

THE CASE FOR RESTORING RELATIONS WITH IRAN

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On 7 September 2012, Canada's then-foreign affairs minister John Baird announced that Canada had formally ended all diplomatic relations with a key regional power in the Middle East—Iran. Labelling the country as “the most significant threat to global peace and security,” the Harper government closed the Canadian embassy in Tehran, declared all Iranian diplomats in Ottawa *personae non gratae*, and listed Iran as an official state sponsor of terrorism under the *State Immunity Act* and the *Justice for Victims of Terrorism Act*.¹

Indeed, Canada had shut its mission in Tehran before—once in 1980 for eight years after the 1979 Iran hostage crisis—and Iran has not delegated a Canadian ambassador since 2007. The scope of this hostile approach taken by the Harper government, however, marked a sudden shift in Canada's foreign policy towards Iran—and to a lesser extent its Middle East policy—which has forced Canada to forgo its basic national interests inside of Iran for nearly six years. Yet despite such costly implications of this foreign policy decision, the Trudeau government recently voted in favour of an opposition motion that called on Ottawa to “immediately cease all negotiations or discussions” on normalizing diplomatic ties with Tehran—a now abandoned Liberal campaign promise from 2015.²

The purpose of this policy brief is to make the case for reassessing Canada's relationship with Iran through a strategic and realist lens; one that does not conflate the role of morals and shared values with interests in international diplomacy. The policy prescription put forth in this brief and its significance to Canadian interests are straightforward: Canada should begin to take concrete steps towards re-establishing formal diplomatic relations with the Islamic Republic. By adopting a pragmatic foreign

policy approach based on direct, non-restricted diplomacy, Canada has the opportunity to regain its strategic and diplomatic interests in Tehran while also benefitting from the short- and long-term opportunities that bilateral relations naturally yield. As such, restoring ties with Iran must become a non-partisan priority in Canada's foreign policy agenda moving forward.

Critics of this prescription are right in many respects. The Iranian regime is widely accused of having an atrocious record of human rights abuses, providing dismal treatment for religious and ethnic minority groups, and supporting terrorist and militant groups across the Middle East to undermine and exhaust regional threats. However, policymakers should not allow these differences in shared values and interests from preventing Canada from holding relations with foreign country, let alone a significant player in the Levant and Persian Gulf. Diplomacy is a means to advance and achieve national interests; it is not designed to spread morals, nor does it represent an endorsement of its host government's behaviour or policies. Canada must not simply pick and choose who they engage in relations with based on degrees of ethical and ideological approval

Revisiting Harper's Decision

Before explaining why restoring formal diplomatic relations with Iran is sound foreign policy for Canada, it is important to revisit the six factors Baird cited in 2012 to justify the original decision. They included: (1) Iran's support and military assistance to the Bashar al-Assad regime in Syria; (2) the country's refusal to comply with United Nations' (UN) resolutions regarding its nuclear program; (3) Iran's anti-Semitic rhetoric and repeated threats towards the existence of Israel; (4) the human

rights atrocities that take place under the Iranian regime; (5) its sheltering and material support of terrorist groups; and, (6) the country's neglect to guarantee the protection of foreign diplomatic personnel.³

Indeed, many of these are legitimate factors and therefore warrant Canada's continued condemnation of the Iranian regime. Iran has for long been Syria's key strategic ally in preserving the Assad regime; Ali Khamenei, Iran's Supreme Leader, is one of the harshest critics of Israel's presence in the Middle East; and Iran is among the world's worst violators of civil liberties and political rights. Moreover, Iran continues to sponsor and provide material support to Hezbollah, the Palestinian Islamic Jihad, Hamas, and other militant organizations in countries such as Iraq, Syria, and Yemen.⁴

The remaining two factors, however, are based on fundamentally flawed and hollow logic. First, in 2015, Iran signed the Joint Comprehensive Plan of Action (JCPOA). Not only did this deal ensure a reduction in Iran's uranium stockpile by ninety-eight percent over the next fifteen years, it also put in place measures to confirm Iran's compliance with the terms over time, such as the installation of UN monitoring devices (e.g., the International Atomic Energy Agency). Over the course of the three years that this deal has been in effect, the IAEA has published eight separate reports with each confirming Iran's compliance.⁵ And although the JCPOA was put—and still remains—in troublesome jeopardy by the United States after it announced in May it would be withdrawing from the deal, Canada, its European partners, and Iran have all since indicated a commitment to protect the agreement and continue its terms.

The JCPOA is certainly not perfect and may indeed benefit from a collective review in due time, however it would be strategically foolish and factually irresponsible to ignore—or even worse, deny—the agreement's ongoing success towards stabilizing Iran's nuclear capability. As such, arguments that Canada should remain disengaged from Iran due to its unmonitored nuclear development and assumed hostile ambitions has become a strawman supported by proven inaccuracies.⁶

As Baird's sixth factor indicates, much of the reasoning behind closing Canada's embassy in Tehran was to ensure the protection and safety of its foreign service officers.

Referencing the 1979 hostage crisis as an example of the security threat facing Canadian personnel, Baird argued the embassy "faces a busy road and it could be overrun pretty quickly."⁷ However, neither Baird nor Harper provided any recent examples of when the Iranian regime or its citizens have targeted Canada's mission in violation of the Vienna Convention on Diplomatic Relations. In fact, Baird later acknowledged there had been no known threats facing the Canadian embassy or its staff.⁸ Moreover, the Iranian embassy in Ottawa has been attacked more times—specifically in 1992 by a group of Iranian-Canadian supporters of the Mujahedin-e-Khalq carrying iron bars and sledgehammers. After forcing their way in the building, they assaulted the Iranian ambassador, injured six embassy staff, and caused extensive damage to the interior of the embassy.⁹

Although Baird was correct that Iranian protesters stormed the British embassy one-year prior in November 2011, the Cameron government did not respond by severing diplomatic relations with Iran, but instead increased its economic sanctions and only temporarily suspended its mission. Alas, it is unclear why the Harper government chose to pursue this hostile foreign policy towards the Islamic Republic in the first place.

Re-Engaging with Iran

Canada proved to lose much more than it gained after the 2012 decision. Not only did it go against Canada's national interests in the country, but the decision was merely symbolic and had no real chance of leveraging Iran to improve its human rights record or to end its support of terrorist organizations. Canada is simply not a powerful enough player to unilaterally change any of Iran's policies that it disagrees with. Instead, by severing diplomatic ties with Iran, Canada forfeited two key elements of its national interests.

Herein lies the reason why Canada should renew ties with Tehran: The cost of forgoing these interests are significantly greater than the symbolic or moral value of remaining disengaged. To argue otherwise would be a misguided understanding of what international diplomacy is supposed to achieve. This is why Canada continues to be diplomatically engaged and even strategically partnered with other countries whose human rights and policy record has also been seriously questioned, such as Saudi Arabia, Egypt, Russia, and China. The list is long, and

Canada cannot simply select some and ignore others from it.

First, Canada forfeited its diplomatic channel of communication with an important regional power. The implications of this are sizeable and should not be overlooked, as it meant Canada lost its way of talking to, negotiating, and working with Iranian officials to advance Canadian interests inside of the country. Canada also no longer has a direct and reliable way of conveying its messages or concerns with the Iranian regime about its domestic and international behaviour. In addition, having no embassy or physical diplomatic presence in Tehran makes it nearly impossible for Canadian authorities to actively defend its citizens who live in Iran and are in need of immediate consular service—not to mention those already sitting in Evin prison. Instead, Canada has relied on foreign consulates, namely Italy's, to serve as Canada's diplomatic proxy. While it is unreasonable to believe that having an embassy in Tehran would suddenly solve every Canadian consular case, it is likely that it would aid in managing difficult legal or administrative processes.

For instance, the Trudeau government faced considerable challenges trying to free Homa Hoodfar, a Concordia professor who was detained in Evin prison until her release in late 2016.¹⁰ More recently, Prime Minister Trudeau took to Twitter to express Canada's concern that Maryam Mombeini—a Canadian-Iranian citizen—had been banned from leaving Iran to return to Canada. Trudeau also called on Tehran to “provide answers” for the death of Maryam's husband, Kavous Seyed-Emami, in Evin prison earlier this year.¹¹ These sorts of ‘diplomatic’ efforts, however, are problematic and much less effective than engaging in direct diplomacy. Canada must therefore regain a position in Tehran to become more involved in diplomatic crises that cannot possibly be solved by Tweets or press releases alone.

Second, Canada gave up its strategic interests by recalling its foreign service officers from Iran. Canada no longer has its own ears and eyes on the ground—a necessity for human intelligence gathering—and thus has to rely on the intelligence and information of foreign embassies. Not only is the Islamic Republic an important country to observe considering its foreign activity in the region, but as recent domestic events suggest, Iranian politics and societal unrest can move at a quick and complex pace. It is

therefore in Canada's interest to re-establish a physical presence in Tehran so that Canadian diplomats can relay trusted, on-the-ground information back to the Prime Minister's Office, Canadian policymakers, and its intelligence agencies who can then share the information with its Five Eyes partners.

It is also worth noting that Canada conceded its trade and commercial interests in Iran—one of the largest and growing markets in the Middle East. While the economic gains Canada would receive from trading with Iran are small in comparison to its larger trading partners, this should not discount Canada's economic interests in the policy prescription. This is yet another opportunity that Canada forgoes due to the absence of sharing diplomatic ties with Iran.

Nonetheless, restoring relations with Iran remains a difficult task that has been marred by many legal and political obstacles. This is mainly due to the joint pieces of legislation that Harper used to list Iran as a state sponsor of terrorism (i.e., the State Immunity Act and the Justice for Victims of Terrorism Act) which in practice has handcuffed any future Canadian government from removing these sanctions and restoring ties with Iran.¹² Indeed, it would be procedurally simple for any government to delist the country and lift its sanction—this can be done during a cabinet's biennial ministerial review. However, it would be political suicide as it indicates that the sitting government does not believe Iran is a sponsor of terrorism. Moreover, it would be a legally complex and burdensome task as it is unclear what would happen to the cases currently being tried against Iran under the Justice for Victims of Terrorism Act.

The only alternative option then would be to re-engage with Iran while it is still on the list, as neither pieces of legislation prohibit Canada from having contact with Iranian officials. But this too is politically dangerous, and it is unlikely any government would be willing to engage with a regime that is officially listed as a state sponsor of terrorism. As such, policymakers must first find a way to overcome these barriers before any meaningful action can take place. If not, future governments will remain apprehensive about the political repercussions from conducting direct diplomacy with Iran.

Conclusion

To conclude, this policy brief has made the case for re-engaging with Iran on formal diplomatic levels. Though the Islamic Republic is a kleptocratic theocracy whose foreign and domestic policy run opposite to Canadian values, the need for Canada to restore its diplomatic ties with Tehran is—and should be—based on national interests, not shared morals. For six years now, the hostile approach adopted by Harper and continued by the Trudeau government has been at the cost of Canada's diplomatic and strategic interests.

Moreover, the morally symbolic meaning behind restricting all dialogue with Iran and instead condemning

its behaviour from within Canada (including social media) has yet to—nor will ever—leverage the Iranian regime into changing its ways. In fact, as this brief has argued, this approach directly impacts the safety of Canadians living in Iran as it leaves no Canadian embassy there to protect them during times of regime abuses. Although certain legislative and political hurdles must first be overcome before bilateral relations with Iran can be resumed, both the Canadian government and its opposition must be willing to set aside electoral politics and work together to recover Canada's national interests that will continue to be sacrificed if no concrete steps are soon taken.

Endnotes

1. See John Baird's press release in Vladivostok, Russia at the Asia-Pacific Economic Cooperation forum, 7 September 2012.
2. Levon Sevunts, "House of Commons votes against restoring ties with Iran." *Radio Canada International*, 13 June 2018.
3. See note 1.
4. Marc R. DeVore, "Exploring the Iran-Hezbollah Relationship: A Case Study of How State Sponsorship Affects Terrorist Group Decision-Making," *Perspectives on Terrorism* 6, no. 4–5 (October 2012): 87–107.
5. The latest report can be viewed here, www.niacouncil.org/niac-statement-iaea-report-confirming-irans-compliance-jcpoa/.
6. "Statement on Iran by the IAEA Spokesperson." *International Atomic Energy Agency*, 1 May 2018.

7. Daniel Schwartz, "Why Canada severed relations with Iran." *CBC News*, 8 September 2012.
8. *Ibid.*
9. Edward F. Mickolus and Susan L. Simmons, *Terrorism, 1992-1995: A Chronology of Events and A Selectively Annotated Bibliography* (Westport, CT: Greenwood Press, 1997), 150.
10. Melissa Fundira and Kamila Hinkson, "Homa Hoodfar, Concordia professor, released from Tehran jail." *CBC News*, 26 September 2016.
11. Michelle Zilio and Sunny Dhillon, "Federal government urges Iran to allow professor's widow to leave the country." *The Globe and Mail*, 6 June 2018.
12. Thomas Juneau, "Why resuming ties with Tehran will be slow going for Canada." *The Global and Mail*, 25 March 2017.