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H. R. 9075

To call on the Islamic Republic of Iran to immediately end violations of the human rights, and facilitate the unconditional, immediate release, of all arbitrarily detained individuals, including peaceful protesters, political prisoners, and prisoners of conscience, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 29, 2022

Mr. SCHIFF (for himself, Mr. COHEN, Mr. DOGGETT, Mr. KRISHNAMOORTHY, Ms. NORTON, Ms. SPEIER, Mr. SWALWELL, Mr. QUIGLEY, Mr. MOULTON, and Ms. ROSS) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To call on the Islamic Republic of Iran to immediately end violations of the human rights, and facilitate the unconditional, immediate release, of all arbitrarily detained individuals, including peaceful protesters, political prisoners, and prisoners of conscience, 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 “Support for Iranian
5 Political Prisoners Act”.

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) Article 3 of the Universal Declaration of
4 Human Rights guarantees the right to life, liberty,
5 and security of person. Article 9 of such Declaration
6 prohibits arbitrary arrests or detentions and Article
7 18 of such Declaration guarantees the right to free-
8 dom of thought, conscience, and religion.

9 (2) As a member state of the United Nations
10 and other international institutions, the Islamic Re-
11 public of Iran is bound by international commit-
12 ments concerning human rights and the rule of law.
13 Nevertheless, the Islamic Republic of Iran has sys-
14 tematically and consistently curtailed the ability of
15 Iranian citizens to exercise fundamental freedoms
16 without fear of retribution.

17 (3) On September 13, 2022, 22-year-old Masha
18 Amini was detained by the Islamic Republic of
19 Iran's Morality Police, for allegedly having visible
20 hair under her headscarf.

21 (4) On September 19, 2022, in response to her
22 death, protesters took to the streets across Iran. The
23 Iranian Government sought to put down these pro-
24 tests with violence, which has resulted in the deaths
25 of at least 48 people, including 20-year-old Hadis
26 Najafi, who was shot multiple times by security

1 forces according to eyewitnesses, and the arrests of
2 hundreds more.

3 (5) On October 6, 2021, the United Nations
4 Office of the High Commissioner for Human Rights
5 released a statement expressing grave concern re-
6 garding the consistent practice of the Islamic Repub-
7 lic of Iran to deny medical treatment to detainees,
8 including political prisoners. Denials of medical
9 treatment worsened during the year 2021 due to the
10 spread of COVID–19 throughout prisons. The state-
11 ment also called for the unconditional release of
12 human rights defenders, attorneys, political pris-
13 oners, peaceful protesters, and all other persons de-
14 prived of liberty for expressing views or otherwise
15 exercising rights in the Islamic Republic of Iran.

16 (6) On December 16, 2021, the General Assem-
17 bly of the United Nations adopted Resolution 76/
18 178, criticizing the practices of the Islamic Republic
19 of Iran and calling on the Islamic Republic of Iran
20 to implement significant reforms, including—

21 (A) ensuring that no person is subject to
22 torture or other cruel, inhuman, or degrading
23 treatment;

24 (B) ceasing the widespread and systematic
25 use of arbitrary arrests and detentions;

1 (C) releasing persons detained for exer-
2 cising the human rights and fundamental free-
3 doms; and

4 (D) improving the conditions of prisons.

5 (7) According to the 2021 Country Reports on
6 Human Rights Practices issued by the Department
7 of State, the Islamic Republic of Iran took few steps
8 during the year 2021 to identify, investigate, pros-
9 ecute, or punish persons at all levels of the Iranian
10 Government and the Iranian security forces. Such
11 reports include credible accounts that the Islamic
12 Republic of Iran or agents of the Islamic Republic
13 of Iran, have been implicated in—

14 (A) unlawful or arbitrary killings;

15 (B) forced disappearances;

16 (C) torture or cruel, inhuman, or degrad-
17 ing treatment;

18 (D) arbitrary arrest or detention;

19 (E) harsh or life-threatening prison condi-
20 tions;

21 (F) lack of judiciary independence, particu-
22 larly regarding the revolutionary courts;

23 (G) severe restrictions on free expression
24 and media, including censorship, criminalization
25 of libel and slander, and violence, threats of vio-

1 lence, unjustified arrests, and prosecutions
2 against journalists; and

3 (H) serious restrictions on and harassment
4 of domestic or international human rights orga-
5 nizations.

6 (8) The 2021 Country Reports on Human
7 Rights Practices further reported that political pris-
8 oners in the Islamic Republic of Iran were at greater
9 risk of torture and abuse in detention and were
10 often mixed with the general prison population.
11 Former prisoners in the Islamic Republic of Iran re-
12 ported that government authorities often threatened
13 political prisoners with transfer to criminal wards,
14 where attacks by fellow prisoners were more likely.
15 Human rights activists and international media or-
16 ganizations reported cases of political prisoners con-
17 fined with persons accused of and convicted of vio-
18 lent crime. The Islamic Republic of Iran also often
19 exiled political prisoners to prisons in remote prov-
20 inces far from the families of such prisoners as a
21 means of reprisal, denied such prisoners a right to
22 correspondence and access to legal counsel, and held
23 such prisoners in solitary confinement for long peri-
24 ods.

1 (9) According to the organization Iran Human
2 Rights, in October of 2021, political prisoners
3 Shapour Ehsanirad, Pouya Ghobadi, Esmail Gerami,
4 Akbar Bagheri, and Akbar Shirazi were seriously in-
5 jured after being attacked by prisoners accused of or
6 convicted of violent crime.

7 (10) According to the United Nations Special
8 Rapporteur on the situation of human rights in the
9 Islamic Republic of Iran, the Ministry of Intelligence
10 of the Islamic Republic of Iran and the Intelligence
11 Organization of the Islamic Revolutionary Guard
12 Corps control secret detention centers with “deplor-
13 able” conditions. Such centers often house, for ex-
14 tended pretrial detentions, political prisoners and
15 other persons arbitrarily arrested on national secu-
16 rity charges. For example, Ali Younesi and
17 Amirhossein Moradi have been arbitrarily detained
18 in section 209 of Evin Prison since such persons
19 were arrested in April of 2020. Evin Prison, a noto-
20 rious facility located in Tehran, is under the control
21 of the Ministry of Intelligence of the Islamic Repub-
22 lic of Iran and is a primary prison for political de-
23 tainees.

24 (11) Attorneys who defend political prisoners
25 detained by the Islamic Republic of Iran are regu-

1 larly arrested, detained, and subjected to excessive
2 punishments for engaging in regular professional ac-
3 tivities. The Islamic Republic of Iran also continues
4 to imprison attorneys and others affiliated with the
5 advocacy group Defenders of Human Rights Center.
6 According to the Center for Human Rights in Iran,
7 not less than 5 human rights attorneys—Soheila
8 Hejab, Payam Derafshan, Mohammad Nafari,
9 Amirsalar Davoudi, and Nasrin Sotoudeh—were in
10 prison during the year 2021 for performing human
11 rights work.

12 (12) With limited options for recourse, political
13 prisoners regularly participate in hunger strikes to
14 raise awareness about prison conditions and the
15 plight of political prisoners, who are often denied
16 medical treatment. In January of 2022, according to
17 reporting by Radio Free Europe/Radio Liberty, 6
18 prisoners in Evin Prison went on a hunger strike
19 following the death of jailed Iranian poet and
20 filmmaker Baktash Abtin. At least 3 other prisoners
21 at the Gharchak Women’s Prison and the Greater
22 Tehran Central Penitentiary joined the hunger
23 strike. Radio Free Europe/Radio Liberty reported
24 that dozens of prisoners are believed to have died in
25 the prisons of the Islamic Republic of Iran due to

1 mistreatment, including beatings, torture, and a lack
2 of proper medical care.

3 (13) In August of 2021, following the release of
4 footage of mistreatment and torture at Evin Prison,
5 the Bureau of Democracy, Human Rights, and
6 Labor of the Department of State issued a state-
7 ment stating that the “recently leaked footage of
8 [the] notorious Evin Prison confirms what we have
9 long known: torture is systemic in Iranian prisons.
10 We call on the Islamic Republic of Iran to release
11 all political prisoners and to treat all prisoners with
12 dignity”.

13 (14) According to the organization United for
14 Iran, more than 556 prisoners of conscience, includ-
15 ing persons jailed for religious beliefs, were held in
16 200 or more prisons in the Islamic Republic of Iran
17 as of May of 2022.

18 **SEC. 3. STATEMENT OF POLICY.**

19 It is the policy of the United States that—

20 (1) the Islamic Republic of Iran should allow
21 the United Nations Special Rapporteur on the situa-
22 tion of human rights in the Islamic Republic of Iran
23 unimpeded access to facilitate the full implementa-
24 tion of the mandate of the United Nations Special
25 Rapporteur, including—

1 (A) investigating alleged violations of
2 human rights that are occurring or have oc-
3 curred both within prisons and elsewhere;

4 (B) transmitting urgent appeals and let-
5 ters to the Islamic Republic of Iran regarding
6 alleged violations of human rights; and

7 (C) engaging with relevant stakeholders in
8 the Islamic Republic of Iran and the sur-
9 rounding region;

10 (2) the Islamic Republic of Iran should imme-
11 diately end violations of the human rights of political
12 prisoners or persons imprisoned for exercising the
13 right to freedom of speech, including—

14 (A) torture;

15 (B) assault;

16 (C) denial of access to health care; and

17 (D) denial of a fair trial;

18 (3) all arbitrarily detained individuals, including
19 peaceful protesters, political prisoners, and prisoners
20 of conscience, should be unconditionally and imme-
21 diately released;

22 (4) all diplomatic tools of the United States
23 should be invoked to ensure that all arbitrarily de-
24 tained individuals, including political prisoners and
25 prisoners of conscience in the Islamic Republic of

1 Iran are released, including raising individual cases
2 of particular concern; and

3 (5) all officials of the Government of the Is-
4 lamic Republic of Iran who are responsible for
5 human rights abuses in the form of politically moti-
6 vated imprisonment should be held to account, in-
7 cluding through the imposition of sanctions pursuant
8 to the Global Magnitsky Human Rights Account-
9 ability Act (22 U.S.C. 10101 et seq.) and other ap-
10 plicable statutory authorities of the United States.

11 **SEC. 4. ASSISTANCE FOR PRISONERS OF CONSCIENCE AND**
12 **POLITICAL PRISONERS.**

13 The Secretary of State is authorized to continue to
14 provide assistance to civil society organizations that sup-
15 port arbitrarily detained individuals, including prisoners
16 of conscience and political prisoners in the Islamic Repub-
17 lic of Iran, including organizations that—

18 (1) work to secure the release of such prisoners;

19 (2) document violations of human rights with
20 respect to such prisoners;

21 (3) support international advocacy to raise
22 awareness of issues relating to such prisoners;

23 (4) support the health, including mental health,
24 of such prisoners; and

1 (5) provide post-incarceration assistance to en-
2 able such prisoners to resume normal lives, including
3 access to education, employment, or other forms of
4 reparation.

5 **SEC. 5. DEFINITIONS.**

6 In this Act:

7 (1) **ARBITRARILY DETAINED.**—The term “arbi-
8 trarily detained”, with respect to an individual,
9 means an individual deprived of liberty due to the
10 exercise of the rights or freedoms described—

11 (A) in article 7, 13, 14, 18, 19, 20 or 21
12 of the Universal Declaration of Human Rights;
13 or

14 (B) in article 12, 18, 19, 21, 22, 25, 26
15 or 27 of the International Covenant on Civil
16 and Political Rights.

17 (2) **POLITICAL PRISONER.**—The term “political
18 prisoner” means a person who has been detained or
19 imprisoned on politically motivated grounds and may
20 include persons that—

21 (A) have used violence;

22 (B) have advocated violence or hatred; or

23 (C) have committed a minor offense that
24 serves as a pretext for politically motivated im-
25 prisonment.

1 (3) PRISONER OF CONSCIENCE.—The term
2 “prisoner of conscience” means a person who—

3 (A) is imprisoned or otherwise physically
4 restricted solely in response to the peaceful ex-
5 ercise of the human rights of such person; and

6 (B) has not used violence or advocated vio-
7 lence or hatred.

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