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HUMAN RIGHTS AND DEMOCRATIC REFORM IN IRAN

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Chairman Casey, Ranking member Risch, Members of the Subcommittee, it is an honour to be invited to address you and to represent Freedom House. Please allow me to thank you and your staff for all your efforts to advance the cause of human rights and democracy in Iran. It is also a great pleasure to be here with Rudi Bakhtiar and Kambiz Hosseini. They are leaders in how we communicate the human rights issue, both to Iran and to the rest of the world.

Freedom House is celebrating its 70th anniversary. We were founded on the eve of the United States' entry into World War II by Eleanor Roosevelt and Wendell Wilkie to act as an ideological counterweight to the Nazi's anti-democratic ideology. The Nazi headquarters in Munich was known as the Braunes Haus, so Roosevelt and Wilkie founded Freedom House in response. The ruins of the Braunes Haus are now a [memorial](#). Freedom House is actively promoting democracy and freedom around the world.

The Second World War context of our foundation is relevant to our Iran work. The Iranian state despises liberal democracy, routinely violates human rights norms through its domestic repression, mocks and denies the Holocaust. Given the threat that the Iranian state poses to its own population and to the Middle East, we regard Iran as an institutional priority.

In addition to Freedom House's well-known analyses on the state of [freedom in the world](#) and our [advocacy](#) for democracy, we support democratic activists in some of the world's most repressive societies, including Iran. I am very fortunate to work with highly talented and committed colleagues who have provided exemplary support to Iranian dissidents and democrats. This testimony represents their expertise and round the clock efforts to stand up for some of the Iranian regime's most isolated and repressed victims.

Freedom House conducts projects to defend human rights in Iran. We make representations in favour of human rights in Iran to the U.S. Congress, to the United Nations, to the European Parliament, and to responsible U.S. allies.

In this testimony, the focus will be how the regional context affects Iran, the key elements of Iranian regime repression, and how the U.S. and its allies can assist our Iranian friends.

The regional context

The regional context has already had an important impact inside Iran. The Iranian regime chose in June 2009 to discard the facade of so-called Islamic democracy and engage in crude electoral theft. Until that point the Islamic Republic of Iran could claim some degree of controlled electoral legitimation for aspects of the state, a process that was comfortably more open than most of its Persian Gulf neighbours. As of June 2009, the Islamic Republic of Iran placed itself in the then well-populated ranks of electoral frauds and dictators. This was a reasonable choice at the time. The prospects for political change across the Middle East were bleak in the summer of 2009. The signal from the U.S. was of engagement with the powers that be as opposed to seeking to promote new political arrangements.

The Iranian regime did not choose its political path wisely. The Arab uprisings against undemocratic regimes mean that the model of elections as rubber stamps for dictators is no longer in vogue. Similarly, the practice of “resistance” that Iran has supported is seen to have failed when compared to peaceful civic mobilization. The last five months of Arab activism have ousted two dictators, led to the fall of two governments, and forced others to make concessions. Not for the first time Middle Eastern dictatorships have been shown to be less stable than believed and to have rather less support than their apologists and lobbyists claimed.

Three regional factors are currently relevant to Iran. First, Arab activists such as Wael Ghonim have said that they were inspired by the Iranian demonstrations of 2009.¹ Other Arab activists have said they want to assist their Iranian comrades. That sense of solidarity and the inspiration of Arab successes have lifted the moral of Iranian activists.

Second, Iranians were encouraged to demonstrate to resist their own regime following the fall of President Mubarak in Egypt. Musavi and Karrubi called for demonstrations, which occurred in large numbers in seven towns and cities on February 14, 2011,² with further demonstrations in subsequent days. The slogans on both those days were against Ayatollah Ali Khamenei, Iran’s so-called Supreme Leader. The protestors ignored President Mahmoud Ahmadinejad. This indicates that some Iranian discontent is against the system and is no longer about the stolen election. Furthermore, it demonstrates that Iranians understand where power lies and who bears ultimate responsibility.

Similarly encouraging was that the U.S. government promoted the notion that Iran would not escape the wave of Middle East protests. On the day of Mubarak’s departure the U.S. government pointedly criticized the hypocrisy of the Iranian regime’s attempt to claim ownership of the Arab uprisings. Tom Donilon, the National Security Advisor Tom Donilon, said that “By

¹ International Campaign for Human Rights in Iran, “Egyptian Activist’s Message to Iranians: Learn From Egyptians, And We Learned From You,” February 10, 2011, available at <http://www.iranhumanrights.org/2011/02/wael-ghonim-on-iran/>.

² Tehran; Rasht, northern Iran; Isfahan, central Iran; Masshad, northwestern Iran; Shiraz, southern Iran; Kermanshah, Iranian Kurdistan; Ahwaz, southwest Arab inhabited area. Among the slogans were: “Mubarak, Ben Ali, your turn Seyyed Ali” (a reference to “Supreme Leader” Ali Khamenei); “Dictator, run away. Look at Mubarak!”; “Death to the Dictator!”; “Not Gaza! Not Lebanon! Tunisia and Egypt and Iran!”

announcing that they will not allow opposition protests, the Iranian government has declared illegal for Iranians what it claimed was noble for Egyptians.”³

Third, and most importantly, the Arab uprising has now shaken Syria, the Iranian regime’s close ally and partner in crime. The strategic gains from genuine political change in Syria are considerable. The Syrian regime is a serial human rights abuser—in its own territory and in Lebanon. It is worth remembering that the Syrian regime has an even longer career in the terrorism business than the Iranian regime, a record that has cost hundreds of American lives. The strength of U.S. and allied policy towards Syria during the current crisis is a test of our seriousness about confronting Iran. Freedom House called for Bashar al-Assad to resign on April 7, 2011 before he intensified his crackdown.⁴ By sending in the tanks, Bashar al-Assad has proven conclusively that he is as much a reformer as former Soviet leader Leonid Brezhnev was when he invaded Czechoslovakia in 1968.

Iranians understand the political importance of Syria to developments inside Iran. Shirin Ebadi, the 2003 Nobel Peace Prize Laureate, has connected the two, telling *The Wall Street Journal* on April 23, 2011 that:

“People are very happy about the uprising of the people of Syria. . . . If there is democracy in Syria it’s like the arms of Iran are cut off,” she says. “The people of Iran would be very happy if Bashar Assad is toppled because that’s the beginning of the toppling of the Iranian government.”⁵

The demonstrations of February 14 and 21 have not been repeated on a large scale because the Islamic Republic is becoming an increasingly efficient and systematic surveillance state. Iran has always been a police state of one kind or another. What the Islamic Republic is implementing is an Soviet-style approach that relies upon a professional approach to surveillance that takes full advantage of modern interception capabilities for mobile telephony and the internet.

The Iranian regime is pursuing three major policies to repress its critics and prevent its opposition from organizing. First, the Iranian regime has isolated Mir Hussein Musavi and Mehdi Karrubi, the nominal leaders of the opposition Green Movement, and their wives, distinguished activists in their own right, Zahra Rahnavard and Fatemeh Karrubi. They are being held in their homes, which are located in a regime sector of Tehran, and are barred from using communications. Family visits occur under regime control.

³ Tahman Bradley, “White House Ups Pressure on Iran After Effort to Quash Anti-Government Protests,” *ABC News*, February 12, 2011, available at <<http://blogs.abcnews.com/politicalpunch/2011/02/white-house-ups-pressure-on-iran-after-effort-to-quash-anti-government-protests.html>>. For a useful compilation of statements see Robin Wright, “U.S. Gets Tougher on Iran,” *The Iran Primer*, The United States Institute of Peace, February 15, 2011, available at <<http://iranprimer.usip.org/blog/2011/feb/15/us-gets-tougher-iran>>.

⁴ Press Release, “Freedom House Calls on Syria’s al-Assad to Resign, Condemns Indefensible Attacks on Civilians,” *Freedom House*, April 7, 2011, available at <<http://www.freedomhouse.org/template.cfm?page=70&release=1387>>.

⁵ David Feith, “The Weekend Interview with Shirin Ebadi: The Education of an Iranian Revolutionary,” *The Wall Street Journal*, April 23, 2011, available at <<http://online.wsj.com/article/SB10001424052748703983704576277373280750408.html>>.

There are legitimate concerns about the sincerity of their commitment to democratic norms and human rights. Both men have waxed lyrical about the glories of the 1979 Islamic Revolution and the late Ayatollah Ruhollah Khomeini. Musavi's human rights record in government was appalling. There are serious questions to be asked about his knowledge or involvement in Khomeini-era crimes.⁶ Karrubi recently made the fanciful claim that the abuse of prisoners at the Kahrizak detention centre in the summer of 2009 would not have occurred had Ayatollah Khomeini remained in power.⁷

The isolation of Messrs Musavi and Karrubi, along with Mrs Karrubi and Ms Rahnavard, is a clear violation of human rights and act of repression. The U.S. and its allies have been insufficiently vocal about the *de facto* detention and isolation of these four leading Iranian political figures. A good example of how to respond occurred in August 1991 when Mikhail Gorbachev was held in isolation during the brief Soviet coup. Margaret Thatcher publicly called the putschists to account for Gorbachev. We should be asking the same tough questions of the Iranian regime.

Second, the Iranian regime has increased its already high rate of executions. The Iranian regime claims that the death penalty in Iran is required to maintain order. It does not take much imagination to understand that the noose also sends a political message given the execution of political dissidents. During 2010 Iran executed between 312 and 546 persons.⁸ In January 2011 alone, however, 95 persons were executed, of whom 6 were identifiably political prisoners.⁹

The use of the death penalty in Iran is highly abusive. There is no credible criminal process, no transparency in sentencing, and no legal protections worthy of the name. Iran imposes capital punishment for ill-defined offences such as "rebellion against God" (article 190 of the penal code) and for sexual behaviour, such as adultery, "sodomy," and foreplay between men.¹⁰

The growing number of executions prompted an international campaign by Iranian activists calling for a moratorium on executions.¹¹ The United States condemned the execution of the

⁶ Geoffrey Robertson, "The UN must try Iran's 1988 murderers: The mass murderers of 1988 now hold power in Tehran. The world must make them face justice," *The Guardian*, June 7, 2010, available at <<http://www.guardian.co.uk/commentisfree/libertycentral/2010/jun/07/iran-1988-prisoners-murder-international-court>>. See also, Geoffrey Robertson, *The Massacre of Political Prisoners in Iran, 1988, Report Of An Inquiry*, Abdorrahman Boroumand Foundation, April 18, 2011, available at <<http://www.iranrights.org/english/document-1380.php>>.

⁷ The Green Voice of Freedom, "Karroubi: Why do these 'generals without army' make you shiver and panic?" January 4, 2011, available at <<http://en.irangreenvoice.com/article/2011/jan/04/2635>>.

⁸ Mahmood Amiry-Moghaddam, "Annual Report of the Death Penalty in Iran in 2010," *Iran Human Rights*, February 11, 2011, available at <<http://iranhr.net/spip.php?article1984>>.

⁹ Abdorrahman Boroumand Foundation "Iran: In Support of the International Campaign Against the Death Penalty," February 22, 2011, available at <<http://www.iranrights.org/english/newsletter-18.php>>.

¹⁰ Human Rights Watch, "We Are a Buried Generation": Discrimination and Violence against Sexual Minorities in Iran, December 15, 2010, pages 19-20, available at <<http://www.hrw.org/en/reports/2010/12/15/we-are-buried-generation>>.

¹¹ Statement by the International Campaign for Abolishing the Death Penalty in Iran, January 29, 2011: "In the past 36 days (December 20th to January 27th) alone, 117 individuals were hanged and many more are awaiting to face the gallows," available at <<http://stopexecution.info/en/137>>.

Dutch-Iranian national Zahra Bahrami and called for a halt to executions.¹² Navi Pillay, the UN High Commissioner for Human Rights, also called for Iran to halt executions, as did Christof Heyns, the UN Special Rapporteur on extrajudicial, summary or arbitrary executions and Gabriela Knaul, the UN Special Rapporteur on the independence of judges and lawyers.¹³ The European Parliament also called for a moratorium on the death penalty.¹⁴

These statements clearly had some effect, despite the usual regime response of public defiance. The publicly recorded rate of executions has certainly declined. However, along with our colleagues at the International Campaign for Human Rights in Iran, we are concerned executions are being conducted in secret.¹⁵

Third, the Iranian regime is engaged in a Soviet style attempt to break its political prisoners. Human rights activists have received lengthy prison sentences simply for advocating for fundamental freedoms. Their treatment in prison has been harsh. Some activists have been sent to prisons far from their homes, making it difficult for their family members to visit them. On some occasions family members are not allowed to visit or have their prison visits curtailed. The Iranian regime has locked away many hundreds of peaceful dissidents.

An example of the use of prison as a form of psychological and physical pressure was the transfer of female political prisoners and 200 other inmates from Rajaei Shahr prison in Karaj province, to Qarchak Varamin prison in Qom province on May 3, 2011. Rajaei Shahr has a reputation for being a harsh place, a prison used to break the recalcitrant and the defiant. It currently holds such prominent political prisoners as the student leader Majid Tavakkoli and the trades union leader Mansour Osanloo.

By all accounts, Qarchak Varamin is worse. Many of its 2,000 prisoners are hardened criminals. Each of the seven wards at Qarchak Varamin has a capacity for 100 prisoners, but currently holds around 300. Each ward has just two bathrooms and two toilets. Prisoners are allowed outside for fresh air and exercise for no more than two hours a day. There is no prison shop, as exists in Evin prison in Tehran and Rajaei Shahr, for prisoners to buy food and medical supplies.

Among the political prisoners at Qarchak Varamin that we know of are: Shabnam Madadzadeh, Maryam Hajiloei, Maryam Akbari Monfared, Masomeh Yavari, Kobra Banazadeh, Motahareh Bahrami, Mahvash Sabet, Fariba Kamalabadi—the last two are Baha’is imprisoned for trying to help others practice their religion.

¹² Philip J. Crowley, Assistant Secretary, Bureau of Public Affairs, “Concern for the Denial of Human Rights in Iran,” *State Department*, January 31, 2011, available at <<http://www.state.gov/r/pa/prs/ps/2011/01/155719.htm>>.

¹³ UN Office of the High Commissioner for Human Rights, “Alarmed at rise in killings, UN rights chief urges Iran to halt executions,” *UN News Centre*, February 2, 2011, available at <<http://www.un.org/apps/news/story.asp?NewsID=37443&Cr=Iran&Cr1>>.

¹⁴ “European Parliament resolution of 10 March 2011 on the EU’s approach towards Iran,” (2010/2050(INI)), P7_TA-PROV(2011)0096, available at <<http://www.europarl.europa.eu/document/activities/cont/201103/20110322ATT16074/20110322ATT16074EN.pdf>>.

¹⁵ International Campaign for Human Rights in Iran, “Ten More Secret Executions at Mashad’s Vakilabad Prison,” February 9, 2011, available at <<http://www.iranhumanrights.org/2011/02/ten-more-secret-executions-at-mashads-vakilabad-prison/>>.

It is invidious to choose among these many cases, but three in particular illustrate the nature of repression in Iran:

Nasrin Sotoudeh—in Iran it is a crime to be a lawyer.

Nasrin has represented juveniles facing the death penalty, abused children, and has defended the civil rights of human rights activists in Iran. Her crime appears to have been that she was the lawyer representing human rights activists, including Shirin Ebadi. Nasrin is currently serving an 11 year sentence. She also faces a 20 year ban from practicing law and from leaving Iran after the end of sentence. Nasrin's own lawyer, Nasim Ghanavi, has also been summoned and interrogated before by Iran's Revolutionary Court. Put otherwise, the Iranian regime has harassed the lawyer of the lawyer of the lawyer. The Iranian regime has also arrested and threatened Nasrin's husband, Reza Khandan, for speaking to the media about his imprisoned wife.

Navid Khanjani—in Iran it is a crime to be a human rights activist.

Navid Khanjani is a student rights activist currently on probation but facing a 12 year sentence. He has also has been banned from attending university and from leaving the country. Navid was physically abused during his interrogations. A Baha'i who helped to found the Baha'i Education Rights Committee, Navid also worked with two human rights organizations. The Iranian regime refuses to recognize the Baha'i religion, persecutes its followers, and uses a variety of administrative measures to keep Baha'is out of universities.

Hossein Ronaghi-Maleki—in Iran it is a crime to promote internet freedom.

Hossein Ronaghi-Maleki is a student of computer programming serving a 15 year sentence. Hossein helped create Iran's largest domestic anti-censorship group "Iran Proxy." He spent close to ten months in solitary confinement in Evin prison in Tehran. The authorities have harassed his family after they talked to the media about their fears for Hossein's health.

Four ways to help Iranian dissidents and democrats

There are four approaches that can be taken in response to the widespread violation of human rights in Iran, measures that will also assist Iranians as they seek to unite and organize against this evil regime.

First, we can break the isolation of the political prisoners by supporting them. Members of the U.S. Congress, such as Senators Casey and Kirk to give two examples, have already started to "adopt" Iranian political prisoners, a tactic that proved highly effective when used to support the Soviet dissident and refusenik movements.

Campaigns for prisoners work. According to Roxana Saberi, an American journalist held in prison in Iran for 100 days in early 2009:

When I was incarcerated in Iran's Evin prison last year on a trumped-up charge of espionage, I was fortunate that my case received a great deal of international attention. I

was not aware of the extent of this attention until the day my interrogator allowed me to lift my blindfold to see a pile of news articles on a desk in front of me. As he read aloud the names of journalism and human rights organizations, Iranian-American groups and others that had been calling for my freedom, I realized he was trying to scare me into thinking that this outcry was bad for me. But suddenly I no longer felt so alone. Friends and strangers were standing with me, and I didn't have to face my captors by myself anymore.¹⁶

Second, we can increase the prominence of the human rights issue in U.S. and allied policy towards Iran. This process has already started, but it can be intensified.

President Obama's Nowruz (Iranian New Year) message on March 21, 2011 was an important change. The president mentioned Nasrin Sotoudeh, the film maker Jafar Panahi, the journalist Abdolreza Tajik, the Baha'is and Sufi Muslims, Mohammad Valian a student on death row, and the poet Simin Behbahani.¹⁷ The contrast with President Obama's 2009 Nowruz message, which mentioned the Islamic Republic of Iran and "its rightful place in the community of nations" was striking and welcome.¹⁸

In a similar fashion, EU countries have become far more vociferous on human rights issues in Iran. My own country, the United Kingdom, has taken the lead on this issue in the EU.

Diplomacy can enhance the effect of symbolically standing with the protestors rather than seeking to sit and talk to the regime. The U.S. and its allies can continually raise the issue of Iranian human rights violations, and the continued illegal detention of two American citizens Shane Bauer and Josh Fattal,¹⁹ in bilateral and multilateral diplomacy. The U.S. and its allies can ask the Iranian regime to implement a moratorium on executions to demonstrate that it take international norms, whether on human rights or nuclear proliferation, seriously.

Third, we should push ahead with sanctioning the abusers and those who assist abuse. The U.S. has already listed 10 Iranian human rights abusers, the EU a total of 32.²⁰ The U.S. sanctioning of Iranian human rights abusers results from the provisions of the Comprehensive Iran Sanctions, Accountability and Divestment Act (2010).

Human rights sanctions are a useful and effective way of targeting abusers and communicating international concerns to the Iranian people. They complement the existing economic and

¹⁶ Roxana Saberi, "A chance to stand tall against Iran on human rights," *The Washington Post*, May 13, 2010, available at <<http://www.washingtonpost.com/wp-dyn/content/article/2010/05/12/AR2010051204297.html>>.

¹⁷ "Remarks of President Obama Marking Nowruz," The White House, Office of the Press Secretary, March 20, 2011

available at <<http://www.whitehouse.gov/the-press-office/2011/03/20/remarks-president-obama-marking-nowruz>>.

¹⁸ "VIDEOTAPED REMARKS BY THE PRESIDENT IN CELEBRATION OF NOWRUZ," The White House, Office of the Press Secretary, March 20, 2009, available at <<http://www.whitehouse.gov/the-press-office/videotaped-remarks-president-celebration-nowruz>>.

¹⁹ More details on their case are available at <<http://freethehikers.org/>>.

²⁰ The Council of the European Union, "COUNCIL REGULATION (EU) No 359/2011 of 12 April 2011 concerning restrictive measures directed against certain persons, entities and bodies in view of the situation in Iran," *Official Journal of the European Union*, April 14, 2011, available at <<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2011:100:0001:0011:EN:PDF>>.

financial sanctions because they act in a different manner. Economic and financial sanctions are important. The difficulty with such sanctions can be that their enforcement requires cooperation from third parties such as foreign countries and companies. In addition, the regime portrays can easily portray such economic and financial measures as indiscriminate attacks on Iran as a country.

By contrast, human rights sanctions are easier to initiate and have tremendous symbolic effect. The more abusers we sanction, and the lower level regime thugs whose names appear on U.S. and EU lists, the more we illuminate the mechanism of repression. Such sanctions can be unilateral and require nobody else's cooperation. They often have little practical effect as abusers do not travel to the U.S., or the EU, nor do they have assets here. However, what such sanctions communicate unequivocally is that the Iranian regime is the problem, not the people of Iran.

In addition, denying visas to the family members of regime abusers is also a useful measure that does not require additional legislation. The ability of family members of regime officials to globe trot using their ill gotten gains is greatly resented in Iran. We should encourage these people to take their holidays at home.

The recently announced Iran Human Rights and Democracy Promotion Act addresses the issues above. The Iran Human Rights and Democracy Promotion Act is being sponsored by Senators Kirk and Gillibrand from this chamber by Representatives Dold and Deutch in the other place. The act proposes a U.S. Special Representative on Human Rights and Democracy in Iran. The U.S. Special Representative can work in tandem with the UN special rapporteur for human rights in Iran that the UN Human Rights Council voted for on March 24, 2011.

Fourth, we can redouble our efforts to assist Iranian human rights and civil society activists. In practical terms that means funding programmes that enable Iranian dissidents and democrats to communicate with each other safely and to organize, to document regime abuses and to report them.

We do not know when Iranian activists will be able to fully use such training and education. Our experience in Egypt and Syria was that there were lean years in which it seemed as if we were assisting a small number of people with limited chances to use their skills to defend human rights and advocate for freedom. Then to everybody's surprise opportunity knocked and suddenly those activists had valuable skills to share with others. The people of Iran deserve to be better prepared for their next chance of freedom.