only being emboldened, and a nuclear infrastructure that is only going to be increasing.

The specific elements of this all converge on one major actor, and that is not President Rouhani; it is not foreign minister Zarif; it is the Revolutionary Guards, controlled by a man named Jafari, and specifically by his deputy, who has become increasingly a household name, a man named Qasem Soleimani, the head of the Quds Force. It's Soleimani who is in charge of the IRGC's extraterritorial activities, but he is also now the major-domo of the Middle East. He is both incredibly prominent and prevalent in the Middle East. He is a man who has emerged from the dark shadows that he used to exist in to the light, where he is now taking selfies of himself throughout the Middle East. He has become a rock star among the hardliners in Iran. He is a man well-positioned for great future success. He is a man, as my colleague Ali Alfoneh is going to detail soon in a report, whom you must think of when you think of Iran's nuclear program, because Qasem Soleimani and the bomb is what we will look forward to over the next decade. Soleimani and the Revolutionary Guards are also in control of the Basij and their own intelligence service. It's the Basij and the intelligence service that are responsible for the crackdown on human rights in Iran.

Essentially what we've done through emboldening and facilitating an Iranian nuclear breakout, through permitting an Iranian regional breakout, through empowering the Revolutionary Guards economically, is to also contribute to the Revolutionary Guards' ability to crack down domestically.

I fear that as these negotiations continue, when and if a nuclear deal is reached, this Revolutionary Guard, with its Basij, with its Quds Force, will be even more dangerous and an even more aggressive than we've seen in the past.

What can Canada do about this?

Canada has shown great leadership on both human rights and sanctions. I would like to reiterate a point made by Mark. I think it's absolutely important that Canada continue its leadership on targeted sanctions with respect to human rights.

I would add one additional recommendation, which is something I've testified to on a number of occasions before this committee. Canada should amend its Special Economic Measures Act, SEMA. SEMA currently allows the Canadian government to impose sanctions if there is specifically a situation that constitutes a grave breach of international peace and security that has resulted or is likely to result in a serious international crisis.

With respect to Iran, this has been primarily focused on proliferation—Iran's role in nuclear weapons, ballistic missiles, and proliferation activities. As the nuclear deal moves forward, as the U. S. begins to unwind its proliferation-related sanctions, and as the Europeans drop all of their sanctions, which are nuclear-related with the exception of a few targeted human rights sanctions, the Revolutionary Guards and the Quds Force will, as I mentioned, find themselves flush with cash.

By modifying SEMA to include human rights instead of just proliferation, and by defining grave human rights abuses as a breach of international peace and security, Canada can be sending both a powerful symbolic message as well as a powerful material message to those who are responsible for Iran's vast system of domestic repression.

● (1340)

Specifically we have to go beyond targeted sanctions. We have to go beyond travel bans and asset freezes and actually use SEMA to target those elements of the Revolutionary Guards, both the people and the companies and the sources of revenue, that facilitate and embolden Iran's vast system of domestic repression.

This includes going after members of the Revolutionary Guards, members of the Basij, members of the intelligence services—and not only the individuals, but also their front companies. Many of them run significant networks of front companies globally, some of them out of Dubai, some out of the Gulf, some out of Latin America. There's an extensive illicit network run by these gentlemen—and they are gentlemen, as there are very few women doing this—who are using the network to raise cash to further their illicit activities.

If you modified SEMA to include human rights as one of the key grounds on which you could designate these individuals and their networks, then you could be helping to rob them of some of the cash they're going to need to further their illicit activities both at home and abroad.

With that I'll stop. Again I thank you, Chairman Reid and distinguished colleagues, for the opportunity.

The Chair: Thank you, Mr. Dubowitz.

Colleagues, we can all see the clock and recognize that we are under pretty tight time constraints, particularly as we are several blocks away from Parliament Hill, where we all have to be for the start of question period; hence, I'm going to ask each of you to frame a single question and direct it to a single witness. Otherwise, we simply won't get through all of our questions.

Mr. Sweet, would you like to begin?

Mr. David Sweet: Thank you very much, Mr. Chair.

I will direct one question at Mr. Dubowitz and thank him very much. I thank all the witnesses very much for being here.

I would like to put on record that I do not comprehend a process of negotiation that would ever entail making an agreement with someone that would be contrary to their present behaviour. When you're already killing your own people at a very regular rate, why we would think you would be responsible with nuclear fusion is beyond me.

Anyway, Mr. Dubowitz, you mentioned those people who had businesses outside the country. Is that what is propping up the economy right now? Many of us marvel at Iran's sustaining the capability of exporting terror and, as you said, expanding their hegemony in the region, and all under very serious sanctions. Is this what's propping up their economy right now, or are there other elements?

Mr. Mark Dubowitz: Certainly an element of sanctions-busting has been taking place even during the height of the sanctions pressure. But fundamentally, in 2013 the U.S. government made a strategic decision. Prior to that, particularly for about 18 months, the Iranian economy was under severe pressure. Iran was about four to six months away from a balance of payments crisis and economic collapse. In 2013 President Obama made the decision to de-escalate the sanctions pressure, to block new sanctions, and to enter a round of negotiations with Iran that culminated in the joint plan of action.

It was that fundamental decision that relieved the economic pressure, and a regime that was facing economic collapse, that was on its back, was able to get on to its knees and is now slowly rising to its feet economically.

By avoiding economic collapse we gave up economic leverage, gave up economic coercion. It's no surprise, then that the Supreme Leader has stood his ground with respect to his nuclear demands, and we have spent the last 18 months accommodating Ali Khamenei's nuclear demands.

He is no longer under economic pressure, no longer feels the threat of economic collapse, and as a result he has flipped the negotiations on the P5+1 and now is emerging with a nuclear deal such as I describe, one that has gone from our goal of dismantlement to his goal of retention, growth, and ultimately an industrial-size program that will position his government and his successor to at least have nuclear weapons, threshold capability, and certainly the choice at the time of his choosing to build atomic weapons.

The Chair: Okay.

Mr. Marston, please.

Mr. Wayne Marston: I think I'll direct my question to Mr. Alfoneh.

We've had testimony here over a number of years regarding the situation in Iran, particularly the domestic human rights violations, the persecutions, the murders, the disappearances, the whole gamut right up to the executions.

Two of our witnesses, one being Sharin Ebadi and the other Professor Akhavan, both had a similar suggestion, and that was to deal with the human rights crisis within the country. It had to happen from people inside Iran, rather than from the outside.

I'm really curious as to what your observations would be on that, because the testimony we're hearing today is suggesting that we have failed with the sanctions and have failed in terms of the nuclear situation. But on the human rights front, do you see any light at the end of the tunnel at all?

• (1345)

Mr. Ali Alfoneh: Thank you very much for your question, sir.

I think it's quite interesting that Dr. Shirin Ebadi is the winner of the Nobel Prize. She is one of those who are engaged in human rights activities outside of Iran, because she could not conduct those activities inside the country. She's a trained lawyer, and there are many other of her colleagues inside Iran who are imprisoned as soon as they try to defend, for example, some of the people who are in prison. I certainly believe that the work of the Iranian community and human rights activists outside Iran should continue.

Concerning success or failure and the United States government and many U.S. allies, even western countries—in this case Canada is really an exception—I'm not so sure that the type of pressure that needed to be imposed on Iran was ever imposed, because the nuclear issue had the priority of the west, and human rights issues never provoked the type of reactions that would force the regime to give concessions on the human rights issue. So we cannot answer a question about something that has never been tried.

Mr. Wayne Marston: Thanks, I appreciate that.

Thanks, gentlemen.

The Chair: Thank you.

Ms. Grewal, please.

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Thank you, Chair.

My question goes to Mr. Dubowitz.

Mr. Dubowitz, when talks began between President Obama and President Rouhani, some observers expressed the hope that ending the nuclear impasse could help improve Iran's abysmal human rights record, but now we have an accord on Iran's nuclear program. If the agreement is implemented by the June 30 deadline, do you foresee it having a positive or a negative impact on human rights in Iran? What measures can be taken to ensure that a nuclear deal doesn't betray human rights? Is there a danger that if the nuclear issue is solved, international pressure on human rights will ease?

Mr. Mark Dubowitz: I think the end of your question is where I'd like to start.

I think the pressure on Iran, in general—both its regional activity and its domestic oppression—will ease because this will move from the front page to the back page. This will no longer be the priority, certainly, of the U.S. government. There will be a desire to ensure that the Iranians comply with the nuclear agreement. Negotiators will generally fall in love with their agreements—all negotiators are the same, all administrations are the same—and will defend those agreements against all evidence to the contrary about those agreements not working, whether with respect to nuclear compliance, regional aggression, or their impact on the domestic situation in Iran. What I fear the most is that not only will this be less of a priority, but to the extent that Iran engages in nefarious behaviour, whether violating the nuclear agreement—which they'll do, by the way, incrementally, not egregiously, even though the sum total of their incremental cheating will always be egregious—whether they engage in regional aggression and continue their hegemonic ambitions in the Middle East, or whether they crack down even more viciously inside Iran, our position will be that we don't want to do anything to risk this nuclear agreement. As flawed, as unsatisfactory as this agreement is, it will be all the more reason that we don't want to risk it and have the Iranians walk away from the table. If anything, I think Canada is in a unique position to take the lead on human rights.

I would just add one other point, because I think we tried this in the U.S. and failed. We tried to link human rights to Iran's economy. The problem with human rights sanctions has always been that the penalty for abuse, for being designated, has always been mostly symbolic. It's been a travel ban. To the extent that we can get a hold of assets outside the country, some of them have been frozen. But what you really need to do is look at the fundamental sectors of Iran's economy controlled by the Revolutionary Guards that feed the Basij, that feed the Quds Force, that feed the intelligence services, and you need to designate those sectors of the economy as sectors of primary human rights abuses and actually drain the revenue from those sectors and make it very difficult for these human rights abusers, who, by the way, are also business people. They're business people, they're politicians, and they're abusers, and you need to hit them in all three areas. You need to delegitimize them, prevent them from travelling, you need to make it more difficult for them to operate domestically, and you also need to go after their business interests—the companies, the front organizations—and drain the revenues that they need to sustain their political base and the revenues that they need to continue to build up, as I call it, this vast system of domestic oppression. If you amend SEMA, you begin to lay the predicate for that kind of legal activity inside Canada.

• (1350)

The Chair: Thank you, Ms. Grewal.

Professor Cotler, please.

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

Any of the witnesses can respond to my question.

As you know, a feature of our Iran Accountability Week is the Iranian political prisoner amnesty project, whereby members of Parliament take up the case and cause of an Iranian political prisoner. How can we make that political prisoner amnesty project more effective, both with respect to the prospective release of political prisoners in Iran and also in order to unmask the overall massive domestic repression in Iran?

Dr. Mark Lagon: Maybe I can take a crack at that first.

It's a pleasure to see you, Professor Cotler, and thanks for your question.

I think it's deeply important for both the lives and the welfare of those individual political prisoners and for giving texture to people among democracies in the international community about the impact of the Iranian regime's repression. Every single form of dialogue that occurs must raise the topic of individual political prisoners.

I don't have enormously high hopes for those who are nuclear negotiators to tuck into their talking points reference to a particular political prisoner, but if every single executive, administration official, legislator, and even business leader brings up specific cases of people, this would be crucial for the possibility of their being released.

Mr. Ali Alfoneh: Professor Cotler, yes, that is exactly true. We know that the regime in Tehran is not indifferent to international condemnation.

We also note that they try very hard to avoid international diplomatic isolation, and those political prisoners whose cause has been championed outside Iran end up being freed sooner or later, while those who become forgotten names because families prefer not to enter a conflict with the regime tend to spend much longer and much harsher time in the Iranian prison system.

By the way, adopting and making names of unnamed political prisoners in Iran also helps the political debate inside Iran, because the regime media try very hard not to make names of the political prisoners and activists, and for that matter of any other kind of prisoner of conscience. When the international media, thanks to, let's say, the efforts of the Canadian government and the Canadian Parliament, begin to put faces to those names, their doing so would make a tremendous change, I believe.

Mr. Mark Dubowitz: Professor Cotler, I would add just one other idea. It may not be a good one, but in addition to adopting Iranian political prisoners, there should be a program of scorning Iranian political abusers. I think Ali and Mark's point is exactly right, that it's about the names and faces and stories. As soon as people become reduced to a name and a description on a regulatory order, it is all forgotten.

We should have a program of scorning the abusers. We should know their names, we should know their faces, we should understand their business activities, we should know where they travel, and we should understand who they are and what their stories are. I would suggest that you don't want to adopt abusers—I think that's probably the wrong construct—but should institute a program of scorning the abusers and naming and shaming them and then use SEMA and other means to go after their core interests, both economic and financial.

As well, we can use instruments of isolation, so that when they travel there is somebody calling INTERPOL to slap red notices on them; so that when they are skiing with their family in Gstaad, Switzerland, there are demonstrations; and so that when they are shopping in London, they are met with scorn wherever they go.

I think the political isolation element of this is critical, because the Iranians have negotiated a nuclear framework that will ultimately be turned into a nuclear deal, which will not only allow them to retain a nuclear infrastructure and get billions of dollars in cash, but also end their political isolation. They've done that brilliantly. They have flipped the construct on the international community and Iran is effectively being welcomed back into the family of nations.

In essence, I think that's President Obama's strategy—not economic coercion but economic seduction. We're going to integrate Iran, and by integrating Iran we'll transform the regime. Transforming the regime will render it less of a danger regionally and there will be less of a danger in their retaining a nuclear infrastructure.

If that's the strategy, then what you're effectively doing is taking the most abusive elements of Iran's government and welcoming them back into the international community. By welcoming them back, you're essentially giving them your blessing to continue their vast system of domestic repression against nameless and faceless victims.

Let's scorn a political oppressor while adopting a political prisoner. I think that would be a good way to twin the program.

• (1355)

The Chair: Thank you.

Mr. Hillyer, please.

Mr. Jim Hillyer (Lethbridge, CPC): I'm not sure whom to direct the question to, but I'll start with Mr. Dubowitz.

You talked about how the Obama administration's shift in policy bailed them out just before all hope was lost and the program was going to do its job.

We talked a lot about what Canada can do vis-à-vis Iran, but let's face it: that single decision of the United States, which wasn't done with our blessing, can undo a lot of our efforts.

How much of our effort should be directed towards such countries as the United States that are a little bit more easily influenced than Iran, and if we should put some of our efforts there, what kind of efforts should we use?

Mr. Mark Dubowitz: Thank you. That's a great practical question.

I think the fundamental problem here is that the administration is going to unwind the sanctions regime, and the U.S. sanctions regime—the economic sanctions, the sanctions that are most punishing to the regime—are essentially nuclear sanctions and are linked to proliferation. So what you're going to see over the next 12 to 18 months, if there is a deal, is most of the toughest sanctions, economic sanctions, being suspended and then eventually unwound, and we will not have economic leverage. I think the right construct is to go back and begin to look at sectors of the economy, elements of the economy, individuals in the economy, and begin to re-sanction and re-designate them based on human rights abuses, and do so in a way that affects their economic interests.

I'll give you one concrete example. The Revolutionary Guard own something called Khatam al-Anbiya. Ali is very familiar with Khatam al-Anbiya, having done a lot of research on them. Who are they? They are the prime contractor. If you do any major construction project, if you're building bridges or subways or energy platforms, Khatam al-Anbiya has been winning no-bid contracts worth tens of billions of dollars over the past number of years. Khatam al-Anbiya is owned and controlled by the Revolutionary Guards. At some point the United States and the Europeans are going to lift nuclear sanctions on Khatam al-Anbiya, and Khatam al-Anbiya will go back to business. That means that any constraints that have been imposed on Khatam al-Anbiya will be removed, and they'll be able to generate tens of billions of dollars in contracts by doing business with energy companies from Europe and industrial companies from Japan. It will just feed their resources, and they will again be more flush with cash. That money then will be sent to the

Revolutionary Guards to continue regional breakout, nuclear breakout, and domestic repression.

So why not, if you modify SEMA, designate Khatam al-Anbiya as essentially a threat to international peace and security that's likely to result in a serious international crisis? By emboldening this key linchpin of the Revolutionary Guards' economy, you're essentially creating an international crisis on multiple grounds. If, under SEMA, you designated Khatam al-Anbiya as a revenue-generator for Iran's vast system of domestic repression, you'd then begin to actually reconstruct economic pressure. I think you can do this alone. You can do this in concert with your allies in Europe, which is critical. And I think you can do this in concert with U.S. legislators. Remember, 18 or 19 months from now there will be a new administration. Now is the time to begin to actually lay that predicate, so that when a new administration comes into office, whether Democratic or Republican, they're going to be looking for ways to try to push back against Iranian behaviour.

That's a kind of technical construct that I think Canada can do very well, given its leadership on human rights, within the confines of a modified SEMA.

• (1400)

The Chair: Thank you.

That completes our—

Oh, hang on. I was about to stop, but I see that Mr. Lagon has something to say.

Dr. Mark Lagon: Mr. Hillyer's question is a very good one. Let me just give a brief answer.

The United States should not have lifted the comprehensive sanctions on Iran because of the nuclear talks. That said, the United States and Canada should have targeted sanctions on human rights abusers. In the United States, there's consideration in our Congress of something called the global Magnitsky human rights accountability bill. Using the example of sanctions used against human rights abusing and corrupt officials in Russia responsible for the death of the lawyer Sergei Magnitsky, there's an idea of passing legislation that would allow for targeted sanctions against those responsible for corruption and human rights abuses in any nation with illiberal governments. That's a tool that's worth using and would allow both the United States and Canada—if Canada were to pass similar legislation—to hold those to account, a deeply important step.

The Chair: Just to be clear about this, is this actually a law, or is it a proposal for a law that is currently being worked through Congress?

Dr. Mark Lagon: It's a proposed law. It was introduced before and not passed. A narrow bill that had to do with the specific case of targeted sanctions on Russia was passed in 2012, and it had good effect. Now the leading Democratic senator on the Senate foreign relations committee, Senator Cardin, is introducing legislation for a global version of these targeted sanctions.

The Chair: So we should look for Senator Cardin's proposals. That's what we would look for if we want to see this model?

Dr. Mark Lagon: Indeed, I'm happy to mail it to you.

The Chair: We'd like to see it.

If you send it to our clerk he'll follow up.

I see Mr. Cotler trying to catch our attention.

Hon. Irwin Cotler: For our witnesses, very recently the Canadian Parliament unanimously adopted justice for Sergei Magnitsky proposed sanctions along the lines of the global Magnitsky act. Foreign Affairs Minister Nicholson, with whom I've been in discussions, has said that the government will introduce, pursuant to our unanimous motion, global Magnitsky-type legislation, which would if passed do exactly what you suggested regarding Iranian violators.

The Chair: Thank you very much.

Thank you to all our witnesses today, Mark Lagon and Ali Alfoneh from Washington, and Mark Dubowitz here in person in Ottawa.

We appreciate your accommodating this very tight schedule. You had a lot to say and limited time in which to say it, but you've certainly been very helpful to us.

Thank you very much.

Colleagues, we are adjourned.

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