



HOUSE OF COMMONS  
CANADA

**EXPLORING CANADA'S RELATIONS WITH THE  
COUNTRIES OF THE MUSLIM WORLD**

**REPORT OF THE STANDING COMMITTEE  
ON FOREIGN AFFAIRS AND INTERNATIONAL TRADE**

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led to the withdrawal of Canada's ambassador for several months. Following his return to Tehran, the Committee was still unsure of being able to obtain visas to enter Iran until just prior to departure, notwithstanding an earlier invitation issued by senior Iranian officials who had appeared before the Committee in 2002.<sup>213</sup> We hope that our encounters were able to provide timely encouragement to the courageous Iranians with whom we met who understood Canada's concerns and whose continued reform efforts must be supported if Iran is to have a peaceful democratic future.

### ***Witness Views in Iran***

The Committee did not meet with religious hardliners whose power and influence we would certainly not discount. However, we were impressed with the articulateness and sincerity of the public officials with whom we did meet, both in their expressed desire for reforms to succeed and for increased dialogue with countries like Canada, and in their apparent determination to get to the bottom of the Kazemi affair. Our interlocutors were highly educated, some having studied at prestigious Western universities, and well versed in Western politics and foreign policies.

Dr. Mohsen Mirdamadi, Chair of the National Security and Foreign Relations Committee of the Majlis — and among the legislators disqualified from running for re-election in February 2004 — was one of several student leaders of the 1979 revolution with whom we met. He explained the revolutionary impulse of 1979 as one of overcoming despotism and affirming a "revolution of values" in order to create an Islamic form of republic. He rejected the proposition that religion, freedom and democracy cannot be compatibly combined. He agreed that Iran's form of Islamic democracy must evolve, but liberalizing reform must not harm the beliefs of the people. The aim is to achieve a democratic interpretation that remains faithful to Islam.

Dr. Mirdamadi acknowledged that there are contradictory interpretations and practices in different Muslim countries and that the path to democracy is a "major challenge" for Islamic societies. He also allowed that the general public interest could prevail over certain religious obligations in the case of a conflict. Questioned about the role of the clerical Council of Guardians in blocking Majlis legislation (for example, over accession to CEDAW<sup>214</sup>), Mirdamadi observed

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<sup>213</sup> The Committee heard testimony from Seyed Ali Ahani, then Vice-Minister for Europe and the Americas in Iran's Ministry of Foreign Affairs. (37th Parliament, 1st Session, Meeting No. 87, June 4, 2002.)

<sup>214</sup> The United Nations Convention on the Elimination of All Forms of Discrimination Against Women. A reformist newspaper reported in October 2003 that the Guardian Council had vetoed 111 of the 295 bills passed by the Majlis. In recent years there have been numerous political arrests as well as the closure of pro-reform newspapers and journals.

Iranian society to be in a period of transitional development. It can learn from European and Western experience in ways that are adapted to Iranian values and culture. He cautioned against simple comparisons.

The question was put: Will people be patient enough to wait for more democracy? Responding that "more are happy than unhappy" and that President Khatami symbolizes support for more reform, Dr. Mirdamadi admitted that if he were still a student he would probably want faster reforms. No doubt he feels both less happy and more strongly about the imperative of change now than when we met with him. In remarks broadcast live on state radio during the pre-election crisis between the Majlis and the Guardian Council, he declared: "They want to cover the ugly body of dictatorship with the beautiful dress of democracy. We had no choice but to resign."<sup>215</sup>

Another former prominent student leader from 1979, Dr. Massoumeh Ebtekar, a Vice-President of the Islamic Republic and Minister of the Environment, described the students' primary motivation in one word as "dignity". Iran's national independence was at stake and international law could not have prevented a *coup d'état* that might have smashed the nascent Islamic revolution and the goal of an "Islamic democracy" for which people had given their lives. In her view the revolution established a "totally new Islamic paradigm" and an "Islamic republic" (not simply an Islamic state) approved by popular referendum. However there was no prior experience with this. What the reform process indicates is that the "democratic dimension" is still vibrant despite the many difficulties and challenges. She referred to a "vast spectrum of different viewpoints in Iranian society". A democracy in which in fact the most powerful have the final say is not what is wanted. What is needed is an "ethical politics" that accepts diversity while respecting majority religious and cultural values. In terms of the "paradigm of women's advancement" that means seeking equality of the sexes while respecting the central role of the family. Overall: "The reform process is facing quite difficult challenges in Iran, but it is moving forward. I'm quite optimistic that things will improve." Describing a complicated interplay of religious and democratic factors, she admitted it was difficult to find a balance but argued that Iran could be an example if it succeeds. The world wants to see human rights improvements and "that is natural".

Members of the Majlis Women's Faction with whom the Committee met were notably active on human rights issues, including pressing for justice in the investigation of Zahra Kazemi's murder while in official custody. Dr. Elaheh Koolaee (another of the disqualified legislators) observed that although women are a small number in the Majlis they are a big force in terms of activities and enjoy equal political rights (representation in the Majlis has risen from four to 13 members). She noted that over 60% of university students are women and

<sup>215</sup> Quoted in Parinoosh Arami, "Third of Iran's MPs Resign in Protest", *National Post*, February 2, 2004, p. A6.

that this is a society with a strong belief in higher education.<sup>216</sup> Questioned about the role of women in Iranian society, the effect of the Nobel prize being awarded to Shirin Ebadi, and her statement that Islam was not the problem in terms of discrimination but rather male-dominated cultures, the MPs responded that women have played a leading role in recent Iranian history — in the revolution, during the war with Iraq, and now within the reformist movement. Although there is much to overcome historically and debates over status continue, they see Islam as approving a fully active role for women in all spheres. It was noted that the number of women's NGOs "has increased remarkably in the past six years". There are new study centres and women are taking a higher profile. Ms. Ebadi was active in an NGO focused on the rights of children and can be seen as a role model. Her Nobel recognition is evidently a matter of pride for reformers who also see it as an expression of global interest in Iran's pluralistic social evolution under Islam.

Discussions with Majlis members representing official ethnic and religious minority groups also reported some, if insufficient, progress on issues ranging from religious, educational and cultural rights to socio-economic discrimination. Minorities, it was claimed, are able to exercise political rights. There is a special parliamentary committee on religious minorities and it was also observed that Iran's Ministry of Education employs 700 non-Muslims. Along with all of the Iranians we met, these spokespersons welcomed more opportunities for contacts and exchanges with Canadians. One who has family in Canada, MP Khosrow Dabestani representing the Zoroastrian community, introduced himself as heading a parliamentary friendship group with Canada. At the same time they hoped that in building bridges with the Muslim world Canada would separate itself from a "neo-conservative" U.S. worldview.

Not surprisingly, given Iran's inclusion in President Bush's "axis of evil" and an almost 25-year rupture in diplomatic relations with the United States, Iranians are looking for other approaches to and from the West. This surfaced strongly in a roundtable with members of the Institute for Political and International Studies, a research body linked to the Ministry of Foreign Affairs. Referring to the situation of post-war Iraq, Institute Director General Dr. Seyed Kazem Sajjadpour saw any notion of "dominoes of democracy" as being proven to be an unrealistic dream. At the same time, he was "very happy that Saddam is out ... and that his anti-Iranian ideology has collapsed". Iran had been first in line to recognize the Iraqi Governing Council and to seek cooperation with it, despite

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<sup>216</sup> Indeed, although women face many problems, literacy among young women has risen to 97% since the revolution. Moreover, as Nikki Keddie has pointed out:

It is wrong to view most Muslim countries, Iran included, as monolithic autocracies in which women are primarily victims rather than people working to carve out a more autonomous and democratic existence. Women's struggles, along with the forces of modernization, have increased the public roles open to women in the Muslim world despite the growing power of Islamism, and this expansion of women's roles constitutes in itself a force for democratization. ("A Woman's Place: Democratization in the Middle East", *Current History*, January 2004, p. 25.)

criticism from some Arab League states. The problem he saw was with the mentality of the Bush neo-conservatives (referring to the "axis of evil" label and phrases such as "creative chaos"). As he stated Iran's national interest: "We are for a stable Iraq." But Iran cannot support a foreign occupation. Stabilization of a very tough situation will not be possible without legitimacy.

On improving relations with the Muslim world, Canada was cautioned to "keep your distinction" because "too much identification with American foreign policy is not good". Dr. Sajjadpour observed that even U.S. studies are critically examining the weaknesses of that policy and the need for addressing the hard issues, notably the Israeli-Palestinian conflict. Another speaker and former ambassador argued that westerners should not come to Iran seeking the roots of the problem, as if Islam were one of those problems. Religious differences are often exaggerated. What has happened is that the political-ideological lens resulting from September 11 has led to a fixation on threatening elements within Islam. What Iranians remember, however, is the long history of U.S. support for dictators. (He recalled being lobbied by the U.S. at one point to support the Afghan Taliban regime.) They don't believe that democracy can be brought like a gift of food to poor people. They "have no confidence" in U.S. good intentions. So: "I hope there are different approaches in the Western world."

Roundtable participants observed that there is a range of democratic and authoritarian interpretations of Islam. The hardliners in the Muslim world and in the West are the ones that will take us to a "clash", so it is the moderates on each side who must find peaceful accommodation. On their side, as MP Reza Yousefian<sup>217</sup> put it, there is "no conflict [of Islam] with democracy and human rights". Dr. Sajjadpour, noting that Iran invented chess, urged understanding the complexities of its situation and avoiding dealing in black and white stereotypes. Iran, he stated, had the first democratic revolution in the Middle East (in 1906). That desire is in the people, he said, affirming that: "Democracy is a process for all."

Despite these brave words, the Committee also heard more critical testimony on the situation of democracy and human rights in Iran and the risks faced by independent thinkers and defenders of those rights. Dr. Ayatollah Seyed Mostafa Mohaghegh Damad, High Commissioner of the Islamic Human Rights Commission of Iran and also a professor of Islamic law, observed that "the basic problem is the people don't know their rights". Therefore rights education and promotion are essential. People are used to obeying what they are told and seeing rights as something to be requested from government. Mr. Mohammad Hassan Ziaiefar, Secretary General of the Commission, pointed to a history of dictatorship to be overcome, referring to the saying of renowned Iranian film director Mohsen Makhmalbaf about there being a "dictatorship

<sup>217</sup> Mr. Yousefian, another of the disqualified reformist legislators, was a representative from Shiraz who had learned English during seven years spent in an Iraqi prisoner of war camp.

mentality within individual Iranians. Working for democracy in an environment lacking precedents or preparation requires much to be done to inculcate democratic values and habits in the population. He used the metaphor of a "triangle" — among the established political leadership, outside political forces and the grassroots society, including better working relationships with NGOs — to indicate the process needed to meet Iran's post-revolutionary challenges.

Mr. Ziaiefar was very candid that human rights, and even his own security, remain at risk in Iran: "I have to say honestly it is a bad situation." Yet reformist movements are bringing attention to human rights violations and growing numbers of advocates will not give up the struggle. He remained confident that the "force of the people will prevail. ... Nowadays human rights violators have been identified, isolated and rejected." He added that "Democracy is not a gift to be presented to us from outside but has to happen from within the society", then it becomes an unstoppable force. Dr. Damad was equally blunt: "Without democracy, we have no human rights at all." (In that regard he referred to the recent holding of a human rights conference in Saudi Arabia as being "nonsense", and also criticized the West for targeting Iran given that it permits much more open debate about Islam than does Saudi Arabia.) The good news is the people's desire for democracy and for an end to corruption. His private view as a mullah was that a Muslim government is appropriate for a Muslim people, but it should not be an "ideological" religious government or a "theocracy" that negates human rights.

Dr. Damad observed that it is very important for Western governments to approach the issue of human rights in Iran from the standpoint of benefits for the people of the country. If Western motives are perceived to be only self-interested, based on security or anti-terrorism fears, Western interest will be seen as attacking not assisting. U.S. motives are not believed. How can the war in Iraq be about human rights when U.S. and French leaders knew about the human rights atrocities for years but did nothing? The point was made that all human rights must be defended to avoid any perception among Iranians that Canadians care only about the Kazemi case. In Damad's view, the West needs a better understanding of different schools of Islamic thought on human rights. And "civil society in every Muslim country needs help." But to be genuine this help must avoid a legacy of past double standards and any self-serving political agenda in order to build long-term supporting partnerships that appreciate Iranians' situation and concerns.

### ***The Case of Zahra Kazemi and Human Rights in Iran***

Montreal-based Canadian-Iranian photojournalist Zahra Kazemi was arrested on June 23, 2003 while taking photographs outside Tehran's Evin prison where many political prisoners have been held. She was using her Iranian



passport (Iran like many countries does not recognize dual citizenship) and had Iranian press accreditation. Ms. Kazemi was detained without official charge in solitary confinement and during the next days suffered life-threatening physical injuries under interrogation, indicating that torture was used. After being transferred to a hospital on June 27, she died of these injuries on July 10 and was buried in Iran on July 22 despite her son's wishes that her body be returned to Canada. A number of Canadian organizations called on the Government of Canada to take a series of actions pressing for answers from the Iranian government and seeking justice for the torture and murder of a Canadian citizen while in its custody.

At the time of the Committee's meeting in Tehran in mid-October 2003, a trial was underway of an intelligence ministry official accused of beating Ms. Kazemi. Canada was requesting and subsequently granted a third seat in the courtroom for a non-governmental representative. However, there were strong suspicions of a high-level official cover-up despite the legal proceeding, which was being overseen by the chief prosecutor, Saeed Mortazavi, whom many believed to be the one actually responsible for Ms. Kazemi's death.

In addition, as the Committee heard, there was intense activity in the Majlis to get the truth and see justice done. Even Iranians who saw this as an unfortunate individual case made a point of stating their shared concerns in that regard. Dr. Mirdamadi in the Committee's first meeting noted that the circumstances of the murder had provoked one of the lengthiest debates in the Majlis. Among the most outspoken on the subject was Majlis Vice-Speaker Mohsen Armin (yet another of the disqualified MPs) with whom Members met separately and discussed the related work of the parliamentary "Article 90" commission that inquires into infringements of citizens' constitutional and legal rights. MP Dr. Jámileh Kadivar of the Women's Faction, who sits on that committee (and who ran in the February 20 elections), was able to provide the Committee with details of its investigation from the time of Ms. Kazemi's arrest, indicating that a 19-page report had received majority approval although it had been held up from being "read out" in the Parliament by questionable procedural manoeuvres. She was hopeful these would be overcome, and indeed it was Dr. Kadivar who read out that highly critical report in the Majlis on October 28 that pointed the finger of culpability squarely at chief prosecutor Mortazavi and his office. Dr. Kadivar had indicated to us that Article 90 committee members would push for an independent trial of those responsible.<sup>218</sup> The heads of the human rights commission with whom we met

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<sup>218</sup> In an ironic twist, however, on the very day of the release of the report there was also a parliamentary setback when Vice-Speaker Armin, "who technically enjoys parliamentary immunity, was sentenced to six months in prison for allegedly insulting one of his hardline colleagues". (Jonathon Gatehouse, "Seeking Answers", *Maclean's*, November 10, 2003, p. 30.) As of early 2004, Mr. Armin had not been jailed and was challenging the verdict.

also acknowledged the problems with Iran's judicial structures and indicated that they were pushing for an independent commission of inquiry in order to restore the confidence of the Iranian people.

The Committee takes note of these efforts in good faith. We also appreciate that it is important to convey Canadian concerns in ways that support Iranians working for reforms from within the society and its political institutions. Nonetheless, the Government of Iran must be kept on notice and held accountable that justice for Zahra Kazemi and her family has still not been done or seen to be done. This matter awaits a satisfactory resolution. Indeed the trial proceeding was abruptly adjourned without explanation in October 2003. A second suspect was reported to have been detained in February 2004, but there was no official indication of any new trial.<sup>219</sup> As well, in February 2004, the gravity of the Kazemi case and what appears to be an official cover-up were also underlined in a highly critical report by United Nations Human Rights Commission special rapporteur Ambeyi Ligabo on rights abuses in Iran.<sup>220</sup> Furthermore, developments surrounding the disputed February 2004 elections are extremely disturbing for the progress of human rights and democratic reforms within Iran as a whole.

#### ***Directions for Canadian Policy***

The Committee recognizes the potential for an expanding relationship with Iran, the world's most important Shi'a Muslim country. With some 2,000 Canadians living in Iran and 300,000 Iranian Canadians resident in Canada, this is an issue of direct interest to many Canadians. Canadians as a whole were outraged by the murder of Zahra Kazemi. But Canadians also responded generously to the plight of victims of the devastating late December earthquake in Bam in southeastern Iran. The Committee takes note of the January 23, 2004 announcement by International Cooperation Minister Aileen Carroll — who was a committee member during our meetings in Tehran — that Canadian official assistance to Iran in the wake of this disaster will rise to over \$1.5 million.

The Committee appreciates what we were told about Iranians' positive perception of Canada, the interest in pursuing political and cultural dialogue, the demand for student visas to Canada and more educational exchanges, and even the possibility of developing economic and trade relations as a springboard to the markets of the Middle East. But much will depend on Iran's good faith in following through on its nuclear non-proliferation commitments, its dissociation from any support for Islamist terrorism, and on the capacity of the Iranian

<sup>219</sup> Graeme Hamilton, "Iran arrests a second suspect in Kazemi murder", *The Ottawa Citizen*, February 17, 2004, p. A4.

<sup>220</sup> Andrew McIntosh, "UN slams Iran on Kazemi case", *The Ottawa Citizen*, February 1, 2004, p. A3.

authorities to achieve major legal and political reforms. Recent events do not augur well in regard to the latter.

**The Committee expresses deep concern at the disqualification of reform-minded Iranian parliamentarians who were demanding a fair and democratic electoral process. The Committee also applauds Canada's leadership at the United Nations in pressing concerns about human rights conditions in Iran.<sup>221</sup> These efforts should be pursued even more vigorously in light of the recent critical findings of the UN Human Rights Commission's special rapporteur on Iran.**

The International Crisis Group report cited earlier made the point that: "Many Iranians now place significant hope in vigorous external endeavours to press Iran on human rights and political reform ... Iranians also make clear, however, that expanded people-to-people contacts and economic exchanges would help enlarge personal freedoms". In other words, simply isolating or punishing Iran is unlikely to be an effective policy approach. As the ICG report concludes:

The depth of popular disaffection and the contradiction at the heart of the Iranian regime are such that its long-term sustainability in its present form is in serious doubt. Greater economic and cultural contacts with the outside world, combined with continued international insistence on seeing political reform and more respect for human rights, will strengthen Iran's burgeoning civil society not weaken it, and dilute the conservatives' hold on power rather than fortify it.<sup>222</sup>

Noah Feldman, the American expert on Islamic democracy who testified after our meetings in Iran, offered an assessment that broadly agrees with the above, though without underestimating the uncertainties and the challenges ahead for both Iran and its partners.

With respect to Iran, somebody said the people are the right reason for hope there, and roughly speaking, I agree with that. On two different occasions 70% of the people voted for the only reformer on the ballot available to them to vote for, and they voted overwhelmingly for a legislature that expressed reform. ... those elections seem not to have paid off in practice, and Iranians are very frustrated by that reality. Free speech has not been there; the opportunity for the elected leaders to govern has not been there. The situation for Iranians now is that many of them want change, but they have seen a violent revolution in the recent past. They know the costs to a society of a violent revolution: they know they will lose a

<sup>221</sup> Canada introduced a toughly worded resolution on the human rights situation in Iran in the UN General Assembly's Third Committee (Social, Humanitarian and Cultural) which was approved on November 21, 2003 by a vote of 73 to 49 with 50 abstentions (for details see <http://www.un.org/News/Press/docs/2003/gashc3771.doc.htm>). The resolution was subsequently approved by the full General Assembly in December 2003.

<sup>222</sup> "Iran: Discontent and Disarray", October 15, 2003, p. 2 and 15.

generation, they know many people will die unnecessarily, and they're nervous about unleashing that. What we can do is communicate as clearly as possible to the Iranians, whether it's by engaging their government, which is sometimes the right way to do this, or by disengaging from them, which is also sometimes the right way to do it, that we support the aspiration of those 70% of the Iranian people who clearly want change. I think that's the best way we can help there, and I believe those people will eventually prevail. But it's going to take time, and there isn't an obvious route one can point to immediately right now.<sup>223</sup>

In short, this is a crucial testing moment in relations with Iran that calls for active watchful and skilful diplomacy by Canada.

#### **RECOMMENDATION 6**

**Canada should strongly protest the February 2004 electoral process that disqualified serving parliamentarians and appeal to Iran to conduct open and fair democratic elections. Canada should also continue to work closely with other countries in multilateral forums, and with democratic forces inside Iran, including where still possible through parliamentary and political channels, to press for improvements in Iran's human rights performance.**

#### **RECOMMENDATION 7**

**The Government of Canada should vigorously continue its efforts to achieve a full accounting from the Government of Iran for the illegal detention, torture and murder of Canadian journalist Zahra Kazemi, and should pursue all avenues of redress that will result in a just and satisfactory resolution.**

#### **RECOMMENDATION 8**

**Canada should at the same time explore ways to increase constructive contacts with Iranian civil society through educational, cultural and other exchanges, private sector and NGO links.**

#### **RECOMMENDATION 9**

**Canada should continue to put pressure on Iran to abide fully by its obligations under the Nuclear Non-proliferation Treaty, and**

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<sup>223</sup> Evidence, Meeting No. 58 (1145).