



DEC 11 2009

The Honourable David Kilgour, P.C. and Co-signatories
118 Lisgar Road
Ottawa ON K1M 0E6

Dear Mr. Kilgour and Co-signatories:

The Office of the Right Honourable Stephen Harper, Prime Minister, has forwarded to me on July 17, 2009, a copy of your letter concerning the situation in Iran following the Presidential election of June 12, 2009, and the Mujahedin e Khalq (MEK) (also known as the People's Mujahedin Organization of Iran [PMOI]). I regret the delay in replying.

When I wrote to you on December 4, 2009, I outlined Canada's position with respect to the PMOI. The Government of Canada is deeply troubled by the current situation in Iran. On June 15, 2009, I made a statement in which I outlined Canada's concerns regarding allegations of irregularities in the voting process and reports of violent crackdowns by Iranian security forces on their own citizens. Furthermore, on June 21, 2009, I made another statement condemning the use of violence against protestors. You may read my statements at <http://www.international.gc.ca/media/aff/news-communiqués/2009/387289.aspx?lang=en>. Officials of Foreign Affairs and International Trade Canada have also relayed these concerns directly to the Iranian Chargé d'Affaires in Ottawa, on a number of occasions, as Iran is not represented by an ambassador in Canada. As well, on June 22, 2009, Prime Minister Harper made a statement on the situation in Iran, which you may view at <http://www.pm.gc.ca/eng/media.asp?category=3&id=2647>.

On June 17, 2009, in the House of Commons, Prime Minister Harper clearly articulated Canada's position on Iran, and I also made a statement expressing Canada's concern. In addition, Mr. John Weston, Member of Parliament and Government Liaison to the Persian and Iranian Community, introduced a motion, which was unanimously adopted by the House of Commons. On June 19, 2009, Mr. Deepak Obhrai, Parliamentary Secretary to the Minister of Foreign Affairs, also made a statement in the House of Commons on this matter. You may find these statements on the House of Commons website at <http://www2.parl.gc.ca/housechamberbusiness/ChamberSittings.aspx?View=H&Language=E&Mode=1&Parl=40&Ses=2>.

On July 8, 2009, Canada joined with other G8 countries in expressing serious concerns about events in Iran. You may read the statement at http://www.canadainternational.gc.ca/g8/summit-sommet/2009/political_declaration-declaration_politique.aspx.

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President Mahmoud Ahmadinejad was inaugurated for a second term, with confirmation by the Supreme Leader, Ayatollah Ali Khamenei, on August 3, 2009, and the oath of office in Parliament on August 5. There were no Canadian representatives at either ceremony. I also wish to clarify that Canada recognizes states, not governments.

As for prosecuting President Ahmadinejad and Ayatollah Khamenei personally before an international court, the International Criminal Court (ICC) has no jurisdiction over them, as Iran is not a party to the Rome Statute of the ICC, the international treaty establishing the ICC, and is unlikely to consent to the ICC's jurisdiction. This matter could come before the ICC if it was referred by the United Nations Security Council. However, Canada's assessment of the likely attitude of the Security Council is that such a motion is unlikely to be successful, and an unsuccessful attempt at seeking such a referral would hand Iran an undesirable political victory.

The Government of Canada will continue to insist that the votes of all Iranians must count, and that ordinary Iranians must be able to freely express their views without fear of intimidation or violence.

The Canadian government's concerns about human rights in Iran are long-standing. As part of its ongoing efforts to focus the international community's attention on the human rights situation in Iran, Canada successfully led a resolution on this situation at the fall 2009 session of the United Nations General Assembly (UNGA), for the seventh consecutive year. The resolution, which was co-sponsored by 41 other countries, was adopted by the Third Committee of UNGA on November 20, 2009. The resolution expresses particular concern about the human rights violations committed by the Government of Iran following the presidential election of June 12, 2009. The resolution calls on the Government of Iran to fully respect its human rights obligations, in law and in practice, and implement measures to improve the state of human rights called for in previous resolutions. The adoption of the Canada-led resolution is another clear signal of the international community's concern for the human rights of people in Iran. It sends a message of hope to the victims of violations, and to the human rights defenders who seek to effect positive change in Iran.

With respect to trade relations, I should first explain that Canadian relations with Iran are governed by the Controlled Engagement Policy, which places strict limitations on contacts with Iran. For instance, Iran is not permitted to open consulates in Canada, there are no direct air links to Canada, and export controls are applied on sensitive goods. This policy reflects the Government of Canada's concerns about the Iranian government's opposition to the Middle East peace process, its support of terrorist organizations, its nuclear program and its human rights record. Under this policy, Canada limits engagement with the Iranian government to four issues: the case of murdered Canadian photojournalist Zahra Kazemi and other consular cases, human rights, its nuclear program and regional security concerns. All programs of cooperation with the Iranian government have been halted.

United Nations Security Council resolutions 1737 (December 23, 2006), 1747 (March 24, 2007) and 1803 (March 3, 2008) impose a series of sanctions against Iran to address outstanding concerns about its nuclear program. The sanctions include an assets freeze against designated individuals and entities, a travel ban against designated individuals, an export and import ban on designated goods, and a prohibition on the provision of financial assistance, investment or other services for designated items. Canada has fully implemented its international obligations under resolutions 1737, 1747 and 1803 in the form of regulations brought into force under the *United Nations Act* imposing sanctions against Iran. Implementation of the travel ban is ensured in Canada under existing provisions of the *Immigration and Refugee Protection Act*. You may find the text of the resolutions and regulations at the following website:
<http://www.dfait-maeci.gc.ca/trade/iran-en.asp>.

While private sector business relations are not affected by the restrictions on official relations, the Canadian government does not actively promote trade with Iran in light of Canada's Tightened Controlled Engagement Policy. As explained earlier, some legal restrictions apply to the export of sensitive technologies which fall under Canada's export control guidelines and Security Council resolutions.

Please be assured that Canada will continue to use all means available to raise its concerns about human rights and the post-election situation in Iran.

Thank you for writing and sharing your concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Lawrence Cannon". The signature is written in a cursive style with a large initial "L".

The Honourable Lawrence Cannon, P.C., M.P.

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