



**Caught in the Crossfire:
Canada's IRGC Designation
and
Forced Conscripts**

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WHO WE ARE

We are a voluntary community group named **Unheard Conscripts Advocacy Network (UCAN)**, based in Canada, representing former Iranian conscripts **who were forcibly conscripted into the IRGC** under Iran's mandatory draft system.

Our mission is to stand with individuals who have been **unfairly affected by Canada's terrorist designation of the IRGC**, despite having had no choice or voluntary involvement.

We work to bring attention to the injustices faced by former conscripts and their families, many of whom now live in Canada, contribute meaningfully to their communities, and seek only fairness and clarity in how the policy is applied.



BACKGROUND



Government designation of the IRGC

On June 19, 2024, the Government of Canada designated the Iranian Revolutionary Guard Corps (IRGC) as a terrorist organization after years of deliberation. The Iranian Canadian community played a decisive role in advocating for this designation, with the goal of holding the IRGC accountable as the terrorist arm of the Islamic Republic regime, while also safeguarding Canada's national security.

Initial government assurances

Policymakers publicly committed to protecting Iranian citizens who were forcibly conscripted, acknowledging Iran's randomized and mandatory draft system. Canadian politicians, such as former Prime Minister Justin Trudeau, former Justice Ministers David Lametti and Arif Virani, have stressed that this designation would be implemented responsibly, carefully, and in a measured manner.

On June 19, 2024, Justice Minister Arif Virani emphasized the government's concern about the impact of this listing on those conscripted into the IRGC, stating, **"If an individual was conscripted at one point in time and no longer serves with the IRGC, that would affect the analysis."**



Emerging concern

Some families, including both Asylum Seeker claimants and Permanent Resident (PR) applicants, have been found inadmissible under IRPA Section 34(1)(f) due to mandatory conscription into the IRGC, despite the absence of any evidence of voluntary involvement or longer services than the conscription period. The mere fact of conscription into the IRGC being sufficient grounds for inadmissibility is deeply concerning, raising serious concerns about fairness and justice.

As a result, this situation not only impacts these families but also places thousands of Iranians living in Canada, including permanent residents, at risk of arbitrary findings, causing distress within the community and affecting those who have sought to build their lives here.

Alarming contradiction and impact

While innocent conscripts are penalized, regime enablers and individuals with political or financial privilege often avoid scrutiny and gain entry with ease. Canada's current practice undermines its original commitment, as it punishes victims of the regime while allowing perpetrators to slip through the cracks.



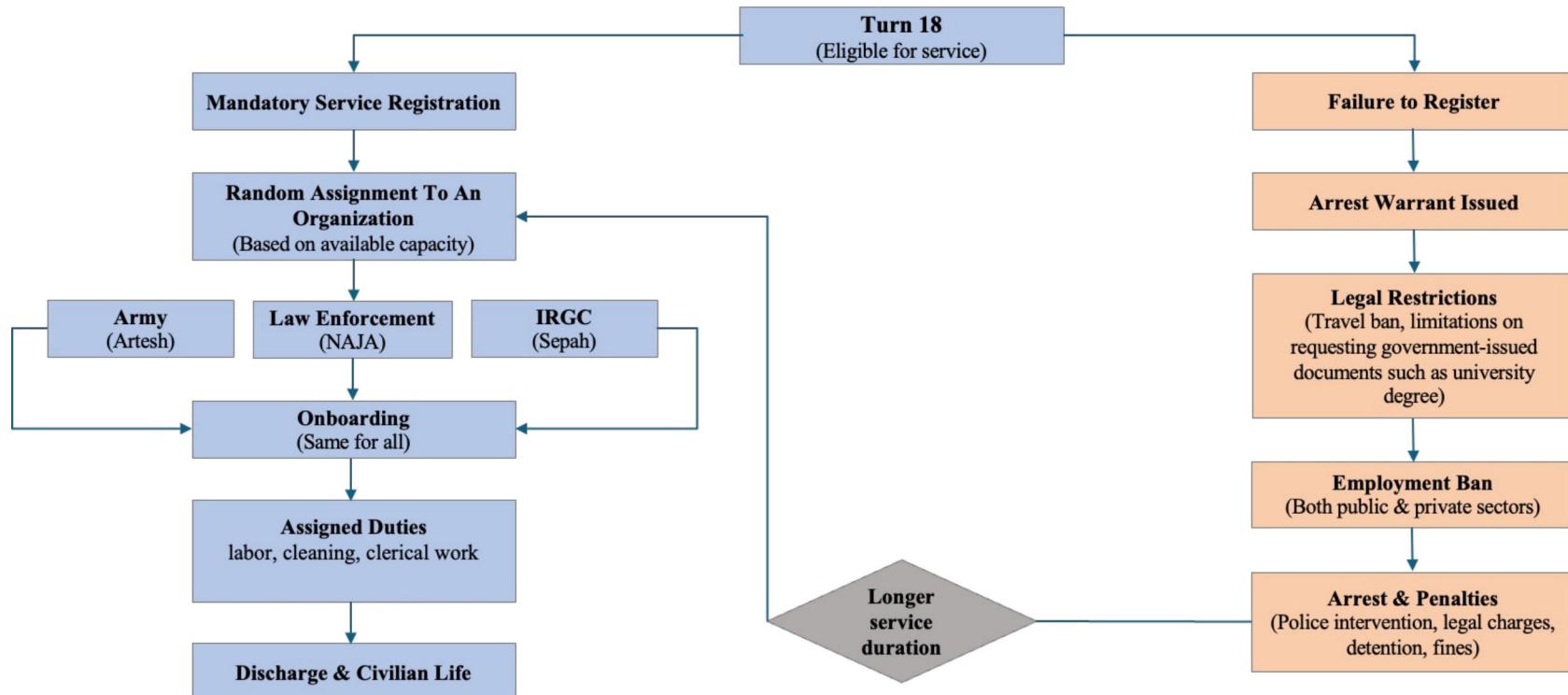
CONSCRIPTION IN IRAN



Conscription process and consequences

All Iranian male citizens aged 18 and older are required to complete compulsory military service. Conscripts are randomly assigned to the Army, Law Enforcement, or the IRGC, and the assignment is not voluntary. Service duration lasts up to two years, with the exact duration depending on factors such as education level, exemption status, and location.

Conscripts serve in non-military roles, performing basic labor such as cleaning, clerical work, or support tasks. They do not participate in operations or decision-making and lack the clearance or training required for official IRGC membership. Figure to be updated



Individuals who are fully exempt from conscription

- **Clerics and Religious Figures:** Mullahs and seminary students are fully exempt.
- **Individuals with Severe Disabilities:** Those with physical or mental conditions such as paralysis, blindness, or chronic illnesses.
- **Sole Caretakers:** The only son is responsible for supporting a parent (designated as the family's breadwinner).
- **Sons of Martyrs and War Veterans:** Granted exemptions in recognition of their family's past service.
- **Regime-Connected Individuals:** High-ranking officials can secure exemptions for their relatives or associates, often without any legal basis or justification.



Key differences between conscripts and IRGC members

Aspect	IRGC Members	Conscripts Assigned to IRGC
Membership	Voluntary, career-based membership	Mandatory, randomly assigned via Public Conscription Organization without membership requirement
Service Documentation	<u>Do not</u> receive a Completion of Compulsory Conscription Card	<u>Do</u> receive a <u>Completion of Compulsory Conscription Card</u>
Compensation	<u>Paid</u> , full-time employment	Compensated less than minimum wage by the Public Conscription Organization, <u>not IRGC</u>
Duties and Involvement	Active in IRGC operations, and enforcement	Assigned menial tasks (e.g., clerical work, cleaning); excluded from operations
Security Clearance and Vetting	<u>Must</u> pass rigorous evaluation and ideological screening	<u>Do not</u> undergo vetting or evaluation for IRGC membership

MISINFORMATION AND MYTHS ABOUT IRGC CONSCRIPTS



Addressing misconceptions on IRGC conscripts

There is a growing spread of misinformation about IRGC conscripts, driven by baseless sources and persistent misconceptions. These inaccuracies mischaracterize people who were subject to forced service and distort public understanding. We are committed to debunking these falsehoods with clear evidence and to making sure policy responses are informed by facts, not rumors.

Misconception 1: IRGC conscripts willingly chose to serve in the IRGC

The Public Conscription Organization randomly assigns conscripts based on different entities' available capacity and needs. Conscripts have no control over the unit to which they are assigned, and those who refuse to comply with conscription laws face severe legal and punitive consequences.

Under Iran's Military Service Law, individuals labeled as 'deserters' are identified, arrested, and subjected to imprisonment and extended service terms. They are also deprived of basic human rights, including the right to work and to obtain a travel document. Additionally, employers who hire these individuals face significant legal penalties.



Misconception 2: IRGC conscripts are Basij Members¹

There is no evidence to support this claim. The sources making this allegation rely on distorted facts and misrepresented timelines intended to discredit conscripts.

In reality, Iran's Public Conscription Organization assigns individuals randomly to the aforementioned organization, including the IRGC, regardless of any prior Basij involvement. Basij members, in fact, may be placed in any military or security organization, not solely the IRGC.

Misconception 3: IRGC conscripts have been indoctrinated

All conscripts, regardless of their assigned organization, undergo the same minimal basic training, comparable to a standard school curriculum for all students. There is no evidence that IRGC conscripts are exposed to "indoctrination" any more than conscripts assigned to the other entities, namely, the army, the police, and the Ministry of Defence."

Misconception 4: IRGC conscripts use connections to be selected by the IRGC

Individuals with genuine regime connections typically use their privilege to avoid conscription entirely, securing full exemptions for themselves or their family members. Even when exemptions aren't granted, there is no meaningful advantage in being assigned to one branch over another. Iran's conscription laws impose the same service conditions and obligations across all entities, including the IRGC. As a result, switching between organizations provides no benefit for conscripts.

¹: The Basij is a community-based entity under the IRGC, used by the Iranian regime for social control and mobilization of civilians.



GAPS AND IMPACTS IN THE IRGC LISTING AS IT STANDS TODAY



1. Understanding “Membership” in the context of IRGC conscripts

No Legal framework in Canada

The term “membership” is not defined in the IRPA, and Canadian jurisprudence recognizes that determining membership is a highly factual, context-specific assessment. However, decision-makers fail to apply the three-part test outlined in *B074 v. Canada*, which the Federal Court established for assessing whether an individual is truly a member of an organization.

That test requires evaluating:

- Nature of the person’s involvement in the organization
- Length of time involved
- Degree of commitment to the organization’s goals and objectives

Mandatory service vs. Voluntary membership

Conscription in Iran is a routine legal requirement, not voluntary participation. Thousands of Iranian men were conscripted into the IRGC without affiliation or choice, often performing labor non-military duties (e.g., cooking, administrative work). Conscripts are neither regarded nor treated as actual members under Canadian law.

Assessing membership in large organizations

Large organizations may have distinct departments with varying functions. Membership should be assessed at the local or departmental level, not broadly. For example, the TD Bank compliance department vs. a department engaged in money laundering.

Individualized considerations

While Canadian courts often apply an atemporal approach, judges can consider whether, at the time of alleged membership, there were reasonable grounds to foresee future illicit acts. This allows for individualized protection, recognizing that not all involvement equals culpable membership.

2. Unintended consequences on public safety

The current approach of targeting IRGC conscripts undermines the intent of the policy: it does not effectively prevent those truly responsible for supporting the regime from entering or remaining in Canada, while unjustly restricting innocent individuals. Such an approach not only harms potential immigrants but may also weaken public safety by failing to identify and restrict access to actual threat actors.

3. Unintended consequences on human rights

Civilians with no genuine affiliation with the IRGC, and their entire families, are being unfairly deemed inadmissible, facing the threat of deportation. Even children are considered inadmissible under security grounds, an outcome that is deeply unjust.

Many of these conscripts come from historically underrepresented and persecuted groups, including LGBTQ+ individuals, ethnic minorities, and religious minorities. These communities, already long oppressed by the Islamic Republic regime, are now being doubly punished, first by their government and again by Canadian immigration policy.



Families caught in this process face prolonged security background checks and the looming, devastating possibility of inadmissibility under IRPA Section 34(1)(f). This uncertainty casts a shadow over their lives, denying them the opportunity to build a stable future in Canada or anywhere in the Western world, and often leaving them with no viable path to return home.

The emotional toll has been devastating, families have been shattered, some driven to the edge with suicidal thoughts, and others pushed into divorce. For those already enduring years-long separations caused by excessive processing delays, the added threat of inadmissibility intensifies an already overwhelming and painful ordeal.

These are not abstract legal cases; they are **human tragedies**. Innocent conscripts and their families, including children, bear the consequences of policies that fail to distinguish between forced service and voluntary participation, punishing those who have already suffered under the regime.



ACTIONS TAKEN SO FAR



We have engaged policymakers, media, legal experts, and human rights advocates, led petitions gathering thousands of signatures, and shared testimonies and documents to ensure the voices of affected families are heard and the injustices of the system are addressed.

Among the Many Steps We've Taken:

1. **Informative Article** by Lorne Waldman: "Men conscripted into Iran's Revolutionary Guards not automatically terrorists."
2. **Interview** with member of the Canadian parliament, MP Garnett Genuis: "Canada failed to protect IRGC conscripts after terror listing, MP says" by Mahsa Mortazavi, Iran International: <https://wwwiranintl.com/en/202512166151>
3. **Informative Article** by M. Mehdi Moradi (Iranian-Canadian activist and journalist):
 - *Iran International* (Short version): [IRGC terrorism designation must spare innocent conscripts | Iran International](#)
 - *Substack* (Full version, addressing misinformation about the Iranian conscripts process): [The Failure of Responsible Listing](#)
4. **BILL C-350**; An Act to amend the State Immunity Act, the Criminal Code and the Immigration and Refugee Protection Act, 44th Parliament: <https://www.parl.ca/documentviewer/en/44-1/bill/C-350/first-reading>



4. Interview with former Iranian conscript, published by *CBC News*: [The Cost of the Canadian Dream](#)

5. Borderlines Canadian Immigration Law Podcast by Steven Meurrens : [#166 - The Islamic Revolutionary Guard Corps](#)

Guest Speakers: Ali Esnaashari - Immigration lawyer (Barrister and Solicitor) & Kaveh Shahrouz – Lawyer and human rights activist

6. Webinar by Lev Abramovich – Immigration Lawyer [Apart from our direct actions, this webinar also covered IRGC listing complexities and related IRCC considerations.] [Judicial Reviews, Mandamus, and s.34\(1\) Inadmissibility - Canadian Immigration, June 7, 2025](#)

7. Petition e-5272: Submitted and Certified in the 44th Parliament: [Petition e-5272 – Petitions](#)

8. Petition change.org: <https://www.change.org/p/justice-for-conscripts-ministerial-guidance-needed-now>

9. Response from Department of Public Safety (44th Parliament Session) – Inquiry
Date August 2024 [See attachment 1]

10. Response from Department of Public Safety (45th Parliament Session) - Inquiry
Date May 2025 [See attachment 2]

11. Response from Department of Public Safety (45th Parliament Session) – Inquiry
Date December 2025 [See attachment 3]



IMPACTED INDIVIDUALS (REAL CASES)



We are currently handling numerous cases involving PR applications, work and study permits, and asylum seekers, many of whom have faced severe and concerning impacts. Some applicants endured prolonged border interrogations and have been waiting over a year for an IRB hearing, while others received Procedural Fairness Letters for their PR applications and, despite submitting detailed responses, were ultimately refused.

In every PR refusal, the next step for these individuals has been to file for judicial review:

- At least two of these court applications were dismissed at the leave stage, meaning the applicants were not granted any opportunity to appear before a judge or defend themselves, an outcome that directly contradicts the assumptions publicly stated by the current Minister of Public Safety about how the process is supposed to function [see attachment 2].
- The only case that could have proceeded to a court hearing in November 2025 was ruled against by the judge. The judge explicitly stated that conscription in the IRGC is equivalent to membership, and therefore, the three-part test from B074 v. Canada for determining organizational membership does not apply. Details of the hearing are available in [reference 11].

These cases collectively reveal a pattern: individuals, including their family members, are being left in a state of uncertainty, fear, and prolonged legal limbo, with no meaningful avenue to clear their names or correct errors in the process.



FUTURE STEPS AND WHAT WE ARE AIMING FOR



1. Ministerial guidance be issued promptly under Section 42.1(2) of the Immigration and Refugee Protection Act (IRPA) as follows:

For the purposes of paragraph (1)(f), a permanent resident or a foreign national is deemed not to be a member of an organization if it is established that the permanent resident or foreign national:

- a) the person so affiliated can reasonably demonstrate that he was conscripted to the IRGC in connection with his mandatory military service;
- b) the conscripted person's affiliation with the IRGC did not exceed the mandatory military service period; and
- c) during the period of mandatory military service, the conscripted person did not commit acts that would be contrary to international human rights law or would pose a danger to Canada's security

2. We respectfully request that the Minister establish a specialized unit dedicated to handling all matters related to the security-based inadmissibility of Iranians, including cases under Section 34(1)(f) of the IRPA and issues involving alleged violations of human or international rights. Such a unit would allow IRCC and CBSA officers to access appropriate legal guidance from Department of Justice counsel and consult subject-matter experts, ensuring that decisions fully consider the complexities of the Iranian context—particularly the realities of compulsory conscription, which many officers may not be familiar with.

2. We respectfully ask that the Minister create a clear and expedited process for granting ministerial relief under Section 42.1(1) of the IRPA for individuals found inadmissible solely due to mandatory conscription into the IRGC. This process should be administered by the specialized unit referenced above, ensuring fairness and alleviating significant hardship among affected Iranian-Canadian families who were conscripted against their will.

Legal landscape: Why former IRGC conscripts cannot be deemed inadmissible under section 34

For nearly two decades, IRCC and CBSA relied on Al-Yamani (2006 FC) and Gebreab (2010 FCA) to apply an extremely broad interpretation of “membership” under IRPA s.34(1)(f). These decisions allowed inadmissibility purely based on association with an organization—even if the person never voluntarily joined, never supported the organization, and never engaged in wrongdoing.

This broad approach is no longer legally valid after three major decisions: Mason, Weldemariam, and Ali.

1. Mason (2023 SCC 21) – Supreme Court of Canada Overturns Broad Membership Approach
2. Weldemariam (2024 FCA 69) – Federal Court of Appeal Narrows Section 34
3. Ali (2025 FC 1682) – Court Rejects the Use of Old Membership Jurisprudence

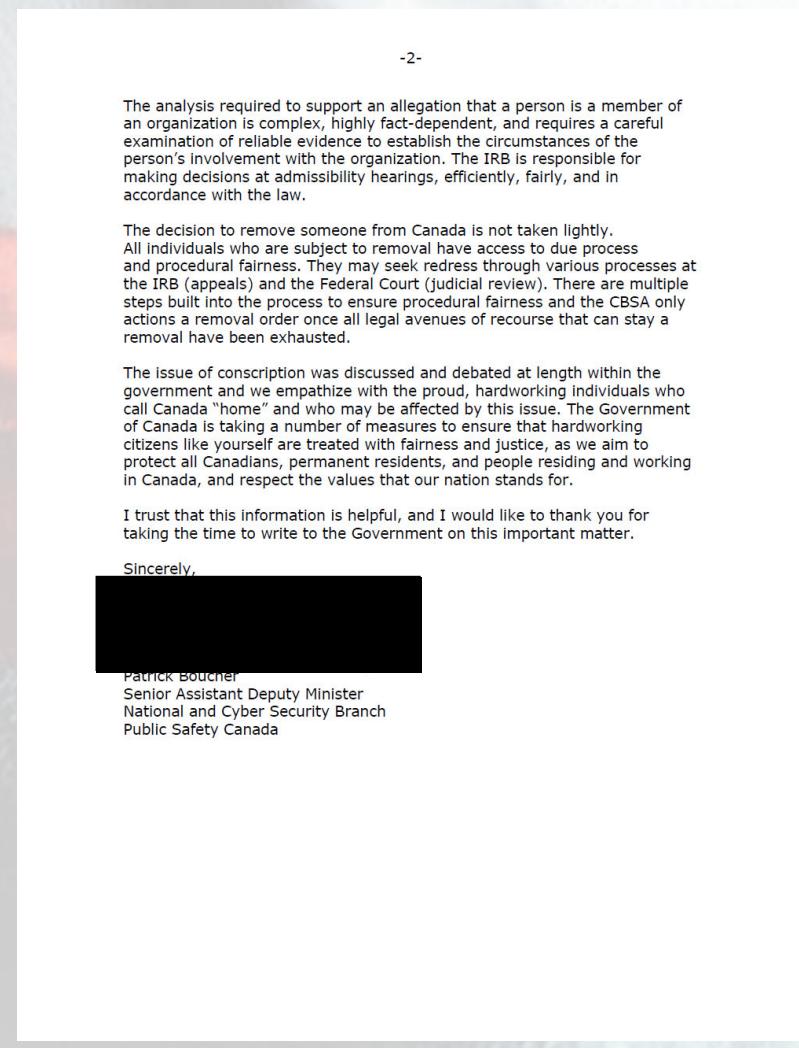
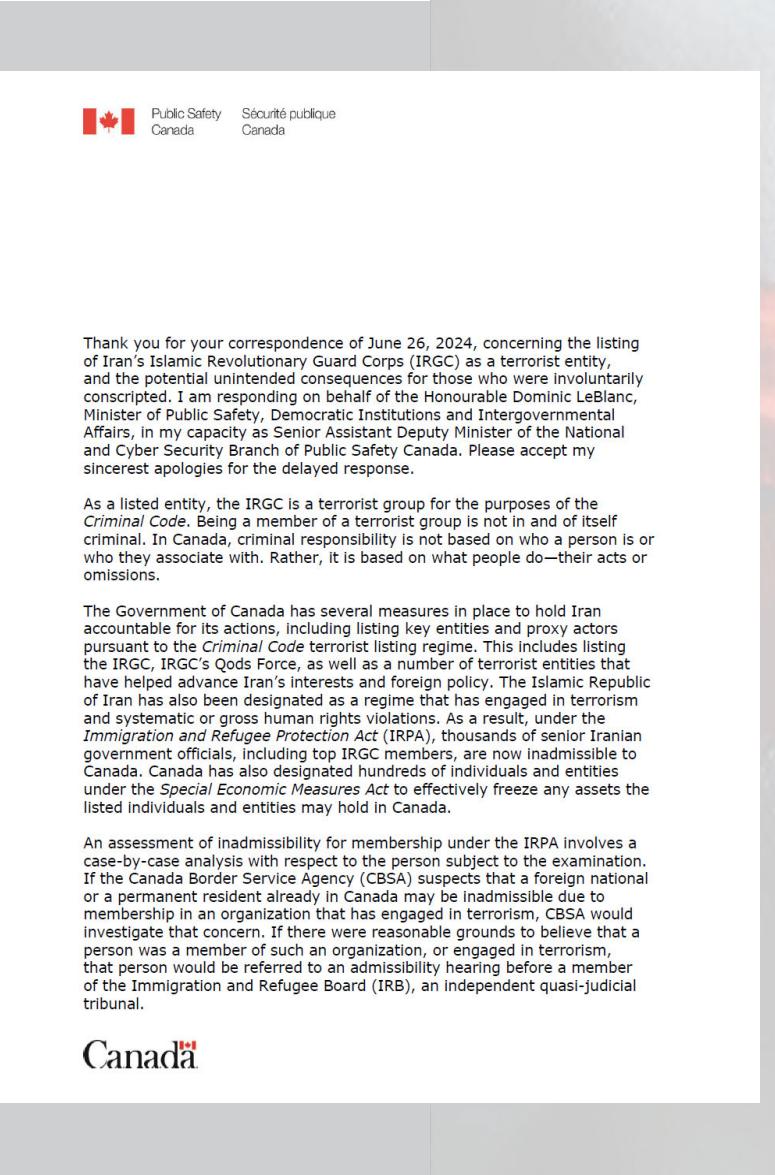
Canada’s current practice of treating all IRGC conscripts as “members” of a terrorist organization is no longer aligned with Supreme Court and Federal Court jurisprudence. Decisions such as Mason, Weldemariam, and Ali—while not all binding—provide persuasive and increasingly authoritative precedent confirming that **involuntary, compelled, or non-volitional associations cannot be treated as genuine “membership” for the purposes of terrorism-related inadmissibility.**

Reference

1. [Immigration and Refugee Board of Canada](#)
2. [Immigration and Refugee Board of Canada \(March 28, 2014\)](#)
3. [United Kingdom \(Country of Origin\) guide, Nov. 2022](#)
4. <https://www.irb-cisr.gc.ca/en/country-information/rir/Pages/index.aspx?doc=458758&pls=1#:~:text=Article%2045%20%28amended%20on%202011,from%20military%20service%20as%20follows>
5. Why Do Conscripts in Iran Commit Suicide and Homicide? Mandatory Military Service in Iran: A Factory for Creating Enemies Against the System-independent Persian at <https://is.gd/iMMNod>
6. <https://www.hra-news.org/articles/a-1095/>
7. <https://www.canlii.org/en/ca/fct/doc/2025/2025fc1682/2025fc1682.html>
8. <https://www.canlii.org/en/ca/scc/doc/2023/2023scc21/2023scc21.html?resultId=a984ba50018d41fc8a3468df3dc768bb&searchId=2025-11-15T18:55:58:363/ea558e67cbc347d3b0067c97e31cf580>
9. <https://www.canlii.org/en/ca/fca/doc/2024/2024fca69/2024fca69.html?resultId=38bc80f16bb84248b887d270b22e7402&searchId=2025-11-15T18:56:47:537/280fa976365343d08ae823c7851b5816>
10. <https://ca.vlex.com/vid/b074-v-can-m-681103589>
11. <https://decisions.fct-cf.gc.ca/fc-cf/decisions/en/item/529375/index.do>



Attachment 1



Attachment 2



unheard.conscripts@gmail.com

To Whom it May Concern:

On June 19, 2025, the Office of the Honourable Lena Metlege Diab, Minister of Immigration, Refugees and Citizenship, forwarded to the Honourable Gary Anandasangaree, Minister of Public Safety, your correspondence regarding the admissibility to Canada of individuals who completed conscripted mandatory military service in Iran's Islamic Revolutionary Guard Corps. Minister Anandasangaree also received your follow-up correspondence of July 29, 2025, and appreciates your kind words of congratulations on his cabinet appointment. I am responding on behalf of Minister Anandasangaree in my capacity as Vice-President of the Strategic Policy Branch of the Canada Border Services Agency (CBSA).

Inadmissibility provisions related to national security found in the *Immigration and Refugee Protection Act* fall under the responsibility of the Minister of Public Safety. The Government of Canada listed the Islamic Revolutionary Guard Corps as a terrorist entity on June 19, 2024. As per the news release, there are "reasonable grounds to believe that the Islamic Revolutionary Guard Corps has knowingly carried out, attempted to carry out, participated in or facilitated a terrorist activity, or has knowingly acted on behalf of, at the direction of, or in association with an entity that has knowingly carried out terrorist activity."

The national security inadmissibility provision found in the *Immigration and Refugee Protection Act* states that a person is inadmissible for engaging in terrorism or for being a member of an organization that engages, has engaged, or will engage in terrorism. While not needed to find someone inadmissible to Canada, the listing of an organization in the *Criminal Code* constitutes evidence that the decision maker can assess in determining that the organization is a terrorist organization.

Decisions on inadmissibility are not taken lightly, and every decision has various review mechanisms, including for a finding of being inadmissible for national security reasons. For the refusal of a visa application, status documents in Canada, or refugee status, an applicant can seek redress to the Federal Court. For in-Canada enforcement action, an allegation of a national security inadmissibility would allow the person to have a hearing at the Immigration and Refugee Board, and they could subsequently seek redress to the Federal Court of that decision.

In all cases where a foreign national is inadmissible for national security grounds, there is also the possibility to apply for ministerial relief. The test for granting ministerial relief is that the Minister of Public Safety is satisfied that "it is not contrary to the national interest." A person may make submissions in support of an application for ministerial relief, such as information relating to their personal involvement in an organization's activities, the nature of the organization, and voluntariness, among other things, and the Minister can consider any such arguments when deciding whether to grant relief.

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While you have requested the issuance of guidance or instructions to clarify that involuntary conscription does not equate to membership in the Islamic Revolutionary Guard Corps, redress mechanisms currently in place are robust and allow for the review of cases of persons who are inadmissible to Canada on national security grounds.

Thank you for sharing your views and concerns.

Sincerely,

CARR
JEFFREY

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On Behalf of Kelly Acton
Vice-President
Strategic Policy Branch

Attachment 3



Canada Border Services Agency Agence des services frontaliers du Canada

unheard.conscripts@gmail.com

To Whom It May Concern:

Thank you for your follow-up correspondence addressed to the Honourable Gary Anandasangaree, Minister of Public Safety, regarding the Governor in Council's decision to list the Islamic Revolutionary Guard Corps in the *Criminal Code of Canada* as a terrorist entity. I also note that in this correspondence you have raised questions about the application of the inadmissibility provision in the *Immigration and Refugee Protection Act* (IRPA) related to membership in an organization that engaged in terrorism as it applies to conscripts in the Islamic Revolutionary Guard Corps. I received a copy of your correspondence and am responding on behalf of Minister Anandasangaree in my capacity as Vice-President of the Strategic Policy Branch of the Canada Border Services Agency (CBSA). Please accept my sincerest apologies for the delayed response.

As you are aware, on June 19, 2024, the Governor in Council decided to list the Islamic Revolutionary Guard Corps in the *Criminal Code of Canada* as a terrorist entity. When this organization was listed, the former Minister of Justice underscored that prosecutions related to this listing would be subject to the heightened threshold of criminal intent and that "the Government remains concerned about the impact of the listing on those conscripted into the IRGC, but is being careful and measured in its approach." It is important to be clear that the impacts of this listing in the *Criminal Code of Canada* not be conflated with admissibility decisions under the *Immigration and Refugee Protection Act* as the listing of an organization as a terrorist entity in the *Criminal Code of Canada* is not a prerequisite to finding someone inadmissible due to membership in an organization that engaged in terrorism under the *Immigration and Refugee Protection Act*.

The approach taken to assess whether a person is inadmissible via the membership provision in paragraph 34(1)(f) of the *Immigration and Refugee Protection Act* is a two-step process. First, it has to be established, on reasonable grounds to believe, that a person is a member of an organization (in this case the Islamic Revolutionary Guard Corps). To do so, officers rely on evidence, operational guidance, and jurisprudence, and each instance is assessed on a case-by-case basis. Second, it has to be established, again on reasonable grounds to believe, that the organization engages, has engaged, or will engage in terrorism.

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I would like to reaffirm that Canada's inadmissibility regime under the Act has strong safeguards in place, including judicial review and ministerial relief. Decisions are the result of a thorough assessment rooted in the law and jurisprudence, and informed by the specific facts of each case. These measures ensure a robust and fair interpretation and application of the inadmissibility provisions enacted by Parliament.

Thank you again for sharing your views and concerns.

Sincerely,

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KELLY

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Kelly Acton
Vice-President
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