

Parliament of Canada, House of Commons

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

Human Rights Situation in Iran

MARK DUBOWITZ

Chief Executive Officer

Foundation for Defense of Democracies

Ottawa, Canada

May 1, 2018

Introduction

Mr. Chair, distinguished members of the committee, thank you for inviting me to testify. I applaud the committee for holding Iran to account for its poor human rights record, which lies at the root of the regime's destabilizing behavior across the region.

The nationwide protests that began to consume Iran in late December reflect longstanding frustration with Tehran's repression, corruption, economic mismanagement, water shortages, and foreign adventurism. Though the country has witnessed hundreds of protests in recent years, the latest demonstrations, which continue to this day, mark the first major, widely covered eruption since the quashed 2009 Green Revolution, and represent a potential inflection point in the clerical regime's long-term viability. Protestors have challenged not only specific policies, but also the government's very legitimacy as a putative representative of the Iranian people. Chants of "death to Khamenei" and "death to Rouhani" – referring to Supreme Leader Ayatollah Ali Khamenei and President Hassan Rouhani – have routinely punctuated the mass demonstrations.

The uprising also highlights the broken promises of President Rouhani, who rose to power in 2013 – and won reelection last year – with repeated pledges to end the regime's longstanding domestic repression. In late 2016, he released a detailed Charter on Citizens' Rights, which vowed to advance fundamental democratic norms, including freedom of speech, press, religion and association, fair trials and due process, and governmental transparency and accountability.¹

However, as the late Asma Jahangir, the UN special rapporteur for human rights in Iran, noted in a report written just before her death in February, improvements in Tehran's human rights record under Rouhani "are either not forthcoming or are being implemented very slowly and in piecemeal." Iran's actions, she wrote, "contrast starkly" with its rhetoric. The regime has continued to impose arbitrary arrests, large numbers of executions, restrictions on speech and assembly, torture in prison, and discrimination against women and ethnic and religious minorities.² Rouhani, she said in an October 2017 press conference, will "have to walk the talk."³

Though the protests have largely faded from the headlines in recent weeks, they continue to unfold throughout the country. In April, mass demonstration began in the city of Kazeroon. "Our enemy's right here; they lie and say it's America!" protestors chanted.⁴ Demonstrators also gathered in Iran's Kurdish regions to highlight their economic plight.⁵ In Isfahan, protestors drew attention to

¹ Islamic Republic of Iran, "Charter on Citizens' Rights," December 19, 2016. (<http://media.president.ir/uploads/ads/148214250789390200.pdf>)

² UN Human Rights Council, "Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran," A/HRC/37/68, March 5, 2018. (http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session37/Documents/A_HRC_37_68.docx)

³ "The situation of human rights in Iran - Press Conference (26 October 2017)," *UN Web TV*, October 26, 2017. (<http://webtv.un.org/watch/the-situation-of-human-rights-in-iran-press-conference-26-october-2017/5625925716001/>)

⁴ "Protests Continue In Kazeroon Despite Police Presence," *Radio Farda*, April 21, 2018. (<https://en.radiofarda.com/a/iran-protests-kazeroon/29183629.html>); Joyce Karam, "Large protests return to the Iranian city of Kazeroon," *The National* (UAE), April 20, 2018. (<https://www.thenational.ae/world/mena/large-protests-return-to-the-iranian-city-of-kazeroon-1.723398>)

⁵ "Merchants On Strike In Iran's Kurdistan As Border Closure Hurts Trade," *Radio Farda*, April 19, 2018. (<https://en.radiofarda.com/a/iran-kurdistan-merchants-strike/29177135.html>)

chronic water shortages.⁶ In March, Iranians protested against the Islamic Republic of Iran Broadcasting, the regime's major propaganda organ, in Khuzestan Province.⁷ In recent days, Iranians also protested Tehran's censorship by writing anti-regime slogans on Iranian banknotes and posting them on Twitter.⁸

"A careful review of the evidence clearly indicates that the protests were not a short-lived phenomenon with temporary impact," wrote Ivan Sascha Sheehan, the incoming executive director of the School of Public and International Affairs at the University of Baltimore. "Rather, they marked a turning point and permanent change in the trend of events and political calculations in Iran."⁹

Iran's Record of Human Rights Abuses

Tehran's domestic repression stems not merely from its ambition to preserve power per se. Rather, the regime simultaneously seeks to advance its radical ideology, which views the Islamic Republic as the vanguard of Shiite Islam in a region dominated by Sunni states, their U.S. patron, and the foreign values they espouse. "The real war is a cultural war," said Supreme Leader Khamenei in a 2017 speech. "There are so many television and internet networks which are busy diverting the hearts and minds of our youth away from religion, our sacred beliefs, morality, modesty and the like."¹⁰ Iran's human rights abuses thus reflect its determination to curb any behavior that contravenes its religious worldview.¹¹

This reality underlies the systemic and pervasive reach of Iran's repressive state. The regime effectively rules through fear, employing imprisonment, torture, and executions to enforce its Islamist creed. It tolerates no dissent, routinely targeting ethnic and religious minorities, journalists, and political activists. It seeks to control the public square by restricting internet use, particularly social media, and often arrests Iranians simply for criticizing its leaders online. And it dramatically limits the role of women, who face a range of discriminatory laws.

⁶ Michael Lipin and Shahram Bahraminejad, "Iranian Police Crackdown on Water Shortage Protests," *Voice of America*, April 14, 2018. (<https://www.voanews.com/a/iranian-police-crackdown-water-shortage-protests/4348441.html>)

⁷ "Growing Demands For Apology From Iranian State TV Over Discriminatory Kids Show," *Center for Human Rights in Iran*, April 17, 2018. (<https://www.iranhumanrights.org/2018/04/growing-demands-for-apology-from-iranian-state-run-tv-over-discriminatory-kids-show/>)

⁸ "Iranians launch banknote protest to get round censorship," *BBC*, April 29, 2018. (<http://www.bbc.com/news/world-middle-east-43942604>)

⁹ Ivan Sascha Sheehan, "The Rebellion in Iran: A Comprehensive Assessment," *Modern Diplomacy*, April 10, 2018. (<https://moderndiplomacy.eu/2018/04/10/the-rebellion-in-iran-a-comprehensive-assessment/>); Aaron Kliegman, "The Iran Protests No One Is Covering," *Washington Free Beacon*, April 20, 2018. (<http://freebeacon.com/blog/iran-protests-no-one-covering/>)

¹⁰ Ali Khamenei, "The Real War with the Enemy Is Economic and Cultural War, Not Military War," *Official Website of Supreme Leader Ayatollah Ali Khamenei*, February 15, 2017. (<http://english.khamenei.ir/news/4653/The-Real-War-with-the-Enemy-Is-Economic-and-Cultural-War-Not>)

¹¹ Tzvi Kahn, "Trump must challenge Iran's ongoing human rights abuses," *The Hill*, April 27, 2017. (<http://thehill.com/blogs/pundits-blog/foreign-policy/330968-trump-confront-iran-for-its-domestic-human-rights-abuses>)

The Islamic Revolutionary Guard Corps (IRGC), the regime's praetorian guard, spearheads this repression. When Iranian citizens began protesting their government in 2009 and then again in late 2017, it was the IRGC that responded by arresting and killing demonstrators. The IRGC, created in 1979 to defend the Islamic Revolution both at home and abroad, can incarcerate virtually anyone, anytime, for any reason, without consideration for human rights. It also controls Ward 2A of Evin Prison, where widespread and institutionalized torture of political prisoners routinely occurs. The IRGC's leadership reports directly to Iran's supreme leader.

Iran's government, stated a U.S. State Department report published in April, "took few steps to investigate, prosecute, punish, or otherwise hold accountable officials who committed these abuses, many of which were perpetrated as a matter of government policy. Impunity remained pervasive throughout all levels of the government and security forces."¹²

Executions. Tehran continues to lead the world in the use of capital punishment. Amnesty International noted that the regime executed more people in 2017 than any country other than China.¹³ At the same time, as the Oslo-based group Iran Human Rights (IHR) observed, Iran's total number of executions per capita exceeds even China's. According to IHR, Tehran executed at least 517 people in 2017, only a slight decrease from the 530 executions in 2016. The 2017 executions included at least five juvenile offenders and 10 women. At least 31 of them took place in the public square. And at least 231 executions were for drug-related offenses.¹⁴ The death sentences often occur after brief trials devoid of due process.

The rate of executions under Rouhani, stated IHR, compares unfavorably with the rate of his predecessor, Mahmoud Ahmadinejad. In Rouhani's first four-and-a-half years in office, the regime executed at least 3,227 people. By contrast, during Ahmadinejad's eight years in office, the regime executed at least 3,327 people.¹⁵ These statistics undermine claims that Rouhani's tenure marks a period of increased moderation in Iran.

Religious Freedom. Since 1999, the U.S. State Department has designated Iran a "country of particular concern" under the International Religious Freedom Act (IRFA) for its severe violations of religious freedom. "In the past year," noted the U.S. Commission for International Religious Freedom in its annual report for 2018, "religious freedom in Iran continued to deteriorate for both recognized and unrecognized religious groups, with the government targeting Baha'is and Christian converts in particular."

"Religious reformers and dissenters," the commission added, "faced prolonged detention and possible execution, while the government's growing ability to enforce official interpretations of religion online posed new threats to the freedom and safety of internet users." In this context, the

¹² U.S. Department of State, "Country Reports on Human Rights Practices for 2017: Iran," April 20, 2018. (<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2017&dliid=277241>)

¹³ "The Death Penalty in 2017: Facts and Figures," *Amnesty International*, April 12, 2018. (<https://www.amnesty.org/en/latest/news/2018/04/death-penalty-facts-and-figures-2017/>)

¹⁴ "Annual Report on the Death Penalty in Iran 2017," *Iran Human Rights*, March 13, 2018. (https://www.iranhr.net/media/files/Rapport_iran_2018-gb-090318-MD2.pdf)

¹⁵ *Ibid.*

Rouhani administration's promises to address religious freedom violations "have yet to be implemented and the number of individuals imprisoned for their beliefs continues to climb."¹⁶

Freedom of Speech and the Press. Tehran continues to silence critics of its policies. Reporters Without Borders has described Iran as "one of the world's biggest prisons for media personnel,"¹⁷ and ranks the country 165th out of 180 in its 2017 World Press Freedom Index.¹⁸ In her final report, Special Rapporteur Asma Jahangir wrote that she "continued to receive reports of the arbitrary arrest, detention, and harassment of journalists." Over the past three years, she noted, Tehran has reportedly shut down some seven million websites.¹⁹

Last year, Iran harassed and arrested employees of BBC Persian, eventually prohibiting some 150 current and former staff and contributors from conducting financial transactions in the country.²⁰ Tehran then launched a criminal investigation against them on charges of "conspiracy against national security."²¹ "The Iranian authorities appear to regard any affiliation with the BBC as a crime," said Jahangir and David Kaye, special rapporteur on freedom of expression, in a joint statement in October 2017.²²

Malign Treatment of Prisoners. Iranians incarcerated by the regime routinely face horrific treatment in prison marked by torture, poor sanitary conditions, and the denial of access to medical care. According to Special Rapporteur Asma Jahangir, imprisoned Iranians have experienced "sexual violence, including rape; blunt force trauma; positional torture; burns; sharp force; electric shocks; use of water; crushing; pharmacological torture; asphyxiation; amputation; sleep deprivation; threats and humiliation; and prolonged solitary confinement, including on the basis of ethnicity, religion, political views, or having transgressed expected social norms."²³ Freedom From Torture, a London-based advocacy group, cited "the widespread use and acceptance by the government of these interrogation and intimidation tactics."²⁴

¹⁶ U.S. Commission on International Religious Freedom, "Annual Report of the U.S. Commission on International Religious Freedom," April 2018. (http://www.uscirf.gov/sites/default/files/USCIRFAnnual2018_tagged508.pdf)

¹⁷ "Iranian Revolution's 38th anniversary, 38 years of media repression," *Reporters Without Borders*, February 17, 2017. (<https://rsf.org/en/news/iranian-revolutions-38th-anniversary-38-years-media-repression>)

¹⁸ "2018 World Press Freedom Index," *Reporters Without Borders*, accessed April 30, 2018. (<https://rsf.org/en/ranking>)

¹⁹ UN Human Rights Council, "Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran," A/HRC/37/68, March 5, 2018.

(http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session37/Documents/A_HRC_37_68.docx)

²⁰ "Iranian court freezes assets of more than 150 BBC staff," *Reuters*, August 15, 2017.

(<https://www.reuters.com/article/us-britain-iran-journalists/iranian-court-freezes-assets-of-more-than-150-bbc-staff-idUSKCN1AV1QP>)

²¹ Freddy Mayhew, "Iran files criminal charges against 152 BBC Persian journalists in 'politically motivated investigation,'" *Press Gazette* (UK), October 25, 2017. (<http://www.pressgazette.co.uk/iran-files-criminal-charges-against-152-bbc-persian-journalists-in-politically-motivated-investigation/>)

²² UN Human Rights Office of the High Commissioner, "UN experts call on Iran to stop intimidation of BBC staff," October 27, 2017. (<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22314&LangID=E>)

²³ UN Human Rights Council, "Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran," A/HRC/37/68, March 5, 2018.

(http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session37/Documents/A_HRC_37_68.docx)

²⁴ "Turning a blind eye: Why the international community must no longer ignore torture in Iran," *Freedom From Torture*, December 2017.

Such conduct bears a longstanding pedigree, and has even targeted Canadians directly. In 2003, Tehran arrested Zahra Kazemi, a Canadian-Iranian freelance photographer, for taking photos of a protest near a Tehran prison. Regime officials subsequently tortured, raped, and ultimately killed her. To this day, Iran has yet to bring the perpetrators to justice.²⁵

Detention of Dual Nationals. Iran continues to detain at least 14 dual nationals and Iranians with permanent residence overseas on spurious charges.²⁶ The prisoners include Saeed Malekpour, a Canadian permanent resident, whom the regime first incarcerated in 2008 for allegedly managing a pornographic website. In 2010, the regime sentenced him to death for “blasphemy” but later overturned the verdict after he showed remorse in court – and instead sentenced him to life in prison.²⁷ The other prisoners include six Iranian-Americans, one U.S. permanent resident, four British-Iranians, one French-Iranian, and one Swedish permanent resident.

These arrests mark a likely effort to extort the international community for concessions. This endeavor has a precedent. In early 2016, the U.S. administration of Barack Obama, seeking to obtain the freedom of four Americans, released seven Iranian sanctions violators, dropped charges on 14 other at-large Iranians suspected of similar crimes, and airlifted \$400 million in cash to the regime.²⁸

In January, Tehran arrested a Canadian-Iranian environmental activist, Kavous Seyed-Emami, on spurious espionage charges. He subsequently died in prison. Tehran said he committed suicide, a claim disputed by his family.²⁹ According to the family’s attorney, a preliminary autopsy report shows “bruises on different parts of the body” as well as an injection on the skin.³⁰

https://www.freedomfromtorture.org/sites/default/files/documents/iran_report_2017_a4_final_final_web_optimised_0.pdf

²⁵ “Zahra Kazemi (Iran),” *Canadian Centre for International Justice*, accessed April 25, 2018.

<https://www.cciij.ca/cases/kazemi/>

²⁶ “Dual Nationals and Foreigners Held in Iran,” *U.S. Institute of Peace*, February 7, 2018.

<http://iranprimer.usip.org/blog/2016/jul/25/dual-nationals-and-foreigners-held-iran>); Farnaz Fassihi, “Iran Detains British Academic,” *The Wall Street Journal*, April 25, 2018. <https://www.wsj.com/articles/iran-detains-british-academic-1524673964>)

²⁷ “Sister of Saeed Malekpour Says Family Hopes for a Pardon for Imprisoned Web Developer,” *Center for Human Rights in Iran*, October 1, 2015. <https://www.iranhumanrights.org/2015/10/saeed-malekpour/>)

²⁸ Nicholas Fandos, “Details of 7 Iranians Granted Clemency in Prisoner Swap,” *The New York Times*, January 17,

2016. <https://www.nytimes.com/2016/01/18/world/middleeast/a-look-at-the-seven-iranians-released-by-the-us.html>); Jay Solomon and Carol E. Lee, “U.S. Sent Cash to Iran as Americans Were Freed,” *The Wall Street Journal*, August 3, 2016. <https://www.wsj.com/articles/u-s-sent-cash-to-iran-as-americans-were-freed-1470181874>); Tzvi Kahn, “Tehran Sentences U.S. Hostage to 10 Years in Prison,” *Foundation for Defense of Democracies*, July 20, 2017. <http://www.defenddemocracy.org/media-hit/tzvi-kahn-tehran-sentences-us-hostage-to-10-years-in-prison/>)

²⁹ Yeganeh Torbati, “Iranian-Canadian environmental activist dies in prison, his son says,” *Reuters*, February 10, 2018. <https://www.reuters.com/article/us-iran-prisoner/iranian-canadian-environmental-activist-dies-in-prison-his-son-says-idUSKBN1FU0Y2>); Thomas Erdbrink, “Iran Finally Let Her See Her Husband. He Was Dead,” *The New York Times*, February 22, 2018. <https://www.nytimes.com/2018/02/22/world/middleeast/kavous-seyed-emami-iranian-environmentalist-evin-prison.html>)

³⁰ “‘Revealing’ Preliminary Autopsy Report Omits Cause of Death of Iranian Canadian Who Died in Iranian Prison,” *Center for Human Rights in Iran*, April 23, 2018. <https://www.iranhumanrights.org/2018/04/revealing-preliminary-autopsy-report-omits-cause-of-death-of-iranian-canadian-who-died-in-iranian-prison/>)

Iran's Discrimination Against Women

In the protests that continue to pervade Iran, women have assumed an especially prominent role. Iranian law requires women to wear the hijab, or headscarf, in public. But on December 27, Vida Movahed waved her white hijab from a stick on a busy Tehran street, leading authorities to arrest her. The 31-year-old mother's gesture went viral on social media, prompting other women to follow her lead.³¹ Since then, Tehran has arrested about 30 women for refusing to wear the hijab in public.³² In April, a video showing Iran's Basij, or morality police, assaulting a woman whose headscarf covered her hair only loosely provoked widespread outrage.³³

These events reflect women's second-class role in Iran. "Women do not have equal rights to men in marriage, divorce, child custody, or inheritance," Special Rapporteur Asma Jahangir observed. "Husbands have an incontestable right to divorce. Married women cannot obtain a passport without permission from their husband. Women in Iran remain unable to pass on their citizenship to their children."³⁴ The U.S. State Department noted that women "sometimes received disproportionate punishment for crimes such as adultery, including death sentences."³⁵

Rape victims also face challenges in seeking justice. "Most rape victims," the State Department observed, "likely did not report the crime because they feared retaliation or punishment for having been raped, including charges of indecency, immoral behavior, or adultery, the last of which carries the death penalty. Rape victims also feared societal reprisal or ostracism."³⁶

The World Economic Forum's Global Gender Gap Report for 2017 ranked Iran 140th out of 144 countries in economic participation and opportunity for women.³⁷ According to Human Rights Watch, women's participation in the labor force stands at only 17 percent, even though more than half of all university graduates are women.³⁸

³¹ Shima Shahrabi, "The Woman Who Stood Up Against Forced Hijab," *Iran Wire*, January 23, 2018. (<https://iranwire.com/en/features/5115>); Euan McKirdy, "Iranian women take off headscarves to protest veil law," *CNN*, January 30, 2018. (<https://www.cnn.com/2018/01/30/middleeast/iran-hijab-protests-vida-mohaved-intl/index.html>)

³² Haley Britzky, "The high stakes of hijab protests in Iran," *Axios*, February 17, 2018. (<https://www.axios.com/hijab-protests-in-iran-da243ead-3bf2-4e3f-9115-e117e7f9cc62.html>)

³³ "Viral Video: Iranian Woman Seized For Not Wearing Hijab," *Radio Free Europe/Radio Liberty*, April 20, 2018. (<https://www.rferl.org/a/iran-hijab/29181132.html>); Nasser Karimi and Mohammad Nasiri, "Iran police's assault on woman over headscarf stirs debate," *Associated Press*, April 23, 2018. (https://www.washingtonpost.com/world/middle-east/iran-polices-assault-on-woman-over-headscarf-stirs-debate/2018/04/23/74995a6c-46f5-11e8-8082-105a446d19b8_story.html)

³⁴ UN Human Rights Council, "Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran," A/HRC/37/68, March 5, 2018. (http://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session37/Documents/A_HRC_37_68.docx)

³⁵ U.S. Department of State, "Country Reports on Human Rights Practices for 2017: Iran," April 20, 2018. (<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2017&dliid=277241>)

³⁶ *Ibid.*

³⁷ "Global Gender Gap Report 2017: Islamic Republic of Iran," *World Economic Forum*, November 2, 2017. (<https://www.weforum.org/reports/the-global-gender-gap-report-2017>)

³⁸ "'It's a Men's Club': Discrimination Against Women in Iran's Job Market," *Human Rights Watch*, May 25, 2017. (<https://www.hrw.org/report/2017/05/25/its-mens-club/discrimination-against-women-irans-job-market>)

Child marriage is widespread in Iran. According to Jahangir, “At present, girls can be married as young as nine with the permission of the court. The United Nations Children Fund (UNICEF) reported that approximately 40,000 children under the age of 15 years are married annually and that approximately 17 per cent of girls are married before the age of 18. The number is likely to be higher, as thousands of underage marriages are not registered.”³⁹

Tehran also restricts women from holding key posts in government. Last year, 137 women registered to run in Iran’s presidential election. However, Iran’s Guardian Council, an unelected, 12-member body that screens candidates for loyalty to the regime’s Islamist ideology, rejected all of them.⁴⁰ Tehran has also never allowed women to serve on the 88-member Assembly of Experts, the body tasked with appointing the supreme leader.⁴¹

In this context, the hijab protests offer potent symbolism. In the regime’s eyes, the headscarf not only aims to curb male sexual temptation per se, but also shields the Iranian people from the secularism and hedonism of foreign powers, which seek to corrupt the nation’s youth by exposing them to promiscuous images and values. Consequently, the hijab protests challenge not only the regime’s view of women but also its inherent legitimacy. This dynamic accounts for Tehran’s continuing efforts to suppress the hijab protests through force.⁴²

Iran’s Human Rights Violations in Syria

Iran’s support for Syrian President Bashar al-Assad continued over the last year, including the provision of IRGC ground forces, weaponry, intelligence, telecommunications, and financial support. Through this aid, Iran has allowed Assad to remain in power, bombing civilians with impunity, reportedly causing more than 500,000 deaths, and creating millions of refugees who have fled to Europe and neighboring Middle Eastern states.

Tehran spent roughly \$15 billion last year to bolster its longtime strategic partner in Damascus. It bought arms for Assad’s military and financed the foreign Shiite militias, including Lebanon’s Hezbollah, that fight for the Syrian dictator. Iran’s annual contribution to Hezbollah alone stands at between \$700 million and \$800 million. Tehran has lent money to Assad to finance imports such as petroleum. Iran extended a \$1 billion line of credit in 2017, on top of the \$5.6 billion it had already provided. This credit is provided through the Islamic Republic’s Export Development Bank, while all funds ultimately run through Iran’s central bank.⁴³

³⁹ Ibid.

⁴⁰ Tzvi Kahn, “Iran’s Presidential Election and the Role of Women,” *Foundation for Defense of Democracies*, April 21, 2017. (<http://www.defenddemocracy.org/media-hit/tzvi-kahn-irans-presidential-election-and-the-role-of-women/>)

⁴¹ Emma Borden and Suzanne Maloney, “Iran’s Guardians’ Council has approved a record-low percentage of candidates. What will that mean for the upcoming vote?” *Brookings*, February 24, 2016. (<https://www.brookings.edu/blog/markaz/2016/02/24/irans-guardians-council-has-approved-a-record-low-percentage-of-candidates-what-will-that-mean-for-the-upcoming-vote/>)

⁴² Tzvi Kahn, “Iranian Women Protest the Mandatory Hijab,” *Foundation for Defense of Democracies*, February 5, 2018. (<http://www.defenddemocracy.org/media-hit/iranian-women-protest-the-mandatory-hijab/>)

⁴³ Mark Dubowitz and Richard Goldberg, “Use Iran Sanctions to Stop Assad,” *The Wall Street Journal*, April 18, 2018. (<https://www.wsj.com/articles/use-iran-sanctions-to-stop-assad-1524087596>); David Adesnik, “Iran Spends \$16 Billion Annually to Support Terrorists and Rogue Regimes,” *Foundation for Defense of Democracies*, January

A 2016 report by the now-defunct organization Naame Shaam, a group of Syrian and Lebanese activists and citizen-journalists whose reporting focused on the role of the Iranian regime in Syria, found that Tehran initially entered the fray to prevent its ally, the Assad regime, from collapsing, but has effectively become an occupying force in the regime-held areas of Syria. The Syrian regime itself is “little more than a puppet” of Tehran and the IRGC, the report stated.⁴⁴

Moreover, Shiar Youssef, the author of the report, noted that there is “sufficient evidence to try the Iranian regime’s military and political leadership for complicity” in war crimes and crimes against humanity. “The only thing missing is the political will in the White House and in the European Union to do so,” he added.⁴⁵

Policy Recommendations

- 1. Pursuant to the Special Economic Measures Act (SEMA), designate the IRGC in its entirety for its human rights violations in Iran and Syria, and impose human rights sanctions on Iranian state organs that facilitate the regime’s human rights violations at home.**

Canadian sanctions against Iran under SEMA originally focused exclusively on nuclear proliferation. However, in the wake of the 2015 nuclear agreement, formally known as the Joint Comprehensive Plan of Action, these sanctions were dramatically eased. I cautioned in past testimony that Iran’s missile activities, sponsorship of terrorism, and human rights abuses all continued to pose a threat to international peace and security, and noted that the Iranian regime’s human rights abuses already fulfilled the criterion of constituting a grave breach of international peace and security that resulted in, or is likely to result in, a serious international crisis.

Last year, SEMA was amended to include an explicit new criterion that would enable sanctions against foreign actors that commit gross and systematic human rights violations. In light of Tehran’s ongoing aggression at home and in Syria, the case today is even stronger for new sanctions against Iran’s state organs – and the individuals who work for them – that facilitate the regime’s human rights abuses in both countries.

I continue to urge the Canadian government to designate the Islamic Revolutionary Guard Corps (IRGC) in its entirety under SEMA for its role in violating the human rights of the Iranian and Syrian populations, just as the Obama administration designated the IRGC in its entirety for human rights abuses under Executive Order 13553 in June 2011 and in April 2012 under Executive Order 13606.

Canada should also sanction under SEMA the business empire of Ayatollah Ali Khomeini, the ultimate architect of the regime’s oppression. The supreme leader’s corporate conglomerate, which

10, 2018. (<http://www.defenddemocracy.org/media-hit/david-adesnik-iran-spends-16-billion-annually-to-support-terrorists-and-rogue-regimes/>)

⁴⁴ Shiar Youssef, “Iran in Syria: From an Ally of the Regime to an Occupying Force,” 2nd edition, *Naame Shaam*, April 2016. (http://www.naameshaam.org/wp-content/uploads/2016/04/Iran_in_Syria_2edition_2016.pdf)

⁴⁵ Ibid.

provides the financial resources he needs to retain power, consists of three major companies – the Execution of Imam Khomeini’s Order (EIKO), the Mostazafan Foundation, and the Astan Quds Razavi – worth about \$200 billion altogether.⁴⁶

Similarly, Ottawa should use SEMA to designate the regime’s financial backbone, the Central Bank of Iran, which has played a key role in financing Tehran’s regional aggression and domestic repression.⁴⁷ In February 2018, the Financial Action Task Force, the global body devoted to combating illicit finance, once again expressed concern “with the terrorist financing risk emanating from Iran and the threat this poses to the international financial system.”⁴⁸

Other entities driving Tehran’s human rights abuses at home also warrant designation under SEMA. For example, Ottawa should target Evin Prison, the epicenter of Iran’s malign treatment of political prisoners. Similarly, the Telecommunications Company of Iran, the country’s largest telecom company, has facilitated the surveillance of Iranian dissidents, many of whom the regime has arrested by tracing the location of their cell phones. Khamenei effectively controls the company through an array of front companies and subsidiaries.⁴⁹

The Islamic Republic of Iran Broadcasting (IRIB) and its partners, including Tasnim News, Fars News, and the Islamic Republic News Agency, have also aided Tehran’s authoritarianism by serving as propaganda organs for the regime. In violation of international law and norms, the outlets have routinely broadcast or published the forced confessions of political prisoners.⁵⁰

2. Utilize new Magnitsky laws to impose sanctions on key human rights violators and corrupt government officials.

The Justice for Victims of Corrupt Foreign Officials Act, often referred to as the Magnitsky Act, allows the governor in council to take restrictive measures against foreign nationals who are responsible for, or complicit in, gross human rights violations committed against individuals who seek to defend human rights and freedoms. The legislation also allows the imposition of sanctions against foreign officials who are responsible for, or complicit in, acts of corruption.

⁴⁶ Mark Dubowitz and Saeed Ghasseminejad, “Hit Ayatollah Khamenei in His Pocketbook,” *The Wall Street Journal*, January 22, 2018. (<https://www.wsj.com/articles/hit-ayatollah-khamenei-in-his-pocketbook-1516666405>)

⁴⁷ Richard Goldberg and Saeed Ghasseminejad, “Iran’s currency is in free fall — time for the US to exploit it,” *The Hill*, April 11, 2018. (<http://thehill.com/opinion/national-security/382670-irans-currency-is-in-free-fall-time-for-the-us-to-exploit-it>)

⁴⁸ Financial Action Task Force, “Outcomes FATF Plenary, 21-23 February 2018,” February 23, 2018. (<http://www.fatf-gafi.org/countries/a-c/argentina/documents/outcomes-plenary-february-2018.html>)

⁴⁹ Toby Dershowitz and Saeed Ghasseminejad, “Lawmakers Can Defend Iranian Dissidents and Punish the Revolutionary Guards at the Same Time,” *Foundation for Defense of Democracies*, February 16, 2018. (<http://www.defenddemocracy.org/media-hit/lawmakers-can-defend-iranian-dissidents-and-punish-the-revolutionary-guards/>)

⁵⁰ Saeed Ghasseminejad and Richard Goldberg, “The Case for Designating Iran’s State Media,” *Foundation for Defense of Democracies*, February 6, 2018. (<http://www.defenddemocracy.org/media-hit/the-case-for-designating-irans-state-media/>); Tzvi Kahn, “U.S. Should Sanction Islamic Republic of Iran Broadcasting (IRIB),” *Foundation for Defense of Democracies*, April 12, 2018. (<http://www.defenddemocracy.org/media-hit/tzvi-kahn-us-should-sanction-islamic-republic-of-iran-broadcasting-irib/>)

The Canadian government should thus impose Magnitsky sanctions against Iranian government officials responsible for human rights abuses, including Supreme Leader Khamenei and the IRGC commanders, deputy commanders, and other senior IRGC officials who persecute Iranians. Ottawa should also impose Magnitsky sanctions on officials tied to the entities that fall under Supreme Leader Khamenei's authority, including the key components of his business empire (EIKO, the Mostazafan Foundation, and the Astan Quds Razavi), the Central Bank of Iran, the Telecommunications Company of Iran, and the IRIB and its partners. Corruption lies at the root of the business empire's financial largesse: According to a landmark 2013 Reuters report, Khamenei's empire has sustained its fiscal strength in large measure by seizing the property of innocent Iranians.⁵¹

3. List IRGC in its entirety as a terrorist entity under Canada's Criminal Code.

In December 2012, the Canadian government added Iran's Quds Force, the overseas arm of the IRGC, to the list of terrorist groups under Canada's Criminal Code. This was an important step in recognizing the IRGC's threat to international peace and security. As I have urged in prior testimony, Ottawa should designate the IRGC in its entirety under the Criminal Code as a terrorist entity.

In the past, Canada has wisely recognized that the branches of a single organization are not hermetically sealed but in fact intrinsically connected. As a result, Canada chose to ban terrorist groups like Hamas and Hezbollah as a whole rather than distinguish between their political and military branches. The same measure should now be taken against the IRGC.

4. Establish linkage between further sanctions relief and improvement on terrorism and human rights abuses.

Although Canada was not a party to the JCPOA, much of Canada's sanctions architecture was dismantled after the nuclear deal was implemented. Bill S-219 in the Senate focuses on what should happen to the remaining few SEMA sanctions as Canada looks to balance holding Tehran to account for its ongoing misconduct with Ottawa's stated desire for reengagement.

S-219 would tie the elimination of current SEMA sanctions targeting Iran to requirements that the regime cease its terrorist activities, end its incitement to hatred of minority groups and its calls for the destruction of Israel, and put a halt to its vast system of domestic repression. Only once improvement occurs in these areas could Ottawa ease or lift current sanctions against Iran.

During the Cold War, Western negotiators linked certain arms control agreements with the Soviet Union to demands for Moscow's adherence to human rights under the civil rights portion of the 1975 Helsinki Accords. The JCPOA did not require Tehran to make any improvements in its human rights record, but this was a mistake: It will be much easier to monitor Iran's nuclear program in a relatively freer and more transparent Iran.

⁵¹ Steve Stecklow, Babak Dehghanpisheh, and Yeganeh Torbati, "Khamenei controls massive financial empire built on property seizures," *Reuters*, November 11, 2013. (<https://www.reuters.com/investigates/iran/#article/part1>)

Bill S-219 offers a concrete and well-calibrated program for balancing the Canadian government's interest in reengagement with its concerns regarding, in Prime Minister Justin Trudeau's words from 2016, Iran's "position of violation of human rights, of nuclear ambitions, and indeed of sponsoring terrorism around the world."⁵² The bill creates a blueprint for bilateral relations to improve by proposing clear and basic benchmarks for appropriate Iranian conduct.

5. Recognize that doing business in Iran enriches the state's human rights abusers.

Canadian business interests undeniably matter, but they cannot be summarily divorced from our national security interests and our commitment to human rights. And make no mistake: Doing business with Iran means doing business with a regime bent on crushing dissent at home.

Ottawa should therefore provide greater transparency about, and even reconsider altogether, the purported \$100 million sale of Bombardier aircraft to Iran, for which the Canadian government has reportedly provided 80 percent of the financing.⁵³ The deal has received virtually no public scrutiny in the Canadian media or legislature, and the available information has largely come from Iranian media sources. But insofar as Iran's aviation sector has contributed to that country's sponsorship of terrorism and continued human rights violations, the Canadian Parliament and public are entitled to know the details of this deal.

Tehran has used commercial airplanes to deliver military support to Assad and Hezbollah since 2011, and even more so since the summer of 2015, when Iran and Russia collaborated to prevent Assad's regime from collapsing in Aleppo. Hundreds of flights, mostly run by commercial airlines using civilian aircraft, have helped Assad cling to power. Canadian interests in preventing Iran from continuing its unlawful conduct are now competing with jobs and money at stake with the Bombardier deal. This is exactly the type of dilemma Iran wants Ottawa to face.

6. Maintain Iran's listing as a state sponsor of terror.

The Justice for Victims of Terrorism Act (JVTA) enables victims of terrorism to file civil lawsuits against local and state supporters of terror. Under the JVTA, only foreign states that Ottawa has listed as state sponsors of terror can be sued. Currently, Iran and Syria are the only two countries with that designation. A terror listing does not impede Ottawa from adding, amending, or repealing sanctions against Iran. It is essential that this listing remain in place until Iran ceases to sponsor, facilitate, commit, or order terrorist attacks.

Iran's status as a state sponsor of terror has been widely acknowledged. The regime has used terrorism as an essential component of its foreign policy, military strategy, and revolutionary ideology that lies at the heart of its constitution. The IRGC-Quds Force, Hamas, and Hezbollah, all listed terrorist entities in Canada, have received critical support from Iran.

⁵² Sheryl Saperia, "Canada Must Not Cave to Iranian Demands," *The Canadian Jewish News*, February 12, 2016. (<http://www.cjnews.com/perspectives/opinions/canada-must-not-cave-to-iranian-demands>)

⁵³ Sepehr Arefmanesh, "Iran's Deal With Bombardier Nears Conclusion," *Financial Tribune* (Iran), January 15, 2018. (<https://financialtribune.com/articles/economy-domestic-economy/80089/irans-deal-with-bombardier-nears-conclusion>); "Ottawa to Finance Iran's Bombardier Order," *Financial Tribune* (Iran), July 19, 2017. (<https://financialtribune.com/articles/economy-domestic-economy/68618/ottawa-to-finance-irans-bombardier-order>)