

COUNCIL *on* FOREIGN RELATIONS

POLICY INNOVATION MEMORANDUM NO. #43

Date: February 24, 2014
From: Ray Takeyh
Re: How to Promote Human Rights in Iran

As the United States and other countries focus on the Islamic Republic of Iran's nuclear ambitions, it is easy to ignore the fact that Iran is also one of the world's worst human rights violators. In his latest report on Iran, the UN special rapporteur insisted that "the human rights situation in the Islamic Republic of Iran continues to warrant serious concern, with no sign of improvement." Iran's human rights violations include restrictions on freedom of assembly, abysmal prison conditions, unfair legal codes, religious discrimination, and limits on women's rights. Iran's recent presidential election, which brought to power the longtime regime insider Hassan Rouhani, offers an opportunity to address these violations. A prospective comprehensive nuclear agreement need not be explicitly linked to Iran's human rights record, but by highlighting this issue, Washington can convey to Tehran the importance it attaches to how Iran treats its citizens. This step requires diplomatic multitasking to negotiate a nuclear agreement while promoting human rights.

THE PROBLEM

The Islamic Republic arbitrarily bars candidates from participating in both parliamentary and presidential elections. In the recent presidential race, the Guardian Council screened 680 candidates, barring all but eight. The government continues to arrest civil rights activists, journalists, members of labor unions and student organizations, and lawyers defending dissidents. Iran ranks second only to China in number of executions and it leads the world in the execution of minors. Gender discrimination continues to deny women educational and professional opportunities while public events such as sports matches remain segregated.

The Islamic Republic also denies freedom of worship to important religious minorities, particularly the Baha'is, who are the largest non-Muslim population in Iran. Iranians of Baha'i faith are discriminated against in the job market, often have their businesses shuttered, and are prevented from joining critical professions such as the armed forces. Beyond religious persecution, Iran censors information by closing down newspapers, jamming satellite transmissions, and

blocking Internet traffic. Iranian authorities recently announced their determination to launch their own Internet service that would “protect citizens from subversive messages.”

THE HELSINKI ACCORDS MODEL

The presidential election of 2013 brought to power a pragmatic government that seeks relief from international sanctions imposed as a result of the nuclear stalemate. As a candidate, Rouhani spoke not just of pursuing a different course on the nuclear issue but also of easing repression. He pledged to relax restrictions on media and allow greater public criticism of the government’s conduct. Since his election, Rouhani has released a number of political prisoners and has continued to speak out about the need for more freedom. It is hard to determine whether these are merely public relations gestures or indicate a real commitment to improving Iran’s human rights record. Rouhani’s motivations need to be tested.

Today, Iran is one of the few countries in the Middle East where the population is widely considered to be pro-American. During the political protests of 2009 and thereafter, demonstrators condemned U.S. silence, rather than its exhortations. In Iran’s recent presidential election, the most successful candidate was the one who called not just for a more reasonable approach to nuclear negotiations but also for a more tolerant society. The media coverage and the election itself demonstrated that voters are tired not just of economic sanctions but also of the suffocating political environment. A United States that champions its values and calls for transparency, equality before the law, and respect for international human rights standards is likely to empower and not discredit such forces.

Since World War II, many U.S. administrations have struggled to marry human rights concerns with strategic priorities. There have been exceptions to that historical pattern. The Reagan administration offers a useful model in terms of negotiating far-reaching arms control agreements with Moscow while also pressing for better treatment of Russian citizens. By raising both issues in the same context, the Reagan administration demonstrated to Moscow the importance of human rights to the United States. A similar approach can go a long way toward leading Tehran to appreciate that part of being a member of the global society in good standing is better treatment of its citizens.

The Helsinki Accords of 1975 offers another important model for negotiating with Iran. Under pressure from both Europeans and the U.S. Congress, human rights became an aspect of U.S. détente policy. The Helsinki discussions primarily focused on important security issues, and yet a human rights basket was introduced into the dialogue. Neither the Ford administration nor the Soviet Union anticipated the accords’ eventual effects. The United States introduced the human rights issue to placate allied and domestic opinion and the Soviet Union conceded to its inclusion given the more pressing arms control issues at stake. In due course, the Helsinki monitoring groups that emerged throughout Eastern Europe and within the Soviet Union itself did much to invigorate activists pushing for human rights. Given the fact that Washington and Tehran are at odds on regional affairs and proliferation issues, U.S. advocacy on human rights is likely to assume a lowered priority. As with the Soviet Union, the Islamic Republic will resist and denounce discussions as interference in its internal affairs; but Rouhani, who likes to portray himself as an enlightened figure, may be more sensitive to this criticism than his predecessor.

RECOMMENDATIONS

Iran will change; its citizens’ quest for a more participatory and tolerant political system cannot be denied forever. Although it is impossible to predict with any precision the timing or nature of that change, the yearning for a more inclusive order is all too present. To facilitate that process, the United States should undertake the following steps.

The United States should highlight the work of various nongovernmental organizations (NGOs). Iran is still endowed with many NGOs, as byproducts of the political renaissance of the 1990s, which are dealing with issues such as judicial reform and improvement of prison conditions for dissidents. The lawyer guilds, writers associations, and various women's rights groups are examples of NGOs that are still struggling with their tasks. The U.S. government can highlight their work in its official publications, such as its human rights reports, and encourage its international counterparts to do the same.

The United States should support freedom of expression in Iran. One manner of helping these organizations lies in the realm of Internet freedom and public diplomacy. The United States has made tentative forays into reopening Internet service to Iran in the face of the regime's efforts to choke it off, but more can and should be done. Washington should look into providing readily accessible means of communication to Iranian organizations, including software to help overcome Internet blockage and technologies to penetrate the Iranian government's obstructions of satellite transmissions. The more its members can be enabled to speak freely, the more the Iranian public and the world will be able to hear their messages, and the better they can assert their views. The Iranian regime is deeply concerned about losing control over information technology and equally concerned that such measures will provide an avenue for highlighting its arbitrary practices.

High-ranking U.S. officials should speak more openly and persistently about human rights conditions in Iran. U.S. officials have done an effective job of stressing Iran's nuclear violations and its unwillingness to conform to its proliferation commitments. However, the Islamic Republic's contrived political processes, its jailing of dissidents, and its discriminatory practices are rarely subjects of discussion by President Barack Obama or the relevant cabinet secretaries. Such declarations would send a message to Iranian officials and the public alike that Washington takes the welfare of Iran's citizenry into consideration as it plans its strategies.

The United States should pressure Iran into meeting international standards. Practices such as preventing defense lawyers from consulting their clients or detaining political prisoners without formally charging them are among the issues that the regime needs to address. In the meantime, U.S. officials who meet with their Iranian counterparts for nuclear discussions as part of the P5+1 (the five permanent members of the UN Security Council plus Germany) should also insist that the Islamic Republic release political prisoners and put a moratorium on all executions. A campaign of public advocacy by U.S. and UN officials can go a long way toward ameliorating prisoners' treatment, as was the case with political prisoners in South Africa and the Soviet Union whose welfare prompted much international outcry.

CONCLUSIONS

It is at times suggested that pursuing human rights concerns may obstruct the prospect of a comprehensive agreement. It is important to note that Iran seeks a nuclear agreement in order to get sanctions relief and legitimize its atomic activities. As such, Iran is unlikely to abandon the talks if U.S. officials speak of its human rights abuses. The Iranian regime has a lot at stake in the nuclear talks and is invested in their continuance.

The best U.S. efforts to highlight Iran's human rights violations may have a limited effect. Still, appealing to Iran's new president and the Iranian public opinion may nudge the Islamic Republic in the right direction. Even without such strategic benefits, Washington should advocate on behalf of Iranian citizens on account of the values and principles the United States professes to uphold. It may come to pass that one day the West will look back at such advocacy and appreciate that it proved far more critical than the many summits that have already been held on the nuclear issue.

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