

111TH CONGRESS
2^D SESSION

H. R. 4649

To impose sanctions on persons who are complicit in human rights abuses committed against citizens of Iran or their family members after the June 12, 2009, political processes in Iran, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 23, 2010

Ms. ROS-LEHTINEN (for herself, Mr. MARSHALL, and Mr. ROYCE) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To impose sanctions on persons who are complicit in human rights abuses committed against citizens of Iran or their family members after the June 12, 2009, political processes in Iran, and for other purposes.

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 Sanctions Act”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) Iran voted in the United Nations General
4 Assembly on December 10, 1948, to adopt the Uni-
5 versal Declaration of Human Rights, thereby com-
6 mitting to guarantee the “life, liberty, and security
7 of person” of all people and rejecting “cruel, inhu-
8 man, or degrading treatment or punishment”.

9 (2) Iran is a party to major international
10 human rights instruments.

11 (3) The Government of Iran is violating its
12 international obligations to respect the human rights
13 and fundamental freedoms of its citizens, including
14 by—

15 (A) using torture and cruel, inhuman, or
16 degrading treatment or punishment, including
17 flogging, and amputations;

18 (B) carrying out an increasingly high rate
19 of executions in the absence of internationally
20 recognized safeguards, including public execu-
21 tions;

22 (C) using stoning as a method of execution
23 and maintaining a high number of persons in
24 prison who continue to face sentences of execu-
25 tion by stoning;

1 (D) carrying out arrests, violent repres-
2 sion, and sentencing of women exercising their
3 right to peaceful assembly, a campaign of in-
4 timidation against women's rights defenders,
5 and continuing discrimination against women
6 and girls;

7 (E) permitting or carrying out increasing
8 discrimination and other human rights viola-
9 tions against persons belonging to religious,
10 ethnic, linguistic, or other minorities;

11 (F) imposing ongoing, systematic, and se-
12 rious restrictions of freedom of peaceful assem-
13 bly and association and freedom of opinion and
14 expression, including the continuing closures of
15 media outlets, arrests of journalists, and the
16 censorship of expression in online forums such
17 as blogs and websites; and

18 (G) imposing severe limitations and re-
19 strictions on freedom of religion and belief, in-
20 cluding by carrying out arbitrary arrests, in-
21 definite detentions, and lengthy jail sentences
22 for those exercising their rights to freedom of
23 religion or belief and proposing a provision in a
24 draft penal code that sets out a mandatory

1 death sentence for apostasy, the abandoning of
2 one's faith.

3 (4) On June 19, 2009, the United Nations
4 High Commissioner for Human Rights expressed
5 concerns about the increasing number of arrests not
6 in conformity with the law and the illegal use of ex-
7 cessive force in responding to protests following the
8 June 12, 2009, political processes in Iran, resulting
9 in at least dozens of deaths and hundreds of inju-
10 ries.

11 (5) On August 1, 2009, authorities in the Gov-
12 ernment of Iran began a mass trial of more than
13 100 individuals in connection with election protests,
14 most of whom were held for weeks, in solitary con-
15 finement, with little or no access to their lawyers or
16 families, and many of whom showed signs of torture
17 or abuse.

18 (6) The "Supreme Leader" of Iran issued a
19 statement on October 28, 2009, effectively criminal-
20 izing dissent in the aftermath of the national polit-
21 ical processes of June 12, 2009.

22 (7) On November 4, 2009, security forces in
23 the Government of Iran used brutal force to disperse
24 thousands of protesters, resulting in a number of in-
25 juries and arrests, in violation of international

1 norms regarding the proportionate use of force
2 against peaceful demonstrations.

3 (8) At least 8 citizens of Iran were killed and
4 an undetermined number were injured on December
5 27, 2009, when security forces of the Government of
6 Iran violently broke up peaceful gatherings during
7 the Ashura holiday.

8 (9) The Government of Iran has recently sen-
9 tenced numerous Iranian citizens to death without
10 due process for politicized crimes relating to the
11 peaceful demonstrations that followed the June 12,
12 2009, political processes, including “waging war
13 against God”, and has begun carrying out those exe-
14 cution sentences, including the death by hanging of
15 2 individuals on January 28, 2010.

16 (10) The Iran Freedom Support Act (Public
17 Law 109–293; 50 U.S.C. 1701 note) declares that
18 it should be the policy of the United States—

19 (A) to support efforts by the people of Iran
20 to exercise self-determination over the form of
21 government of their country; and

22 (B) to support independent human rights
23 and peaceful pro-democracy forces in Iran.

1 **SEC. 3. IMPOSITION OF SANCTIONS ON CERTAIN PERSONS**
2 **WHO ARE COMPLICIT IN HUMAN RIGHTS**
3 **ABUSES COMMITTED AGAINST CITIZENS OF**
4 **IRAN OR THEIR FAMILY MEMBERS AFTER**
5 **THE JUNE 12, 2009, POLITICAL PROCESSES IN**
6 **IRAN.**

7 (a) IN GENERAL.—The President shall impose sanc-
8 tions described in subsection (c) (1) and (2) with respect
9 to each person on the list required by subsection (b), be-
10 ginning not later than the date on which the President
11 submits to the appropriate congressional committees the
12 list required by subsection (b)(1) or the updated list re-
13 quired by subsection (b)(2) (as the case may be).

14 (b) LIST OF PERSONS WHO ARE COMPLICIT IN CER-
15 TAIN HUMAN RIGHTS ABUSES.—

16 (1) IN GENERAL.—Not later than 90 days after
17 the date of the enactment of this Act, the President
18 shall submit to the appropriate congressional com-
19 mittees a list of persons who are citizens of Iran
20 that the President determines are complicit in
21 human rights abuses committed against citizens of
22 Iran or their family members on or after June 12,
23 2009, regardless of whether such abuses occurred in
24 Iran.

25 (2) UPDATES OF LIST.—Not later than 180
26 days after the date of the enactment of this Act, and

1 every 90 days thereafter, the President shall submit
2 to the appropriate congressional committees an up-
3 dated list under paragraph (1).

4 (3) PUBLIC AVAILABILITY.—The list required
5 by paragraph (1) shall be made available to the pub-
6 lic and posted on the websites of the Department of
7 the Treasury and the Department of State.

8 (4) CONSIDERATION OF DATA FROM OTHER
9 COUNTRIES AND NONGOVERNMENTAL ORGANIZA-
10 TIONS.—In preparing the list required by paragraph
11 (1), the President shall consider data already ob-
12 tained by other countries and nongovernmental orga-
13 nizations, including organizations in Iran, that mon-
14 itor the human rights abuses of the Government of
15 Iran.

16 (c) SANCTIONS DESCRIBED.—The sanctions de-
17 scribed in this subsection are the following:

18 (1) VISA BAN.—Ineligibility for a visa to enter
19 the United States.

20 (2) FINANCIAL SANCTIONS.—Sanctions author-
21 ized under the International Emergency Economic
22 Powers Act (50 U.S.C. 1701 et seq.), including
23 blocking of property and restrictions or prohibitions
24 on financial transactions and the exportation and
25 importation of property.

1 (d) TERMINATION OF SANCTIONS.—The provisions of
2 this section shall cease to have force and effect beginning
3 90 days after the date on which the President determines
4 and certifies to the appropriate congressional committees
5 that—

6 (1) the persons sanctioned under this section
7 have ceased to be complicit in human rights abuses
8 committed against citizens of Iran or their family
9 members on or after June 12, 2009, regardless of
10 whether such abuses occurred in Iran; and

11 (2) the Government of Iran has—

12 (A) unconditionally released all political
13 prisoners, including the citizens of Iran de-
14 tained in the aftermath of the June 12, 2009,
15 political processes in Iran, and allowed for in-
16 vestigations of Iranian prisons by appropriate
17 international human rights organizations;

18 (B) ceased its practices of violence, unlaw-
19 ful detention, torture, and abuse of citizens of
20 Iran while engaging in peaceful political activ-
21 ity;

22 (C) conducted a transparent investigation
23 into the killings, arrest, and abuse of peaceful
24 political activists in Iran and prosecuted those
25 responsible;

1 (D) legalized all political activity;

2 (E) made public commitments to orga-
3 nizing free and fair elections for a new govern-
4 ment—

5 (i) to be held in a timely manner with-
6 in a period not to exceed 180 days after
7 the date on which the President makes the
8 determination and certification to the ap-
9 propriate congressional committees under
10 this subsection;

11 (ii) with the participation of multiple
12 independent political parties that have full
13 access to the media on an equal basis, in-
14 cluding (in the case of radio, television, or
15 other telecommunications media) in terms
16 of allotments of time for such access and
17 the times of day such allotments are given;
18 and

19 (iii) to be conducted under the super-
20 vision of internationally recognized observ-
21 ers;

22 (F) ceased any interference with broad-
23 casts such as Voice of America and Radio
24 Farda; and

1 (G) made public commitments to and is
2 making demonstrable progress in—

3 (i) establishing an independent judici-
4 ary; and

5 (ii) respecting internationally recog-
6 nized human rights and basic freedoms as
7 recognized in the Universal Declaration of
8 Human Rights.

9 **SEC. 4. DEFINITIONS.**

10 In this Act:

11 (1) **APPROPRIATE CONGRESSIONAL COMMIT-**
12 **TEES.**—The term “appropriate congressional com-
13 mittees” has the meaning given that term in section
14 14(2) of the Iran Sanctions Act of 1996 (Public
15 Law 104–172; 50 U.S.C. 1701 note).

16 (2) **COUNTRY REPORTS ON HUMAN RIGHTS**
17 **PRACTICES.**—The term “Country Reports on
18 Human Rights Practices” means the annual reports
19 required to be submitted by the Department of State
20 to Congress under sections 116(d) and 502B(b) of
21 the Foreign Assistance Act of 1961 (22 U.S.C.
22 2151n(d) and 2304(b)).

23 (3) **GOVERNMENT OF IRAN.**—The term “Gov-
24 ernment of Iran” includes any agency or instrumen-

1 tality of the Government of Iran, including any enti-
2 ty that is controlled by the Government of Iran.

3 (4) HUMAN RIGHTS ABUSES.—The term
4 “human rights abuses” means those forms of abuses
5 detailed in the Department of State’s annual Coun-
6 try Reports on Human Rights Practices.

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