

110TH CONGRESS
1ST SESSION

S. 1534

To hold the current regime in Iran accountable for its human rights record
and to support a transition to democracy in Iran.

IN THE SENATE OF THE UNITED STATES

MAY 25, 2007

Mr. BROWNBACK (for himself and Mr. BAYH) introduced the following bill;
which was read twice and referred to the Committee on Foreign Relations

A BILL

To hold the current regime in Iran accountable for its human
rights record and to support a transition to democracy
in Iran.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Iran Human Rights
5 Act of 2007”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) There is currently not a democratic govern-
9 ment in Iran. Instead, Iran is an ideological dicta-
10 torship presided over by an unelected Supreme

1 Leader with limitless veto power, an unelected Expediency Council, and a Council of Guardians capable
2 of eviscerating any reforms.
3

4 (2) The Supreme Leader appoints the heads of
5 the judiciary, the clergy members on the powerful
6 Council of Guardians, the commanders of all the
7 armed forces, Friday prayer leaders, and the head of
8 radio and television and confirms the president's
9 election, rendering him the most powerful person in
10 Iranian politics with little accountability within the
11 political system.

12 (3) Members of the Council of Guardians in
13 Iran, who are chosen by the Supreme Leader, must
14 vet all candidates for election based on their political
15 predispositions and all legislation before it can be
16 entered into law.

17 (4) There has been a re-entrenchment of revolutionary
18 forces in the political system in Iran. Elections
19 held in February 2004 resulted in significant
20 gains by conservative hard-liners affiliated with the
21 regime's clerical army, the Pasdaran, culminating in
22 the election of President Mahmoud Ahmadinejad in
23 June 2005.

24 (5) Over the past decade, human rights have
25 been in steady decline in Iran. Torture, executions

1 after unfair trials, and censorship of all media re-
2 main rampant throughout the country. Stoning, am-
3 putation, flogging, and beheading are used as meth-
4 ods of punishment.

5 (6) Since his rise to power, President
6 Ahmadinejad has embarked upon a concerted cam-
7 paign of domestic repression, including new restric-
8 tions on radio, television, and film content, a ban on
9 the publication of virtually all books, and an expan-
10 sion in the activities of the regime’s “morals police”.

11 (7) The United Nations General Assembly
12 adopted Resolution 61/176 on December 19, 2006,
13 to express its grave concern over the deteriorating
14 human rights situation in Iran. The resolution urges
15 the Government of Iran “to ensure full respect for
16 the rights to freedom of assembly, opinion and ex-
17 pression ... to eliminate the use of torture and other
18 cruel, inhuman or degrading treatment or punish-
19 ment ... [and] to eliminate, in law and in practice,
20 all forms of discrimination based on religion, eth-
21 nicity, or linguistic grounds.

22 (8) The 2006 State Department Country Re-
23 ports on Human Rights Practices states that “the
24 Government’s poor human rights record worsened,

1 and it continued to commit numerous, serious
2 abuses”.

3 (9) According to Human Rights Watch’s World
4 Report 2006, many of the human rights violations
5 committed in Iran were performed by quasi-official
6 “parallel institutions”, which include “paramilitary
7 groups and plainclothes intelligence agents [that]
8 violently attack peaceful protesters, and intelligence
9 services [that] run illegal secret prisons and interro-
10 gation centers”. Uniformed police officers are fearful
11 of challenging plainclothes agents, who belong to
12 groups such as Ansar-e Hizbollah and Basij.

13 (10) According to the 2006 State Department
14 International Religious Freedom Report, the popu-
15 lation of Iran is 89 percent Shi’a Muslim and 8 per-
16 cent Sunni Muslim; less than 2 percent of the re-
17 maining population is comprised of Baha’is, Jews,
18 Christians, Mandaeans, and Zoroastrians.

19 (11) Religious minorities in Iran face signifi-
20 cant discrimination, including imprisonment, harass-
21 ment, and intimidation. Accordingly, the Secretary
22 of State has, since 1999, designated Iran as a coun-
23 try of particular concern pursuant to section
24 402(b)(1)(A) of the International Religious Freedom
25 Act of 1998 (22 U.S.C. 6442(b)(1)(A)).

1 (12) Ambeyi Ligabo, United Nations Special
2 Rapporteur on the Right to Freedom of Opinion and
3 Expression, submitted a report to the Commission
4 on Human Rights in 2004 on “Civil and Political
5 Rights, Including the Question of Freedom of Ex-
6 pression”. Mr. Ligabo asserted that “the climate of
7 fear induced by the systematic repression of people
8 expressing critical views against the authorized polit-
9 ical and religious doctrine and the functioning of the
10 institutions coupled with the severe and dispropor-
11 tionate sentences imposed lead to self-censorship on
12 the part of many journalists, intellectuals, politi-
13 cians, students and the population at large, thus in
14 effect impeding freedom of expression”.

15 (13) According to the 2006 State Department
16 Country Reports on Human Rights Practices, on
17 July 31, 2006, student protestor Akbar Mohammadi
18 died in Evin Prison from medical complications re-
19 lated to a hunger strike. The report states that “au-
20 thorities reportedly denied Mohammadi’s parents
21 permission to see their son’s body and did not re-
22 spond to calls for an independent investigation into
23 the cause of death.

24 (14) Amnesty International’s 2003 Report on
25 Iran detailed the arrest of Iranian-born Canadian

1 journalist Zahra Kazemi for taking photographs out-
2 side Evin prison in Tehran on June 23, 2003. Over
3 the course of her detention, judicial officials interro-
4 gated Ms. Kazemi for three days. While in custody,
5 Ms. Kazemi was beaten, and she died of a brain
6 hemorrhage on July 23, 2003. Despite court orders
7 for investigation, no progress has been made on this
8 case.

9 (15) Men and women are not equal under the
10 laws of Iran, and women are legally deprived of their
11 basic rights. The 2006 State Department Country
12 Reports on Human Rights Practices stated that the
13 weight of a woman's court testimony in Iran is half
14 that of a man's testimony and the family of a female
15 crime victim in that country receives only half the
16 amount of "blood money" provided to the family of
17 a male crime victim. The Government of Iran man-
18 dates gender segregation in most public spaces, in-
19 cluding on public buses and at entrances to public
20 buildings, universities, and airports.

21 (16) The April 30, 2007, State Department
22 Country Reports on Terrorism states that Iran re-
23 mains the most active state sponsor of terrorism.

24 (17) There exists a broad-based movement and
25 desire for political change in the Islamic Republic of

1 Iran that is pro-democratic and seeks freedom and
2 economic opportunity, and which represents all sec-
3 tors of Iranian society, including youth, women, stu-
4 dents, military personnel, and religious figures.

5 (18) The people of Iran have increasingly ex-
6 pressed frustration at the slow pace of reform in
7 Iran, and any efforts for nonviolent change in their
8 society have been suppressed.

9 (19) On September 7, 2006, Mohammad
10 Khatami, President of Iran from 1997 to 2005, be-
11 came the highest ranking Iranian to visit Wash-
12 ington, DC, since the hostage crisis of 1979, despite
13 his government's state sponsorship of terrorism, re-
14 pression of political opponents, and dismal human
15 rights record and the advancement of Iran's ura-
16 nium enrichment program.

17 (20) President Ahmadinejad is moving to limit
18 freedom of expression in higher education. On Sep-
19 tember 5, 2006, he expressed concern that univer-
20 sities were too secular and called for a purge of lib-
21 eral and secular faculty members from universities
22 in Iran.

1 **SEC. 3. AMENDMENTS TO THE IRAN FREEDOM SUPPORT**
2 **ACT.**

3 (a) FOREIGN POLICY PRIORITIES.—Section 301(a) of
4 the Iran Freedom Support Act (Public Law 109–293; 22
5 U.S.C. 2151 note) is amended—

6 (1) in paragraph (1), by striking “and” at the
7 end;

8 (2) in paragraph (2), by striking “in Iran.” and
9 inserting “inside and outside Iran that maintain
10 internationally recognized human rights standards,
11 including those provided for in the Universal Dec-
12 laration of Human Rights and the Helsinki Commit-
13 ments;”; and

14 (3) by adding at the end the following:

15 “(3) to make the deplorable human rights
16 record of the Government of Iran a top concern and
17 priority of United States foreign policy; and

18 “(4) to keep the deplorable human rights record
19 of Iran a top priority, irrespective of ongoing nuclear
20 issues.”.

21 (b) SUPPORT FOR DEMOCRACY AND HUMAN RIGHTS
22 IN IRAN.—Section 302 of such Act is amended—

23 (1) by amending the section header to read as
24 follows: “**SUPPORT FOR DEMOCRACY AND**
25 **HUMAN RIGHTS IN IRAN**”; and

1 (2) by redesignating subsections (a) through (g)
2 as subsections (b) through (h), respectively;

3 (3) in subsection (d), as redesignated—

4 (A) by inserting “, acting through the Spe-
5 cial Envoy,” after “The President”; and

6 (B) in paragraph (2), by striking “(g)”
7 and inserting “(h)”; and

8 (4) by inserting before subsection (b) the fol-
9 lowing:

10 “(a) SPECIAL ENVOY ON HUMAN RIGHTS IN IRAN.—

11 “(1) APPOINTMENT OF SPECIAL ENVOY.—The
12 President shall appoint a special envoy for human
13 rights in Iran within the Department of State (in
14 this section referred to as the ‘Special Envoy’). The
15 Special Envoy should—

16 “(A) be a person of recognized distinction
17 in the field of human rights;

18 “(B) not be an incumbent official of the
19 Department of State; and

20 “(C) report directly to the Secretary of
21 State.

22 “(2) DUTIES.—

23 “(A) IN GENERAL.—The Special Envoy
24 shall coordinate and promote efforts to improve
25 respect for the fundamental human rights of

1 the people of Iran and work with organizations
2 committed to promoting democracy in Iran.

3 “(B) SPECIFIC DUTIES.—The Special
4 Envoy shall—

5 “(i) support and promote inter-
6 national efforts to promote human rights
7 and political freedoms in Iran, including
8 coordination between the United States
9 and the United Nations, the European
10 Union, the Organization for Security and
11 Cooperation in Europe, and countries in
12 the region;

13 “(ii) establish the regional framework
14 described in section 304;

15 “(iii) coordinate with appropriate of-
16 fices of the Department of State, the De-
17 partment of Defense, the National Security
18 Council, and such other agencies as may
19 be necessary to coordinate the establish-
20 ment and operation of the regional frame-
21 work;

22 “(iv) serve as point of contact for op-
23 position groups, diaspora groups, and non-
24 governmental organizations interested in

1 advocating democracy and human rights in
2 Iran;

3 “(v) coordinate efforts with appro-
4 priate departments and agencies of the
5 Federal Government, international organi-
6 zations, nongovernmental organizations,
7 and individuals and organizations from the
8 Iranian diaspora to acquire greater infor-
9 mation and reporting on conditions in
10 Iran;

11 “(vi) oversee funding for, and pro-
12 viding consultative authority with respect
13 to, public and private broadcasting into
14 Iran; and

15 “(vii) review strategies for improving
16 the protection of human rights in Iran, in-
17 cluding technical training and exchange
18 programs.

19 “(3) REPORT ON ACTIVITIES.—Not later than
20 180 days after the date of the enactment of the Iran
21 Human Rights Act of 2007, and annually thereafter
22 for each of the following 5 years, the Special Envoy
23 shall submit a report on the activities undertaken
24 under paragraph (2) during the preceding 12
25 months to—

1 “(A) the Committee on Foreign Relations
2 of the Senate;

3 “(B) the Committee on Appropriations of
4 the Senate;

5 “(C) the Committee on Foreign Affairs of
6 the House of Representatives; and

7 “(D) the Committee on Appropriations of
8 the House of Representatives.”.

9 (c) SENSE OF CONGRESS.—Title III of such Act is
10 amended by adding at the end the following:

11 **“SEC. 303. SENSE OF CONGRESS ON THE IMPORTANCE OF**
12 **HUMAN RIGHTS IN IRAN.**

13 “It is the sense of Congress that—

14 “(1) there is a direct relationship between the
15 state of freedom and democracy within Iran and the
16 efforts of the current regime of Iran to acquire nu-
17 clear weapons and the long-term success of the glob-
18 al war on terror; and

19 “(2) it is essential that the issue of human
20 rights violations in Iran should remain a top United
21 States foreign policy priority, independent of efforts
22 to address the nuclear threat in Iran.

23 **“SEC. 304. ESTABLISHMENT OF REGIONAL FRAMEWORK.**

24 “(a) FINDING.—Congress finds that human rights
25 initiatives can be undertaken on a multilateral basis, as

1 demonstrated by the Organization for Security and Co-
 2 operation in Europe, which established a regional frame-
 3 work for discussing human rights, scientific and edu-
 4 cational cooperation, and economic and trade issues.

5 “(b) SENSE OF CONGRESS.—It is the sense of Con-
 6 gress that the United States Government should explore
 7 the possibility of a regional human rights dialogue on Iran
 8 that is modeled on the Helsinki process established by the
 9 Organization for Security and Cooperation in Europe, en-
 10 gaging all countries in the region in a common commit-
 11 ment to respect human rights and fundamental freedoms.

12 **“SEC. 305. SENSE OF CONGRESS ON THE ROLE OF THE**
 13 **UNITED NATIONS.**

14 “It is the sense of Congress that the United Nations
 15 has a significant role to play in promoting and improving
 16 human rights in Iran, and that—

17 “(1) the United Nations General Assembly has
 18 taken positive steps by adopting Resolution 61/176,
 19 which expresses its grave concern over the deterio-
 20 rating human rights situation in Iran;

21 “(2) the severe human rights violations in Iran
 22 warrant country-specific attention and reporting by
 23 the United Nations Working Group on Arbitrary
 24 Detention, the United Nations Working Group on
 25 Enforced and Involuntary Disappearances, the Spe-

1 cial Rapporteur on Extrajudicial, Summary, or Arbitrary Executions, the Special Rapporteur on the
2 Promotion and Protection of the Right to Freedom
3 of Opinion and Expression, the Special Rapporteur
4 on Freedom of Religion or Belief, and the Special
5 Rapporteur on Violence Against Women;

6 “(3) United Nations member states should not
7 support Iran as a member of the United Nations
8 Human Rights Council until the Government of Iran
9 has made significant progress in its human rights
10 record, including the adherence to the Universal
11 Declaration on Human Rights; and

12 “(4) the Special Envoy should work with the
13 United Nations to compile accurate statistical data
14 on social and political conditions inside Iran.

15 **“SEC. 306. SENSE OF CONGRESS ON VISA POLICY.**

16 “It is the sense of Congress that the commitment to
17 human rights and democracy of a national of Iran who
18 has applied for a visa to enter the United States should
19 be considered when determining the eligibility of such na-
20 tional for the visa.”.

21 ○