Iran hearing - FNS transcript

UNITED STATES COMMISSION ON

INTERNATIONAL RELIGIOUS FREEDOM

PUBLIC HEARING

ADVANCING
RELIGIOUS FREEDOM AND RELATED HUMAN RIGHTS IN IRAN:
STRATEGIES FOR AN EFFECTIVE U.S.
POLICY

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MICHAEL CROMARTIE: Ladies and gentlemen, welcome. Before I introduce myself, could I just ask you to please go ahead and turn off your cell phones? We'd appreciate that. Good morning. Thank you for coming. My name is Michael Cromartie and I serve as chair of the U.S. Commission on International Religious Freedom.
I'd like to welcome you to today's hearing on "Advancing Religious Freedom and Related Human Rights in Iran." I'd also like to welcome our C-SPAN audience. We have a large number of issues to address in a very short time with a very distinguished array of witnesses, so I'll be brief.

U.S. government-level discussions of U.S. policy on Iran have focused overwhelmingly on the important nuclear question. As a consequence, it seems sometimes as if we hear very little about the precarious state of human rights, including religious freedom, in that country. This is at a time when under the rule of President Ahmadinejad, the status of such freedoms has markedly deteriorated, especially for religious minorities, and for Baha'is, Sufi Muslims, and Christians in particular, as well as Muslim dissidents and reformers.

For example, over the past several years, and particularly since President Ahmadinejad came to power, members of the Baha'i community have been harassed, physically attacked, arrested and imprisoned. For instance, in November 2007, three Baha'is were sentenced to four years in prison for allegedly spreading propaganda against the regime; 51 others received suspended sentences. Their alleged crime: setting up a program to educate poor Iranian children.

Sufis face growing government repression of their communities and religious practices, including increased intimidation and harassment and the detention of prominent Sufi leaders by the intelligence and security services in the past year. In 2006, Iranian authorities shut down a Sufi community center in the Shi'a holy city of Qom.
More than 1,000 Sufis were arrested after they took to the streets in

protest. Several served one-year prison terms.

Now, the president of Iran's denials of the Holocaust and statements calling for Israel to be wiped off the map have created a climate of fear among Iran's 30,000-member Jewish community. Official policies promoting anti-Semitism are on the rise in Iran, and government discrimination against Jews continues to be very pervasive. Christians in particular, evangelicals and other Protestants in Iran continue to be subject to harassment, arrest, close surveillance, and imprisonment. Many are reported to have fled the country. In the past, converts to Christianity and their advocates have been killed in Iran. The Iranian parliament is currently considering a new law that would impose serious punishments, including the death penalty, on converts from Islam.

Finally, dissidents and political reformers continue to be imprisoned on criminal charges of blasphemy and for criticizing the Islamic regime. A number of senior Shi'a religious leaders who have opposed various Iranian government policies on political or religious grounds have been targets of state repression, including house arrest, detention without charge, trial without due process, torture, and other forms of ill treatment.

The U.S. government at the highest levels should take every opportunity to call for the release of all religious prisoners in Iran, as well as to draw attention to the need to hold Iranian authorities accountable in specific cases where severe violations have occurred. This very bleak human rights picture is being overshadowed, rightly or wrongly, by other concerns.

Our overarching question today though are these: Considering the current state of U.S.-Iranian relations, what can the United States do to address these deteriorating human rights conditions? What strategies can be employed? Should we be isolating Iran or engaging Iran without preconditions? What do we need to know about the situation on the ground that can inform these new strategies?

I am delighted to say that we are honored to have an excellent group of witnesses to help address these questions in their remarks today and in their statements for the record. Before we hear from our witnesses, let me just say a word about the structure of this hearing. We will have three panels with a total of six witnesses, so our timing will be very tight. We would like each of our panelists to speak for seven to 10 minutes,

which should leave us plenty of time for us to ask follow-up questions. Each of you may, however, submit longer statements that will be posted on the commission's website. So thank you for coming this morning, and I am privileged to introduce our first panelist.

Principal - I'm sorry, Jeffrey
Feltman is the principal deputy assistant Secretary of State for Near Eastern affairs in the State Department. He has served a very distinguished career in foreign service and recently was returned to Washington from his post as our U.S. ambassador to Lebanon. We look forward to hearing from you, sir. Thank you for coming.

JEFFREY FELTMAN: It's a real honor to be here today. I'm also pleased that you have gathered - oh, I'm sorry. It's an honor to be here today to meet the Commission. I'm also pleased to see that you have gathered such a distinguished group of experts on human rights, religious freedom, and Iran. In particular, I note Payam Akhavan and Roya Boroumand's leadership on these issues has given voice to thousands of Iranians whose stories would otherwise not be heard.
Next to the challenge of Iraq, there's probably no other issue that is so important to American foreign policy and to our future than dealing successfully with the challenge posed by Iran.

And Mr. Chairman, as your remarks noted, Iran poses many challenges for us. First, Iran's quest for nuclear-weapons capability undermines global security. Second, Iran is the leading state sponsor of terrorism and its disruptive influence is felt across the region as it attempts to destabilize Lebanon, Iraq, Palestinian territories in Israel. Last, but not least, Iran's human rights abuses and repression of its own people are an affront to international and American values. The challenge posed by Iran goes right to the heart of our most vital interest in the Middle East. And human rights and religious freedom are an important part of how we approach the challenge of Iran.

Religious freedom is also rooted in our principles and history as a nation.
And since the passage of the International Religious Freedom Act in 1998, we have made important strides in integrating religious freedom into our diplomatic strategy. Last September, Secretary Rice submitted to Congress the Department's most recent Annual Report on International Religious Freedom to demonstrate the importance we attach to religious freedom.

A number of countries not only fall
far short of international standards, but they demonstrate little improvement
and, as a result, are designated "countries of particular concern" or CPCs. A CPC designation provides the U.S. with a range of options including sanctions.
And Iran
is one such country. And every year
since the passage of the act in 1998, the Secretary has designated Iran as a CPC
for its flagrant disregard of international religious norms and its egregious
treatment, particularly, of non-Shi'a religious groups, but also of some Shi'a
as well.

Let me first begin by putting Iran's mistreatment of religious groups in the
context of the internal situation in Iran today and its continuing, and
I would say, deteriorating poor human rights records more generally. Since President Ahmadinejad assumed the presidency in 2005, the human rights situation as a whole has markedly
declined, particularly over the past year.
In January, for example, as recently as January, the Ministry of Islamic
Culture and Guidance suspended the license of Zanan, a women's journal that focused on social issues. The regime also appears to be signaling that
the red line has shifted, making it difficult for Iranians to converse freely
with each other on social issues. In
addition to Zanan, some 41 newspapers
and 25 other publications have been suspended under President Ahmadinejad.

Political repression has
continued. Labor leaders such as Mansour
Osanlou have been arrested and activists locked up in some cases for simply
demanding their wages. Women's rights
activists have been subjected to beatings, receive strict prison sentences for
organizing and participating in peaceful protests or for collecting signatures
for the 1-million signatures campaign, an effort to reform Iran's laws to provide equality for
women.

Students who might disagree with
the current administration in Iran
have been tossed into jail. It has become
increasingly clear over the last three years that the current regime will not
tolerate dissent or independent thinking.
Nearly all religious as well as ethnic minorities in Iran face some
degree of social, economic, or cultural discrimination. If you do not subscribe to the regime's interpretation of Islam, you are prevented from serving in the judiciary,
security services, and other leadership positions.

Applicants for public-sector
employment are screened for their knowledge of and adherence to Islam. Government workers who do not observe Iran's principles and rules - and principles and rules as defined by the regime itself
- are also subject to penalties. Iranian
law forbids non-Muslims from holding positions of authority or Muslims in the
armed forces. Non-Muslims are barred

from becoming military officers.

By law, religious minorities are not allowed to be elected to a representative body unless it's for one of the five seats in parliament - five seats out of 290 seats - that are reserved for recognized religious minorities. It's against the law for religious minorities to hold senior government and military positions and all non-Shi'a are barred from becoming president.

Members of the Baha'i faith, which number some 300,000 in Iran, have been singled out for particularly harsh treatment. A steady stream of anti-Baha'i hostility plays out on television screens, magazines, and newspapers in Iran. Additionally, the government of Iran is directly involved in the ongoing persecution of the Baha'i population. As your own report on Iran points out, in 2006, Asma Jahangir, the U.N. special rapporteur on freedom of religion or belief revealed a letter from Iranian Supreme Leader Ayatollah Ali Khomeini to the command headquarters of the armed forces requesting the command headquarters identify Baha'is and monitor their activities, including business activities.

This year, we confirmed that 24 young adult Baha'i were sentenced for the crime of anti-regime propaganda, with three receiving four-year prison terms. The remaining 51 Baha'i received suspended sentences. These suspended sentences represent Iran's system of revolving-door detentions and use of suspended sentences as a means of intimidation. Baha'is also face severe restrictions of education. Authorities are currently withholding the educational records of some 800 Baha'i students, records that are necessary to complete the university admission process.

Practitioners of Sufism also face horrific treatment as Sufi community leaders now find themselves under constant harassment and intimidation by Iran's intelligence and security services. Sunni religious groups often report abuse including detention and torture of Sunni clerics as well as other widespread restrictions on their ability to practice their faith, widespread restrictions that are noted in your own report such as the lack of a Sunni mosque in Tehran. Sunni teaching in public schools and Sunni religious leaders are also banned under the regime. Christians in Iran, particularly ethnic Armenians as well as Assyrians continue to be subject to close surveillance and harassment. Members of evangelical protestant congregations, as you noted, Mr. Chairman, are also subject to increased surveillance and intimidation. They are required to carry membership cards, photocopies of which must be provided to authorities upon demand. And worshippers are often subjected to identity checks by authorities posted outside congregation centers.

Jews in Iran face official discrimination. Anti-Semitic government statements, conferences, media programming, books, and other publications, all of which blur the line between Judaism and Zionism, are commonplace and foster a hostile atmosphere for the Jews. Two synagogues in the country were recently attacked. In response to these abuses, abuses that are documented in your report and documented in our reports, the United States actively pressures the Iranian regime on human rights issues including religious freedom.

Our relationship with Iran, of course, is unique in that we do not have a diplomatic presence in Iran, but which force us to look creatively at how to use all tools available to us to advance human rights and religious freedom in Iran. To raise the profile of individual cases and key issues, we regularly issue statements highlighting and condemning Iran's abusive behavior towards its citizens. Most recently, we joined the international community in calling for the release of the detained Baha'is. In addition, as you know, Iran is subject to a wide variety of U.S. sanctions which, under the International Religious Freedom Act, have also been linked to its disregard for religious freedom.

Our democracy program includes several grants that provide accurate information on human rights abuses, including religious freedom, to Iranians. They also disseminate information on international human rights standards, including religious freedom, inside Iran and work to support human rights activists across the board. I would also like to note the increase, thanks to the 2006 supplemental bill from the Congress, the increase in broadcasting by VOA in Persian and by Radio Farda. This was also a recommendation that the Commission itself had put in its report on Iran.

Multilaterally, the United States worked to ensure the passage in December of the fifth U.N. General Assembly resolution addressing Iran's dismal human rights record. We support the work of the U.N. Special Rapporteur on Freedom of Religious or Belief. We also work closely with like-minded allies who do maintain diplomatic presence in Iran to ensure that they raise key religious-freedom issues with the Iranians. We work closely with the European Union which has made human rights, religious and minority rights, an area of particular focus over the past few months.

Lastly, we believe the outreach to the NGO community here in the United

States is also essential. We meet regularly with key international and American NGOs and interested Iranian and Iranian Americans to ensure that we have the most accurate information available and to discuss human rights and religious freedom on a regular basis.

As we move forward, we will continue to highlight the regime's abuses and to stand with the Iranian people in their quest for freedom and human dignity.
Again, I offer sincere thanks to the U.S. Commission on International Religious Freedom for your commitment to promoting freedom of thought, conscious, and religion for every individual in every nation and society around the world.

MR. CROMARTIE: Thank you, Ambassador Feltman. We appreciate that very much. My fellow commissioners will have some questions for the ambassador. I'd like to begin myself with a question. There are those who suggest that U.S. funding of human rights activists and groups inside Iran make them vulnerable targets for the regime while other people argue that the individual activists and the groups inside Iran know their own limitations and will themselves determine how and whether to accept U.S. support. What is your opinion on this question about U.S. funding of activists in Iran? Is it effective? Does it make them more vulnerable or do we want to leave it up to them to decide?

MR. FELTMAN: Mr. Chairman, in general, we leave it up to the NGOs we're working with, whether they want to publicize our support or not. In general, they do not. We do not publicize the grantees who receive U.S. funding for their work in Iran. We leave it up to the NGOs if they wish to do so themselves. One thing I'd like to emphasize is, this is a long-term strategy. This is the long-term game. Our work with the NGOs, our work on the democracy program in Iran is aimed at supporting independent voices over the longer term, aimed at increasing the interaction between the Iranian people and the American people over the long term, aimed at trying to disseminate information about benchmarks, international standards on religious freedom.
It's a long-term project, but, at this point, we are very pleased with our work with the NGO community, but we leave it up to them about whether or not they wish to publish it. And, in general, they don't.

MR. CROMARTIE: Thank you. Commissioner Land -

RICHARD D. LAND: Yes.
Do you have any specific recommendations on how the U.S. government, including the U.S. Commission on International Religious Freedom, could more effectively advocate for religious freedom and related human rights in Iran, both in Iran and outside Iran?

MR. FELTMAN: You know, I think in terms - if you look at the - look internationally, I don't believe that there's any government - and I say government writ large, government including the Congress, including the administration, including independent commissions that advise the government like yours - there's no government in the world that has been as vocal, as consistent, as insistent regarding Iran's systematic oppression of its own people as the United States has been.
We're always looking for ways that we can try to moderate Iranian behavior whether it's on human rights, including religious freedom, whether it's on the nuclear thing. We're always looking for good ideas and we welcome the recommendations from the commission.

But I wonder whether we could all be doing more to increase the advocacy of other international players. I find it appalling, for example, that the human rights council of the United Nations has not discussed Iranian oppression of its own people. The EU has recently been much more vocal about the oppression of the Baha'i in Iran in particular. But I'm wondering if we need to be doing more outreach and maybe the Commission has a role in being an independent player and reaching out to other international players, other governments, in having their voices joined with ours and pointing out the systematic abuses against the Iranian people.
It's one idea that I throw out.

PREETA D. BANSAL: Thank you, Mr. Feltman. You mentioned Iran's role in terms of, I think you called it a leading state sponsor of terrorism around the world including Lebanon, Iraq, Palestine, and Israel. And I wondered, has the State Department or the United States government engaged in any analyses of educational materials that are taught within Iran. This is a problem, obviously, in terms of Saudi Arabia. You mentioned anti-Semitism and some of the other problems within Iran.

To your knowledge, has the State Department looked at any of the educational curricula both within Iran and maybe insofar as it might be sending some of that outside?

MR. FELTMAN: Madame Vice Chairman, I will admit that I'm not right now, today, aware of the answer to the question. I will note that we do have - that we do not have great statistics on things like anti-Semitism in Iran. I expect the textbook curricula would be along the same category in part because it's very difficult for us, for the scholars and the NGOs in Iran, to report back to us. There are certain dangers. So we have less visibility on some of the issues inside Iran than we would like and that we have in some of the other countries. But I will look into the question of textbooks.

MR. CROMARTIE: Commissioner Gaer -

FELICE D. GAER: Thank you very much and thank you for your views. I wanted to pursue this question of whether it's possible for the United States to make a difference on the issue of human rights including religious freedom, in Iran. And, in that context, bearing in mind your response to the chairman's first question and the controversy over whether U.S. support is productive or counterproductive, I wanted to pursue your question about the United Nations.

You said that the - you were surprised, disappointed that the - you thought it was appalling that the human rights council has not discussed Iranian repression, the human rights council being a body of the United Nations that has been created in the last couple of years. Now, in that context, I assume that means that you believe that multilateral human rights mechanisms have value in connection with human rights issues.
And I'm wondering if you could comment on how the United States can be more effective with multilateral mechanisms, in particular, by deciding not to be a member of the council and not having a seat on the human rights council, how can U.S. policy to see the human rights council address such issues, important issues, as the repression of religious freedom and other human rights in Iran be discussed by that very same body? How can the U.S. help that be discussed?

And I'm also aware of the U.S. action in the General Assembly in producing a resolution.
Do you think that that's a substitute for the council and do you think that that can have any further - what further impact do you think that that mechanism would have?

MR. FELTMAN: Thank you, Dr. Gaer. I'm going to defer some of this to the international organizations bureau of the State Department that has the lead on our interaction with the United Nations, but I'd like to comment on the general point about multilateral versus bilateral or, in some cases, unilateral pressure on Iran. In the Chairman's opening remarks, he noted the emphasis on the nuclear issue in Iran. Let's be clear.

A nuclear Iran poses a strategic threat to the world. It's a very, very important issue. And the world has come together in a way to provide incentives, impose sanctions in an effort to moderate Iran's behavior. Iran's human rights, including religious - regarding religious freedoms, human rights record is appalling. And I'm wondering whether we can - whether the international voices can be raised in the same way on the human rights/religious freedom issue as they have been on the nuclear issue.

On the nuclear issue, we use a wide variety of mechanisms. We have our own policies, our own sanctions; we have our dialogue with our closest allies; we have dialogue through the Security Council, through the United Nations, et cetera. And on Iran, as I said, I believe that we, I believe that it's very safe to say that we are the most vocal and consistent critic of Iran's human rights practices. So I am musing out loud with the Commission about how we build a broader coalition on the human rights/religious freedom issue as we have with the nuclear issue.

I don't think that there's any one solution. I don't think there's any one thing that's going to convince Ahmadinejad to start respecting the universal rights that should be accorded to his own population, but I believe that we have to use all tools at our disposal.
And, again, we do not have a diplomatic presence in Iran. And so we have to be creative in how we engage unilaterally, bilaterally, multilaterally with allies, friends, and the international organizations. Thank you.

MR. CROMARTIE: To Mr. Leo -

LEONARD A. LEO: Thank you very much for joining us, Ambassador, this morning. I guess you weren't here when Ahmadinejad addressed Columbia. You were in Lebanon at the time?

MR. FELTMAN: I was in Lebanon. I certainly followed the debate in Lebanon. Of course, in Lebanon, one has a unique understanding of Iran's destabilizing influence because of Hezbollah so I -

MR. LEO: At the time, there were - many of us became aware of a comment he made some years back where he said that, "And God willing, with the force of God behind it, we shall soon experience a world without the United States and Zionism." And many of us at the time determined, I think, that really the best and most effective path toward religious freedom in Iran and a general improvement of human rights in Iran would be essentially for a change in government and a change in regime.

And in that regard, initiatives including empowerment of Iran's civil society, direct engagement of the Iranian people, the use of tactical vehicles for democracy promotion such as the Internet, and then, of course, to some extent, increases in U.S. gulf military deployments become matters of important consideration. And I was wondering whether you believe that you've received adequate budgetary and political support to bolster these various kinds of initiatives that can help to secure promotion of a more democratic or different governance structure in Iran.

MR. FELTMAN: Thank you, Commissioner Leo. The - as I said, we're constantly looking at ways, at tools, at ideas, at creativity, at ways that we can try to influence the thinking in Iran, influence the behavior in Iran. And, certainly, on behalf of the State Department, I say I welcome the Commission's ideas and input in this. And I noted your own recommendations in your report about what the administration should be doing in order to promote religious freedom in Iran.

In terms of budgetary resources, you know, we're talking roughly $60 million for the democracy side of the budget this year that we got from Congress in fiscal year, in fiscal '08. It's still - we're still working on the exact allocations, but it's roughly $60 million. And about half of that will go toward broadcasting: VOA, Radio Farda. These improved transmissions in the case of Radio Farda, longer broadcasting in the case of VOA, including issues on human rights and religious freedom. And then we're also going to continue our democracy grants working with NGOs.

One of the interesting programs that we've been able to start because of the increased resources given to us by

Congress for Iran are Internet services through blogging, websites, improved websites in order to have, to promote a dialogue between the Americans and the Iranians in Farsi. We're hoping that this results in increased pressure to change inside Iran. But, again, this is a long-term project. You've raised some much bigger issues about what we do in terms of the Iranian regime. But what we do with our democracy grants is a long-term, is long-term establishment, strengthening independent voices, building relations between our two people.

MR. CROMARTIE: Commissioner Argue -

DON ARGUE: Thank you, Mr. Ambassador. And your record on commitment to religious freedom we affirm. A couple of questions and observation - the observation first - it would appear that efforts of the United States to promote democracy and human rights have, in fact, in some cases, been counterproductive. Has increased U.S. pressure in this regard been counterproductive?

And then, secondly, would we be better off if we had a direct line through U.S. diplomatic engagement with Iran on human rights and other issues, particularly human rights abuses? I think you get my observation and then two questions, please.

MR. FELTMAN: You know, on - I wouldn't want to minimize the risks to people who are working with us in Iran. I would not want to minimize the difficulties that we face. On balance, we believe that our engagement on democracy, human rights including religious freedom in Iran through our democracy program has been productive. We're very sensitive to the concerns of our partners, which is one of the reasons why we don't publicize the grants and leave it up to the grantees whether they wish to be publicized or not. We're very careful with what we say about, for example, the upcoming legislative elections. We wouldn't want to provide any sort of pretext by which the regime could crack down even harder on those that would like to provide genuine representation in the upcoming Majles elections.

So, in balance, we believe that our involvement has been productive, but we're very, very aware of the concerns you raise, the sensitivity posed by people who are working with us. I mean, Commissioner

Argue and Commissioner Leo, you both talked about what is - what is the best way for us to promote our agenda in Iran more generally. Obviously, religious freedom is of immediate concern to our discussion today, but, you know, the debate over whether one engages Iran or whether one doesn't engage Iran and goes the other direction is something that's actively under consideration by the administration at all times.

Secretary Rice, of course, has made the offer to the Iranians that upon suspension of enrichment processing linked to the nuclear question, she would be willing to talk any time and any place about nuclear issues and other issues. So there is, in fact, an offer on the table that Iran has chosen to ignore in its efforts to develop its nuclear capacity. Thank you.

MR. CROMARTIE: Commissioner Shea -

NINA SHEA: Yes, thank you very much for your testimony today and for making time to be with us. I, you know, I am intrigued by the role that religion plays in Iranian rule, that it is clerical, a state-enforced, clerical rule, sectarian and serves as a model, or should, a negative model, if you will, of this kind of rule which is becoming more popular and widespread throughout the world. And it is an opportunity in sort of deconstructing the human rights situation and exposing the human rights situation in Iran to engage in a contest of ideas, if you will, with radical Islam.

And I don't feel - I just don't have a good sense of what the State Department is doing on that front to really look at how religion plays the role - that is, a state-enforced sectarian religion - has an effect on women's rights, for example, or freedom of expression, the apostasy blasphemy charges that are so common in Iran and probably had a major role, did have a major role in shutting down those 41 newspapers that you mentioned, and then the dwindling down, the effect on minority religions including minority Muslim religions and dissident branches. But the demographics have been really revealing - just shocking, plummeting of numbers in the minority communities since the revolution.

And I just wondered if you could comment on that, whether there are, within the State Department, sort of working groups or people really thinking about these issues in a larger, more ideological fashion in the contest of ideas.

MR. FELTMAN: Commissioner Shea, the short answer to your question is yes, indeed. And when you look at Iran, you know, as we've discussed, there's systematic oppression of the Iranian people by the regime. And whether... This is political repression. It's human rights repression. It's religious oppression. All of these are, you know, religion becomes a tool in what is a systematic denial of the basic rights of the Iranian people to freedom of religion, freedom of politics, freedom of expression. And if someone's a Sunni Baloch, is he facing persecution and oppression because he's a Baloch or because he's a Sunni. It doesn't matter. There's a systematic use of the tools of religion in Iran in order to repress the minorities and deny basic universal human rights to the population.

Part of what we're trying to do with our democracy programs is raise the spotlight, raise publicity, raise awareness of international standards of human rights, international standards of religious freedom. How does the rest of the world do this? How can religion, how is religion a benefit - rather than a tool of political repression?

We have, you know, we have funded NGOs that, again, choose to remain nameless to try to raise their voices, to try to raise awareness of how religion is being used perversely and particularly by comparing and contrasting, bringing information to the Iranian people about how this operates elsewhere, how the system could work as opposed to the way that their leaders have used religion perversely.

We are in contact with members of the religious minorities. We're in contact with international representatives of some of the minority groups in order to work with them on how we advocate for rights inside of Iran. There's a continual dialogue about how we get across the ideas that you mentioned, Commissioner Shea. I can't promise you that we have the right levers in place. We welcome ideas and recommendations from the Commission.

MR. CROMARTIE: Commissioner Eid -

TALAL Y. EID: Thank you, Mr. Ambassador. Some say that U.S. foreign policy has strengthened relationships between Iran and its Arab neighbors. As an ambassador who served in Lebanon, what impact do these emergent diplomatic and economic alliances have on U.S. influence on and relations with Iran?

MR. FELTMAN: Commissioner Eid, thank you. I don't think that there's any country - let me put it this way: Iran is one of the most isolated countries in the world. Yes, it's Arab Gulf neighbors have to deal with Iran in some ways on a pragmatic level. But when you look at who are Iran's friends, who welcomes Iran's repression of its own people, who welcomes Iranian's foreign and domestic policies, it's countries like Cuba; it's people like Hugo Chavez.

Iran doesn't seem to have many friends either in the region or internationally. This is something I think that we can all use constructively, the fact that Iran, yes, Iran has influence in the region; it's negative influence. And Iran's Arab neighbors have to take into account Iran's size and Iran's negative influence, but it's not that anybody welcomes what Iran is doing to its own people, what Iran is doing in terms of its nuclear ambitions, what Iran is doing internationally.

You mentioned my service in Lebanon. And I made reference earlier to, of course, Hezbollah, the Iranian-funded terrorist organization in Lebanon. I can't pretend Hezbollah doesn't, isn't a strong power inside Lebanon. But when I look at the Lebanese, who are seeking opportunities, seeking employment, seeking futures outside Lebanon because there are Lebanese who are looking outside for economic opportunities, they don't go to Tehran. They don't look at Tehran or Iran as their model. They look to Dubai. They look to North America. They look to Europe.

I do not believe that the model posed by Iran is an appealing vision for people of the region or for people of the world.

MR. CROMARTIE: Thank you. I would remind commissioners we have about five more minutes in this session. And so we have three more questions, so let's be concise. Commissioner Bansal -

MS. BANSAL: Thank you, Ambassador Feltman. Undersecretary Burns last year in testimony before the Senate Foreign Relations Committee said that notwithstanding the fulminations of President Ahmadinejad, he is not impervious to financial pressure and diplomatic pressure. And I'm wondering, among the many routes the United States has taken to try and pressure Iran, you know, to what extent - can you describe for us what, in terms of its dealings with the financial investors and, you know, the economic - the countries that give economic infrastructure to Iran, what kinds of diplomatic negotiations the U.S. is engaging with them with respect to their record of investing in Iran?

MR. FELTMAN: Thank you, Madame Vice Chairman. I think this is an area where we've actually had - we've had some success. The basic message from the United States to the international financial and business community is: You should not be doing business with Iran as normal. This is not business as normal, whether we're talking about the nuclear problem, whether we're talking about human rights, including religious freedom, it's not a time for business as usual with Iran.

Iran has almost every U.S. sanction possible imposed on it for a variety of reasons, including the atrocious behavior regarding religious freedom. And we - we are constantly raising with our international partners, government and private sector, the risks to doing business with Iran. I think you've seen publicity recently about some Bahraini banks, for example, that have broken off financial relations with Iran. I think this is an area that, you're right, has promise, and also we're seeing some signs of success where people are paying attention to the risks of doing business with Iran, doing business with an international pariah state, and they are making decisions to reduce their exposure. We believe that the Iranian regime has taken notice of this.

MR. CROMARTIE: Commissioner Land -

MR. LAND: Thank you. Has the U.S. government's decision last year to have direct talks with Iran on security in Iraq provided a springboard to discuss other issues including the human rights situation in Iran? And do you think that Iran would be willing to engage on a larger set of issues?

MR. FELTMAN: The discussions with Iran carried out by our embassy in Baghdad so far deal with the situation in Iran - in Iraq, I'm sorry. We believe that Iran should have an interest in helping stabilize the situation in Iraq and that that's of interest to all of us. The discussions in Baghdad do not have a broader agenda because of the focus on Iraq.

As I said, in the context of the nuclear question, in the context of our work with what we call the P-5 plus one, the five permanent members of the Security Council plus Germany, regarding Iran's nuclear ambitions, of course, the Secretary's offer still stands, that if Iran would come clean, would cease its reprocessing and enrichment activities, that we would be willing to - the Secretary has indicated her willingness to meet any time, any place. Iran, so far, has not answered that call.

MR. CROMARTIE: We have about two more minutes in this panel. Commissioner Gaer, you have the last question.

MS. GAER: Thank you very much. I wanted to pursue this issue about the direct talks. With the noble aims of U.S. human rights policy, whether it's dealing with Iran or other parts of the world, the question that always comes before our commission is the effectiveness of human rights policy. And without direct talks and contacts with Iran, do you think, sir, that the United States can get its concerns about human rights and religious freedom issues conveyed and communicated effectively?

We spoke before about multilateral mechanisms not being available, so I wanted to pursue whether you think that direct diplomatic engagement with Iran on human rights issues would yield any better results for the victims of abuse. And I'm speaking in particular not just of U.S. citizens, although we've had some cases this year of that, but also of Iranian students, women's activists, labor organizers, any of these. Would the U.S. be able to communicate better its concerns directly than through intermediaries?

MR. FELTMAN: I don't think that there's - Commissioner Gaer, I don't believe there's any doubt about what our views are. Surely, the Iranians have heard us even if we do not have a direct dialogue - face-to-face dialogue with Iranian government officials on human rights including religious freedom. I have no doubt that they know what our

concerns are. It's clear. Your commission's work has been clear. You know, whether you welcome this or not, you, of course, are seen as an arm of the U.S.
government and your reports and your press releases are picked up as though they were State Department products or U.S. government products, which of course is not the case.

But I believe that the Iranians know very well what our concerns are.
Whether direct face-to-face talks would result in more relief for the victims, I can't answer that question right now. I don't know the answer. The - we would see if we get to that point based on the nuclear question. Thank you.

MR. CROMARTIE: Ambassador, thank you so much for your time, sir.

MR. FELTMAN: Thank you, Chairman.

MR. CROMARTIE: We're grateful for your coming. Ladies and gentlemen, we have our second panel; will begin in about two minutes.

[...]

MICHAEL CROMARTIE: We're delighted to welcome Barbara Slavin, who is a senior fellow at the U.S. Institute of Peace and also a senior diplomatic reporter for USA Today. She's also - some of you may not know, she is also the first American newspaper reporter to interview President Ahmadinejad after he came to power. And she's the author of a book called "Bitter Friends and Bosom Enemies: Iran, the U.S., and the Twisted Path to Confrontation."

We're delighted you could come.

I'll also go ahead and introduce
Dr. Suzanne Maloney. She's a senior
fellow at the Saban
Center for Middle East
Policy at the Brookings Institution, former policy planning staffer and a
member at the Senate - I mean at the State Department. I'm sorry.
State Department.

We'll hear from you first, Ms.
Slavin. Thank you for coming. We appreciate it very much.

BARBARA SLAVIN: Okay.
Is it on? I want to thank the Commission
very much for asking me to testify about this very important topic, and I want
to state from the outset that these are my personal views. They do not reflect the U.S. Institute of
Peace, which of course takes no policy positions.

Because of the absence of
diplomatic relations between our two countries since 1980, only a small number
of American reporters have had the opportunity to go there, and of course no
American officials have recent on-the-ground experience in Iran. I've been fortunate to visit Iran six times since 1996, and I've also very
closely followed U.S. policy
toward Iran
during this period. And let me also add
that I approach this subject from the perspective of having lived in two other
countries that experienced violent revolutions and were at one time bitter
adversaries of the United
States.
I was an exchange student in the Soviet Union in the early 1970s and I
worked as a journalist in China
in the early 1980s. In both cases, a
change in U.S.
policy toward engagement and recognition led to an improvement in living
standards and to some extent personal freedoms in those countries.

Iran's
human rights record also improved somewhat during the late 1990s while the
reformist president was in power and tensions between the United States and Iran eased. As Ambassador Feltman has pointed out,
though, repression has intensified as hard-line elements returned to power in Tehran in 2004 and
2005. In my view, it is not coincidental
that this shift followed President Bush's designation of Iran as a
member of an "axis of evil" in 2002, and his rejection of an Iranian offer for
comprehensive negotiations in 2003.
These actions embarrassed the reformist government of President Mohammad
Khatami, which had cooperated with the United

States in Afghanistan
in 2001, in part in hopes that that would lead to improved relations with Washington.

While Iran's human rights record during
the Khatami presidency was by no means spotless, the record under his successor
has been far worse. Since Ahmadinejad
became president in 2005 and especially in the past year, as has been noted by
Ambassador Feltman, executions have increased and so has harassment, arrest of
students, women activists, labor organizers and obviously members of religious
minorities as well. Innocent
Iranian-Americans, including my good friend and mentor Haleh Esfandiari, of the
Woodrow Wilson
Center had been thrown in prison on
bogus charges of promoting a so-called velvet revolution in Iran.

In my view, the U.S. decision to invade Iraq in 2003 and the
administration's highly ideological democracy promotion campaign have
contributed to the Iranian crackdown on dissent. President Bush frequently expresses his
concern about ordinary Iranians, but his overtures to the "Iranian people,"
when combined with a refusal to acknowledge the legitimacy of the Iranian
government, preemptive military action against Iraq, and threats of such action
against Iran, have convinced Tehran that the Bush administration seeks the
violent overthrow of the Iranian regime.
Such comments as Bush's pledge during his 2005 inaugural address to
"stand with" Iranians as they stand for their own liberty and his decision to
spend several hundred million dollars on democracy programs have
backfired.

They have given the Iranian
government additional pretext to clamp down on civil society and made it
difficult for Iranians to accept U.S. government funds. U.S.
rhetoric threatening to attack Iran
because of its nuclear program has also hurt civil society in Iran. In a climate in which an American president talks of "World War III" if Iran
acquires nuclear weapons know-how, Iranians who criticize their leadership are
vulnerable to charges of treason.

At this late date in the Bush
presidency, it is difficult to see a way in which this administration might
positively impact the human rights climate in Iran. A new U.S. administration, however, will
have an opportunity for a more creative approach. The next U.S. president should certainly
continue to affirm support for democracy and human rights and the work of this Commission
should certainly continue. But Americans
should express confidence in the ability of Iranians to reform their government
on their own. The noted Iranian
dissident Akbar Ganji has said repeatedly that the most helpful thing the U.S.
government and U.S. human rights groups can do for Iranians is to publicize
rights abuses in Iran but stop threatening to change the regime by force.

As a first step, the next administration could reaffirm the 1981 Algiers Accords, which ended the 1979 to '81 hostage crisis. Under this agreement, the United States promised not to interfere in the internal affairs of Iran. Instead of allocating money explicitly for democracy promotion, the next U.S. administration should spend more on scholarships for Iranians to study here and for Americans to study in Iran. It would also be helpful to lift blanket Treasury Department restrictions on American nongovernmental organizations that seek to do humanitarian work in Iran and which do not espouse an obvious political agenda.

To support increased contacts between the two countries and give U.S. officials a better understanding of the impact of their policies, it would be extremely helpful to have U.S. diplomats in Iran at a minimum to process visas for Iranians seeking to travel here. At present, Iranians must travel twice to Dubai or Turkey, first to apply for a visa and then to obtain one before they can come to the United States. This is an expensive and cumbersome process and it opens Iranians to additional scrutiny by Iran's security services. In an interview two years ago, as your president mentioned, President Ahmadinejad told me that he would consider allowing U.S. consular officials back in Iran if the United States accepted direct flights between New York and Tehran. This was something that Ahmadinejad proposed in early 2006. However, the Bush administration never replied.

U.S. officials could also acknowledge that American actions in the prosecution of the war on terror have undermined the U.S. ability to promote human rights abroad. When I interviewed former Iranian President Akmar Hashimi Rafsanjani in 2005, he said that because of U.S. human rights abuses at Guantanamo and Abu Ghraib, the United States had "lost the moral platform" from which to judge others. In a recent op-ed in the British newspaper The Guardian, Iranian Foreign Minister Manouchehr Mottaki made a similar remark. Mottaki also criticized the United States for rejecting the outcome of democratic elections in Algeria in the early 1990s and more recently in Palestine.

Iran, with all its many faults, is more pluralistic and less oppressive than many U.S. allies in the region including Saudi Arabia. Iran is entering an election cycle that may produce leaders that are more pragmatic and less repressive. At a minimum, U.S. officials should refrain from rhetoric and actions that could intensify a climate of hostility and fear in Iran. Like China

and the Soviet Union, Iran
will inevitably change. Its
revolutionary character has already faded considerably over the past three
decades. Its population is
overwhelmingly young, literate, and aware of the outside world. Iranians need encouragement from established democracies, not lectures. That
encouragement will be most effective if it comes from a country that has shown
an ability to recognize its own mistakes and correct its own record on human
rights. The United States has always led best
when it has led by example.

Thank you very much.

MR. CROMARTIE: Thank you, Ms. Slavin. Thank you very much.

Dr. Maloney, thank you for coming.

SUZANNE MALONEY: Thank you.
Thanks so much for the opportunity to be here today and to talk about
this very important and complex issue. I
have a lot of ground to cover. You'll
notice I submitted to you a lengthy and wordy testimony, so I'll try to hit on
a few of the important themes. I'll be
prepared to handle any of the questions you may have during the discussion
period, but also note that obviously a following panel with a number of experts
who are specifically focused on the issue of religious liberty in Iran, and so
I will defer to many of their judgments and views on that issue in order to
talk a bit about the political climate inside Iran, its future trajectory, very
generally on the human rights situation, and again to U.S. policy.

It's been 30 years since the
Iranian Revolution, which established what one might argue is the first modern
Muslim theocracy. A lot has changed in Iran, but several things remain the same, both
the fact that the leadership remains committed to its religious inspiration for
the government and the leadership's defiance and antagonism toward Washington.

I always like to stress that Iran
is really a fusion of theocratic and democratic institutions and ideals. You have the Office of the Supreme Religious Leader, which has ultimate and ostensibly divine authority, but you also have
the legitimizing force of the popular vote, and Iran is about to engage in what
I believe will be its 28th elections in 29 years. That's a frequency that is not replicated in

many other parts of the Middle East or even
the Islamic world more broadly.

This is also a regime that despite
the narrow restrictions on electoral competition has been engaged in factional
infighting almost since the earliest days of its inauguration. This does not make it a full Jeffersonian
democracy, but these fierce battles within the leadership tend to have a great
deal of impact on the political space that is allotted to Iranian citizens as
well as the amount of religious liberty that there will be in the county.

We've seen since 2005 the closing
of the door on a very important reform movement that took place in Iran
during the late 1990s and early part of this decade. Ahmadinejad is surprisingly relevant. He holds a very unimportant office in the
Iranian bureaucracy relatively speaking, and yet by inserting himself and
asserting himself, what he has done is to have a great impact in a very
negative, profoundly negative fashion on Iran's internal and foreign policies. In doing so, he's benefited from the quiet support of the supreme leader, and as far as we can tell he continues to have
that.

Examining Iran's future has to begin with one
simple and frankly unfortunate truth: the Islamic Republic for the foreseeable
future is here to stay. What we've seen
certainly is the hardliners have re-conquered most of Iran's electoral institutions in
the past couple of years. They've begun
fighting amongst themselves. This is
probably not all the different than what we see in this part of the world when
one particular party may hold sway in any particular institution. The conservatives are split between
traditionalists as well as a younger generation, many of whom originally supported
Ahmadinejad but at least some important proportion of whom are now distancing
themselves from him.

We've also seen some effort by the
reformists to make themselves relevant again.
They're trying to contest this upcoming parliamentary election, but I
would say at least for the outset, a reformist comeback is an iffy
proposition. They don't stand to do very
well in the elections if only because Ahmadinejad and all those around him who
support the continuing orthodoxy of the Islamic Republic are in a position to
control the ball field. And it really
remains unclear how the reformists are going to reformulate their strategy to
deal with this consistent opposition.

I'd say it would be a grave mistake
to discount the importance of elections, as I saw the Bush administration do

while I was in government between 2005 and 2007. At that time there were many who argued that the parliamentary elections were - the presidential elections of 2005 were effectively irrelevant. We now know that it's very much not the case. There's a difference between Mohammad Khatami and Mahmoud Ahmadinejad. It's a difference that matters to the Iranian people and matters in our dealings with Iran around the world. So it's important to follow these elections to pay attention. They can have profound influence in the short term and certainly over the long term in the way that Iran behaves on the international scene as well on the opportunities and freedoms available to its citizenry.

I'll also say it's a real mistake to discount Ahmadinejad. He's very unpopular for a variety of reasons inside the country, mainly because of its own economic policies but also because of some of his provocative and unfortunate statements on a wide range of issues but including and especially Israel and the Holocaust. But Ahmadinejad is very well placed to reassert himself. He has patrons all around the system, and he's also proven to be a far more adept politician within Iran than I think anyone gave him credit for, including many of the Iranians that I talked to.

Finally, just in talking about the country's future, I'd say be prepared that we simply don't know what's going to happen. No one in Washington predicted the ascendance of Khatami, of Ahmadinejad, and I suspect that whatever happens next people in Washington will be the last to forecast its coming.

Very quick few words on human rights and religious freedom, and I apologize because these will be inherently superficial and brief. Again, you have some very widely noted experts who will follow this panel. As several of the prior panelists have already noted, the situation under Ahmadinejad has gotten dramatically worse whether you look at censorship, whether you look at the treatment of activists, intellectuals, lawyers, and other representatives of the human rights community, it's gotten dramatically worse.
I would just point out one particular set of appointments that I think is particularly relevant from the point of view of human rights and it's emblematic of Ahmadinejad's track record on this issue.

His appointments of Interior Minister Mohamed Al Mustafa Pur-Mohamedi and Intelligence Minister Gholam-Hussein Mohseni-Ejei are particularly incredibly distressing. Both of these individuals who have been noted by Human Rights Watch and are well known within the Iran political sphere as for their role in the execution of political prisoners during the 1980s, the murders of writers and dissidents by agents of the intelligence ministry in the

late 1990s, and the prosecution of a wide range of dissidents and writers throughout the reform period. Their records were so problematic that the Iranian parliament itself was hesitant to confirm them because it recognized that other countries might not in fact accept them to travel. These individuals are a shame to Iran and to the Iranian people and it's important for the U.S. government and for other governments to make that clear in dealing with Iran.

I'd also note that Ahmadinejad's treatment of human rights was clear from his decision to dispatch Saeed Mortazavi, who was known as the butcher of the press for his role as a Tehran prosecutor general during the late 1990s when he closed a number of newspapers and put a lot of journalists in jail. He's also reported, including by a report from one of the panelists on the next session, to have participated directly in the interrogation of an Iranian-Canadian photojournalist who was killed after being taken into custody in 2003, Zahra Kazemi. That's a very egregious case.

I'm not going to go into greater detail on the issue of human rights and religious liberty. It's widely known. I would highlight the persecution of the Bahais as the most egregious case within the Iranian context, but there are a number of other issues. Whether one looks at the Sufis, Sunnis, or even the treatment of Iran's majority religious - Shi'a Islam - by politicizing religion, what the state has effectively done has posed a lot of negative implications for the Shi'a community and for the Shi'a community more widely outside Iran. There's a top-down network of influence which effectively counters all of the historical trends within Shi'ism and it's very negative, I would say, for the development and flourishing of this religion.

I'd also highlight that what we've seen particularly over the past 15 years is a flourishing of free thought and dissent among even within the seminaries in Iran, and this is a very important and powerful trend that should be watched.

Just let me conclude with a couple of points on U.S. policy. First, I think we have to acknowledge that our only tools are diplomatic tools. We don't have a viable military option that leaves us in a better place in the Middle East. That was true before the NIE, it remains true today. And I think to the extent that we try to wield the military option even in rhetoric, it hurts our interests and hurts our ability to engage with the Iranians.

That brings me to my second point. We have to have an abiding commitment to engagement as one of the indispensable instruments of American statecraft and power.

It was easier to talk about engagement during the late 1990s. You had a very urbane, suave, well dressed Iranian president who spoke in very nice terms, who engaged with CNN and talked about our own Jeffersonian ideals. It's a lot harder when you've got a Holocaust-denier as your president. And still I think we have to acknowledge that the purpose of engagement is not simply to talk to nice people or to talk to people who think and look like us, but it's to deal with the most serious issues on the agenda for American foreign policy and that is ever more true today than it was during the 1990s. We're not trying to make friends, but simply to advance our interests.

Engaging Iran does not mean an automatic path to rapprochement or a grand bargain, but it means returning to the position that was the widely held, long held position of the U.S. government prior to the Bush administration that we're prepared to talk to any Iranian leader so long as it is in an authoritative fashion and so long as we as a government are allowed to put all of our issues and concerns on the table. That obviously includes human rights issues. The engagement does preclude us from raising these issues. It only enables us to do so directly with the abusers themselves.

And I would note as Barbara did that Akbar Ganji among others has noted the inverse relationship between - hostility between Tehran and Washington and the treatment of Iranians as home. Iranian dissidents call on us to engage with their regime not because they like it, not because they want to perpetuate it - because they know their situation only degenerates when we're in a hostile situation.

Finally, and this is something that Barbara went into great detail on and I can only echo all of her recommendations. We have to drive a stake through the heart of the myth of externally orchestrated regime change. This means effectively disbanding or significantly retooling our entire democracy program. I worked on that program while I was in the U.S. government. I can talk to it in greater detail as well as to offer some suggestions on how we might do this, but again I would tell you that every single one of the most preeminent dissidents in Iran has come out against this program.

I'd also note that one of the more effective groups in terms of highlighting the situation with respect to Iran's human rights situation, the Boroumand Foundation, whose founder is going to speak to you in the next session, is one of those groups that has not received U.S. government funding, at least to my knowledge. And it demonstrates the ability for groups outside of the U.S. government to really have an impact and to really engage with Iranians because they do not have the difficulties of an association with the U.S. government.

We need to expand exchanges, we need to make it possible for all organizations to work inside Iran and engage with their counterparts in Iran by creating a blanket license for NGOs to do work in Iran. There will never be a good opportunity to deal with the Iranian regime. This administration has talked about not wanting to be a supplicant, about trying to get the power situation right in the region. That's simply not going to happen. Our interest in addressing the challenges posed by Iran cannot be deferred until we've reached the most conducive balance of power or until Iran has finally elected an amenable array of leaders.

With that, let me close.

MR. CROMARTIE: Thank you. Thank you, Dr. Maloney.

We'll now entertain questions from the commissioners, and as chair I'd like to ask the first question. First, for Barbara Slavin. Thank you so much for your comments. You interviewed President Ahmadinejad. We'd like to know what were your impressions of him. Does he really believe that Israel should be wiped off the map? Does he really believe the Holocaust did not occur? Is he sane? (Laughs.)

MS. SLAVIN: I'm not a psychologist and I've spent perhaps 90 minutes with him in 2005 and then actually I saw him again when he came to the United Nations in September, and I saw him over a more prolonged period. He's not insane. He is a product of his upbringing, which was very narrow. He's somebody who barely left Tehran

before he became president. The presidency is his first elected office. He was trained as a traffic engineer, so his background is not political, it's not diplomatic. He is a very devout Shi'a Muslim, but he follows a rather superstitious and narrow interpretation even of Shi'a Islam.

He's not a man who one wants to defend, certainly, but he has made some overtures to the United States - admittedly some of them rather ham-handed - and I think one the mistakes that the U.S. government has made it's that it's not tried to respond to these overtures in some way. I mentioned his proposal for direct flights between New York and Tehran, which got no response. He also sent a rather strange letter to President Bush in May of 2006 which was an odd letter, but it was an opportunity for the president to respond. Again he did not respond. It's a part of a policy of this administration of not affording any kind of legitimacy to Iranian officials and institutions, which in my view has been a mistake.

His view on Israel is that - and this is not just his view, but a view of a certain circle within the Iranian regime - is that all Palestinians all over the world should be allowed to vote in a referendum on the status of Israel and Palestine. It's not a right that he affords to Jews all over the world as far as I know. And that Israel will collapse as the Soviet Union did because it is not a legitimate state and because it was founded on injustice. He has said that Iran will not bring about the demise of Israel. Israel will collapse on its own.

On his views on the Holocaust, we have seen some evolution. When I interviewed him, I got very angry with him at one point and I said, why don't you just go to Auschwitz and see for yourself? And he said, oh, no, that wouldn't help.

But in New York in September, we had - about 50 Americans had a private dinner with him and one of those participating said to him, you know you're being compared to Adolph Hitler all over this country. How do you feel about that? And Ahmadinejad said that Hitler was a despicable individual whose actions had led to the deaths of 60 million people. He didn't mention the six million Jews in particular, but I think he understands that these comments have aroused much outrage in the world, and it's my view that he repeats them from time to time to get support from the Arab street rather more than the Iranian street.

MR. CROMARTIE: Okay.
Commissioner Gaer?

FELICE GAER: Thank you very much. These were very interesting presentations. I wanted to pursue
Barbara Slavin's observation that there's been an escalation of repression since the "axis of evil" speech, and ask you if you think - as a parallel to that - that engagement with Iran would, for example, change the rhetoric on Holocaust denial, which has threatened the Jewish community, and has led the leader of the Jewish community to say that this is creating problems for that community, as a community, because of the threatening atmosphere.

I'd also like to ask if you think
that on the issue of exchanges, if you think there's an opportunity there in the human rights or religious freedom area.
Is there a possibility for exchanges of imams, clerics, religious leaders who could do more than end up as - what shall we say - willing idiots by going to the country, but who could really have a role there in terms of their own communities?

MS. SLAVIN: Let me answer the second question first. I think there definitely is and there have been some exchanges already. There's
something called the Abrahamic dialogue - I don't know, I think some of you may be familiar with it - which brings Iranian clerics here and sends Americans of faith to Iran, groups like the American Friends Service Committee. The U.S. Institute of Peace had a delegation that went in the fall of American Sunni Muslim experts on issues like human rights and they went to Iran. They had a very interesting series of meetings with both secular and religious leaders in Iran
on these issues and they found Iranians extraordinarily well informed, particularly in Qom,
interestingly, on such issues as universal values and justice and so on, and how they're treated by various religions and by international law.

Absolutely, I think that would be
great. I don't mean to suggest that
there's an automatic connection between the axis of evil that somehow became a self-fulfilling policy. Obviously, Iran was doing
a lot that was dreadful before that speech and a lot that probably merited the designation, although I personally don't like throwing around words like "evil," when applied to other countries.

However, it is clear that from that moment and also the rejection of this offer to negotiation that the Iranians presented in 2003 - from that time on, Iranian hardliners began to return to power in municipal, parliamentary, and then presidential elections, and reformists who had advocated better ties with the United States were humiliated. They were judged to be naïve. They were told that the only thing the United States would understand was a tough, forcible regime.

So I think there is a relationship. Obviously, after the experience we've been through over the last few years, this is going to take time, and if the U.S. and Iran sit down and start talking to each other tomorrow, it's not going to result in an immediate improvement in relations, in the situation of Iranians in terms of human rights. But I will note that even the publication of the NIE - very controversial here - had an effect of actually liberating more criticism of the Ahmadinejad regime because Iranians felt that the threat of a U.S. attack had minimized and we've seen extraordinary criticism of Ahmadinejad in the last couple of months.

MR. CROMARTIE: Commissioner Shea and the Commissioner Argue and then -

NINA SHEA: Thank you very much. Neither of you addressed the phenomenon that I've been reading about of a very strong pro-American sentiment among the population. Is that because you don't observe that yourselves or do you take issue with that observation of others? Is there a pro-American sentiment? How strong is it? And what should we be doing to work with that other than exchanges? For example, should the content of U.S. broadcasting be changed? Is it good as it is?

Barbara, you said that the United States should not be giving lectures, we should be encouraging. What implication does that have for USCIRF, for our commission? Are you saying that we should not be reporting on human rights and doing critical analysis of its human rights situation there - religious freedom situation? What do you mean by being encouraging? And I'm also curious about your determination that the religious character has faded. I'd like to know what you mean by that and what way. And does the pro-American sentiment, which from all indications does exist in certain strata of the society and certain popular areas, does that indicate that the United States policy of being critical and isolating Iran is welcomed by some? Thanks.

MS. MALONEY: I'll start and then shift over to Barbara, to

give her time to devise some answers to the many questions that you posed. But in terms of pro-U.S. sentiment, I don't think you'll find any disagreement among anyone who's had an opportunity to travel to Iran. I haven't been there now in five and a half years, but I did spend a couple of summers there studying and returned as regularly as I could get a visa to attend conferences after the fact. The experience of any American in Iran has been compared to me as what it must be like to be a rock star or a movie star. People immediately, even in hijab, can recognize that you're not Iranian and the perception -

MS. SHEA: Well how do you account for that?

MS. MALONEY: I think it's a variety of different factors. I would not say that it is a majority assent or endorsement of American policy. I can tell you that the policy of sanctions in particular is not one that finds great favor on the Iranian street, although obviously I'm talking purely anecdotal evidence here. I would also stress, again, my last trip there was in late 2002, and so obviously I don't have every clear sense even from travel on the street as to how Iranians feel about the Bush administration except insofar I can gauge it from the press and from the fairly active Iran Persian-speaking blogosphere and various internet sites that provide some window into all of this. And I would say that is relatively negative.

But clearly Iranians like America. They like American culture. They like American history. They're interested in this country because it's been off limits to them for so long. It is perceived as an enemy of a government that they do not like and so that obviously enhances its appeal to them, so there are a variety of different things that motivate Iranian affection for America. And I think that you're right: it's an important asset that we have in our arsenal in the way that we deal with Iran.

How do we capitalize on it, I think it's obviously much harder. There are many things that make it difficult for Iranians to engage directly with Americans. As you said, exchanges are one vehicle. They're a small vehicle, but they're an important one because they have a kind of multiplier effect. I was the beneficiary of several American and Iranian-cooperatively sponsored academic exchanges that enabled graduate students to spend time in Iran, and I think that sort of thing has a multiplier effect as it goes out into the population. But you're right. It's not enough. Even though one could argue that five million of the 60 million that was devoted to U.S. democracy funding is probably not a significant enough proportion devoted to exchanges, and I would hope that in future appropriations for democracy funding that we look more strenuously to the exchange version.

In terms of broadcasting, I think
influence on the content is a very problematic road to travel. The Iranians that I've talked to, including
one who shortly after we had the conversation returned home to go into jail,
have said that what makes U.S.
broadcasting most appealing is when it is perceived as effectively a message
that is not politicized. And Iranians
have relatively few opportunities to get independent information. If they want the U.S.
government's official view on things, they know how to get to the State
Department website, and the Internet has a surprisingly high penetration around
Iran. But we don't need to put Radio Free Europe or
Voice of America and make them arms of U.S. policy. We need to make sure that those are perceived
as independent, objective sources of information because Iranians have too few.

MS. SLAVIN: I have been in Iran
more recently, and I'll just give you a little - again, a lot of this is
anecdotal evidence, although there are some polls that talk about Iranian
attitudes toward the United
States.
I remember going in December, 2001, right after the fall of the Taliban,
and a lot of Iranians were joking and saying, oh, come bomb us, bomb us. I went in 2005. There was a little less
enthusiasm for U.S.
supported regime change. When I went in
2006, not a single Iranian I met was interested in U.S.
military action in Iran. They had seen what had happened in Iraq
and they had lost their taste for this kind of liberation.

There've been some polls that have
been done. It appears that Iranians
above the age of 45 are mostly pro-American, and that's not surprising. These are people who remember the Shah,
remember the U.S. alliance
with Iran,
many of them; some of them have studied in this country. Younger Iranians, in a poll that Readers'
Digest did in 2006, they were asked who their favorite foreign leader was, and
a large number of them said Vladimir Putin.
So perhaps we're losing the public diplomacy campaign. They seem to like Putin because he was strong
and tough and stood up for Russian interests, and they had a sense that that
wasn't happening so much with Iran.

I'm not hugely familiar with the
content of U.S.
broadcasting, so - there have been some complaints that they're not that well
done, that too much opinion slips into particularly some of the Persian content. One suggestion I have that I think would
be
very helpful would be to make it explicit U.S. policy to give visas to
Iranian reporters to come to this country.
I remember in 2004 that a number of Iranians I knew wanted to cover the U.S.
presidential elections and they were not given visas. And Iranian reporters are basically confined
to New York
and to 25 miles from the Iranian mission.
It's a huge mistake. If we want
to encourage them, not lecture them, if we want to teach them about what

democracy is like, what better way than to let their reporters come here and report on it and see it for themselves.
I think that would be fantastic.

MR. CROMARTIE: We have five more minutes in this session and I've got five commissioners who want to ask questions. So if we could be concise, that would be helpful. Commissioner Argue and then Commissioner Leo.

DON ARGUE: Thank you, Dr. Maloney and Ms. Slavin for your fine testimony.

Barbara, I've been quite engaged with your article "How Bush Saved Iran's Neocons" - very engaging. Have we done anything right in the last eight years?

Secondly, this commission is specifically charged with reporting to the President and to the Congress. We've already designated Iran as a "country of particular concern." I don't see that that will change. But along with that report which we trust will inform U.S. foreign policy to one degree or another, we have an opportunity to speak to steps that should be taken. So my question is two questions: one, have we done anything right? And two, could you isolate or identify for us four or five specific steps you would recommend, and if we don't have time for that response, could you send those to us in writing, please, so we could review your expert testimony. Thank you.

MS. SLAVIN: Sure.
I think most of the steps are in my testimony, and I just added the one about reporters which I think would be great.

Have we done anything right? Yes.
We cooperated with Iran to form a new government for Afghanistan and we held talks from the fall of 2001 through May of 2003 on a rather high level in Geneva and Paris.
They were held in secret, but they were still the best, most productive and constructive talks the U.S. and Iran have had since the revolution. And Colin

Powell, I quote in my book as saying those talks should have been continued. They were not. They were ended by the Bush administration after they were revealed by yours truly among others. We have also made an offer to talk. We have put proposals on the table and we have engaged with talks about Iraq with Iraqis present. And I think taboos have been shattered about U.S.-Iranian contacts. Iranians have now spoken favorably about U.S.-Iran talks. They're no longer the taboo that they were. So we have made some progress over the last eight years.

MS. MALONEY: Let me just add very quickly. I'd agree with much of what Barbara just said, but the other thing that I think the Bush administration has done which is very positive has been to build a professional bureaucracy for dealing with Iran. When I got to the State Department in 2005, there was one desk officer tasked to deal with Iran and he really didn't even have time to deal with the mountain of requests and tasks that came to his desk every day. Today, you have an Office of Iranian Affairs, staffed by very competent, talented professionals, a number of action officers.

You also have a office in Dubai which is effectively a kind of virtual embassy. It has action officers who are trained and tasked to report on things as they're happening inside Iran. It also deals with granting visas to Iranians when they travel there. It's a very good vehicle for understanding what's happening on the ground. So I think it's important the Bush administration recognized that bureaucracy was dysfunctional. It's creating a career path for U.S. diplomats to become knowledgeable on Iran and trained in Persian language which is also extremely important, and I think that's one positive step that should be encouraged to expand.

MR. CROMARTIE: Commissioner Leo?

LEONARD LEO: Thank you. Good morning and thank you very much for coming. You both talked a little bit in your presentations about one of two aspects of military policy, and that was the issue of attacking Iran, as you put it, bombing Iran or U.S. military action in Iran. But there's another aspect to military policy which I wanted to pursue perhaps a little bit, and that is building leverage against Iran through various vehicles such as the Gulf Security Initiative. And just an observation and then a question. You look at the countries in the Gulf States region: Saudi Arabia, which blamed Iran for the Khobar Towers bombing; United Arab Emirates, which has a longstanding history of disputes with Iran over territory in the Persian Gulf; Qatar, which is worried about its natural gas reserves in the North field and potential dust-ups with Iran over rights to that natural gas; Bahrain, which has had historical problems with Iran and accused Iran of supporting extreme Bahraini

dissidents.

You can even go to Central Asia and
look a little bit at countries like Azerbaijan, where we've had some
incidents involving contracted ships that were - I'm not sure they were - they
were threatened, not attacked. And then
of course, Iran's got a
curious relationship with Afghanistan
because, in a way, it looks like it's playing both sides there. On the one hand, as you rightly point out,
there were very productive talks and efforts to stabilize the country. On the other hand, there is some evidence
that there are significant arms shipments to Afghanistan
coming from Iran,
some of which are large enough to suggest that perhaps the Iranian government
has to be on constructive notice that they exist. Now -

MR. CROMARTIE: Question, please.

MR. LEO: Well, I'd like to set the stage. In any event, the point is that there are a
number of countries in the Gulf States region
and some in Central Asia which have concerns about Iran. And military policy, apart from what you
talked about, can help to isolate regimes that are destabilizing to a
region. And so my question is to what
extent - apart from direct attacks on Iran,
to what extent can the United States
use military policy, aid through programs like the Gulf States Initiative,
military aid, to help create leverage and pressure on Iran to change itself?

Certainly, Iran understands this because they
provide $100 million per year to Hezbollah.
They support Hamas. Over the
years they supported Shiite Muslim extremists groups in the six member of
countries of the Gulf Cooperation Council, so they understand the idea of using
military policy as leverage to advance their own positions, but do we
understand that well enough and can we do more with military policy in that vein?

MS. SLAVIN: Just quickly, no one is saying that the United States
should give up its military tools of containment and pressure. I would argue, though, that the U.S. invasion of Iraq was
the single biggest mistake
in terms of increasing Iranian regional influence and now we're playing
catch-up in trying to deal with the consequences of our own actions by removing
Saddam Hussein. I would also point out
that Gulf countries are acutely aware of the fact that they need good relations
with the United States, but they're also bending over backwards to increase
their links with Iran even after - before, during, and after President Bush's
visit in the region. In fact, the head -

the leader of Dubai was just in Tehran,
of course Ahmadinejad has been in Qatar,
he's been in Saudi Arabia,
we've had talks between Iran
and Egypt, so I would argue
that our policies don't seem to be having the desired effect if we're seeking
to isolate Iran
more in the region.

MR. CROMARTIE: Did you want to comment?

MS. MALONEY: Very quickly, I just echo what Barbara said,
and I don't think one can say that the Gulf security dialogue has had a
negative impact, but it's very hard to see how effective it's been in
persuading any of these states to take a more assertive approach to Iran, or frankly to be more cooperative on Iraq. It has presumably made a lot of people on
both sides quite happy because it involves $20 billion in arms sales, and I
think the dialogue on things like critical infrastructure protection is an
important dialogue to have and to continue, but it's very unclear that it's
going to have any impact on Iran, particularly on the issue of human rights and
religious freedom.

MR. CROMARTIE: The chair says we're going to go over a
couple more minutes because this is very interesting. So, Commissioner Land.

RICHARD LAND: Thank you. Thank you for your testimony. And this is to both of you. The Islamic Republic system of governance
appears from the outside to be extremely complex. Many suggest that the Supreme Leader Ayatollah
Khamenei makes all the important policy decisions. Can you explain where the real power lies and
what institutions or agencies are primarily responsible for human right abuses,
and given the fact that the regime has disqualified almost all of the reformers,
do you anticipate these elections in March leading to any positive developments
on domestic conditions, particularly in relation to human rights abuses? And this to both of you.

MS. MALONEY: Sure.
Let me give a couple of quick remarks.
Power, as I said in my testimony, resides ultimately with the supreme
leader, but this is also a system which has a number of different institutions,
many of which compete with one another - a number of personalities which from
the beginning have been locked in conflict with one another, and so there is no
one person who can make anything happen in Iran. This is what makes the country so hard to
deal with on any range of issues. You
don't have a leader, say, as in Libya
who can simply snap his fingers and reverse policy.

Decision-making in Iran is consensual and it is fiercely fought, and it's very hard from the outside to understand precisely who has the greatest influence in making that decision, but we know it is a range of people within the political elite, the different institutions have different weights, the parliament - even though it certainly can be overridden by a council of guardians which is effectively appointed directly by the supreme leader and very conservative in nature - the parliament has a lot of significance and importance both in Iranian history and by devising the budget in the day-to-day policies of the state. So I think that it's a tough nut to crack, but obviously, it leads you straight back to the supreme leader, but also to the fact that you have a very complicated system of many institutions and individuals.

In terms of the elections, I think the elections are of critical importance, not because they're going to suddenly tomorrow results and a change in Iranian policy, but this is how Iranian politics play themselves out, at least within the confines of the regime itself.

And that has grave importance for all of us. We may not understand the important - what the significance will be in the short term.

As we saw in 1992, then President Rafsanjani decided to exclude a bunch of leftists who had been holding up his efforts to try to reconstruct the Iranian economy in the postwar period.

And what that led to was a lot of people who'd been part of the government since the early days of the revolution leaving the government, going into quasigovernmental think tanks, universities, coming back five years later, having done a lot of thinking about what they'd created and being very critical of it. It produced a real change in Iran's politics within the regime. It produced some changes that had a real salutary effect for the Iranian people. So I think that we don't necessarily know what the impact of any particular election cycle will be, but we know these elections matter.

MS. SLAVIN: Just very briefly, in my book I compare the Iranian political system to an American square dance. I say that the supreme leader is in the middle and around him are a dozen or so senior figures, and they come in and out in a sort of do-si-do depending on the issue, depending on what the supreme leader is thinking about at the time.

But no one is ever banished from the circle as long as they express their loyalty to the system, and that means ex-presidents, ex-national security advisers, they all have an opportunity to come back in. And big decisions are made through consensus, on the nuclear program, on relations with the United States - all are made through consensus.

MR. CROMARTIE: Tell us the title of your book again, please.

MS. SLAVIN: "Bitter Friends, Bosom Enemies."

MR. CROMARTIE: And the publisher is?

MS. SLAVIN: Saint Martin's Press. Thank you.

MR. CROMARTIE: You're welcome. We have time for only two more questions, Imam and then Commissioner Bansal.

Did you have your hand up?

IMAM TALAL EID: Yes.

MR. CROMARTIE: Well then, you need to get the mike.

MR. EID: Okay.

MR. CROMARTIE: You need the mike.

MR. EID: Thank you, Suzanne and Barbara. I enjoyed your comments and

constructive thoughts. Here is my question. Denying the religious rights of Baha'is and Sunnis and many religious minorities has a significant historical background in Iran, regardless of who the Iranian president is. Also, the negative comments and impressions of Iran's president regarding the Holocaust and Israel created great concern for Iranian Jews. Do you have any specific recommendations on how the U.S. Commission on International Religious Freedom could more effectively advocate for religious freedom in Iran?

MS. SLAVIN: I think one thing you could point out is that Ahmadinejad is always talking about Sunni Arab causes and that perhaps he could pay more attention to Sunnis and Sunni Arabs in his own country. Khuzestan province, which is an ethnic Arab province in Iran, is one of the most downtrodden, one of the most miserable places in the country, and I always find it highly ironic that Ahmadinejad champions himself as the great defender of Arab causes when Iran's government mistreats its own Arabs.

MS. MALONEY: I'd simply say, try to find ways to engage directly with Iranians. I know the Commission was unnerved when former President Khatami was invited to speak here in Washington at the National Cathedral. But I wonder, did any of the commissioners seek to have a private meeting with him or to attend at the talk and question him publicly? I think obviously, the Catholic University and other dialogues that have taken place between religious institutions are very important ones and you should seek to be a part of them. They've had some impact, I think, in understanding what the thinking is, and certainly we know that the seminaries are a very important avenue of political power in Iran. So I think that's a very significant way.

There are obviously different levels of the religious freedom problem that you have in Iran. The Baha'is I would say is the most urgent and the most dramatic. The position of other quote-unquote, "protected minorities," those who have some representation in the Iranian political system, certain Catholic - I'm sorry - Christian denominations, Zoroastrians and Jews, do have some sort of a protected status under the Iranian Constitution, but obviously their situation is also very deeply problematic. So I think there are different pieces of this puzzle and you need to engage differently in order to make the greatest impact.

MR. EID: Thank you.

MR. CROMARTIE: Commissioner Bansal, you have the last question.

PREETA BANSAL: Yes. I'd like to just touch on - you mentioned that you would be happy to elaborate on some of the shortcomings of democracy programs. And I'm wondering - I mean, both of you have been very critical of our funding of democracy programs. I'd like to understand very specifically what, from your perspective, these programs do that is not - you know, it could arguably just be supporting local civil society, but it's obviously in your perspective something more. And relate, well, separately, I'm wondering if there's a role for engaging the expatriate Iranian-American community in any of your recommendations or whether that's a double-edged sword.

MS. SLAVIN: Let me say very briefly and then I'll let Suzanne go to this because she knows about it much more in detail. It's not so much the programs, it's the context. When the context is one of hostility and threats and regime change and World War III, you cannot promote democracy effectively through U.S. government funds, and all of this money will be seen as regime change money.

MS. MALONEY: I would agree that the context is a real problem, but I think that the way that the program has been undertaken, and specifically my experience in evaluating proposals and seeing what got funded left me greatly unnerved. I think that even the fact that we cannot talk about who the grantees are for fear of putting them in jeopardy makes it very difficult to judge the efficacy of these programs. I am not at all confident, based on what I saw while I was in government and what I've heard since that time through what's been release to the press, how much of this money is actually going to make it to Iranians on the ground.
There's really no outside ability to vet the efficacy of these programs or the people that the funding is going to.
I think there has been a real strenuous effort within the administration itself to find ways to be effective, but particularly when most of the organizations and individuals who have the greatest influence within Iran are unwilling to take our money, it's very difficult do that. Even if you use third-party cutouts, even if you try to hold all of your activities in third or fourth countries using multiple recipients to try to disguise the actual source of the funding.

So I think it really simply can't be terribly effective because Iranians have said, we don't want this. The reason they don't want it, it's a complicated situation, but it has to do a lot with our legacy there, our involvement in 1953 with the coup that unseated the elected prime minister, some of the past history. You know, whether that's justified or not we

can debate, but the moral of the story is that Iranian activists have said it makes their life much more difficult when we go around talking about this. Had the Secretary of State announced that we were going to be giving $75 million in scholarships and new academic programs for Iranians to come here and for Americans to learn more about Iran, we would have had a public relations bonanza on the ground in Tehran. It was deeply unfortunate the way this program was launched and I think it will be very hard to retool it in way that's going to have an impact on the ground in Tehran.

MS. BANSAL: So if I understand your response, it's not just the context. So if a new administration were to come in and change some of the rhetoric, from your perspective, the democracy program would still remain problematic.

MS. MALONEY: That's true. It's just very hard to do these sorts of things when all of the credible actors on the Iranian side don't want any part of it. And it makes the work of those foundations and organizations that don't take U.S. funding that much more difficult because there is no way to demonstrate or prove that there are dissociated from these sorts of programs. And the overall environment, even for academics to go back and forth, has become so much worse.

MR. CROMARTIE: Commissioner Gaer has a brief comment and then we're going to go to our next panel.

MS. GAER: I wanted to respond -

MR. CROMARTIE: With your mike on, please.

MS. GAER: I wanted to respond to your question - your point about whether we engaged. First of all, we did ask to meet and speak with people at the Cathedral and with the president. They refused.

Secondly, I participated personally in the private meeting that the

Council on Foreign Relations had with President Ahmadinejad in New York during his visit not this year, but the year before.
There was a widespread sense among all of us who were present that this was not a person who was listening or interested in dialogue, and there was a view that it will be better to talk directly with the Iranian people than to continue with that kind of meeting.

MR. CROMARTIE: Okay. Thank you.
Thank you so much for your time.
Thank you for your testimony.

And, ladies and gentlemen, we'll have our next panel in about two minutes.

[...]

MICHAEL CROMARTIE: Welcome, ladies and gentlemen, again. Thank you to our panel for joining us.

Our first speaker will be Dr. Payam Akhavan. He is the co-founder of the Iran Human Rights Documentation Centre.
He is also a professor of law at McGill University. He was previously the first legal adviser to the Office of the Prosecutor, International Criminal Tribunals for the former Yugoslavia and Rwanda. Thank you, sir, for joining us.

PAYAM AKHAVAN: Thank you, Mr. President, distinguished members of the commission, for this - Mr. Chairman, it's the French "Monsieur le Président" we're used to in Montreal. Mr. Chair, distinguished members of the commission, I'm grateful for this second opportunity to address you in the presence of such eminent experts. I'd like to make some broad remarks about the context within which we should understand the human rights situation in Iran, and to specifically address the importance of holding individual Iranian officials accountable for human rights violations as part of the broader process of a democratic transformation.

The question of religious freedom

challenges the core of the legitimacy of an authoritarian theocratic state. In the Islamic Republic of Iran, state power is based on the myth that there is only a single incontestable interpretation of Islam as defined by unelected religious clerics and others in the inner circle of the ruling class. This ideology of exclusive authenticity is invoked to justify constitutional structures that subordinate democratic aspirations to the self-proclaimed divine mandate of clerics who claim to be accountable only to God. Thousands are disqualified from elections because the Council of Guardians does not approve their Islamic credentials, and any expression of criticism that vaguely threatens those in power is deemed to be un-Islamic and subject to punishment.

Leaving aside the burgeoning Islamic reformists and secular democrats, this myth of Islamic authenticity is easily exposed by dissent in the ranks of senior Ayatollahs, who bemoan the corruption of their venerable tradition by the profane temptations of power. It is in this context that the discourse of the Islamic Republic and its demonization of religious minorities, its democratic opponents, and others should be understood.

The construction of enemies is a fundamental attribute of authoritarianism. The obsessive focus on threats posed by external enemies is an integral aspect of the political homogenization that justifies repression of internal enemies that are invariably portrayed as agents of American imperialism or Zionism. Authentic indigenous calls for democracy and human rights are transformed into a foreign conspiracy against Islam and Iranian sovereignty. Challenging the unchecked power of the clerics is depicted as blasphemy. A public dissatisfied with economic decline and political repression is silenced by the rhetoric of militant survivalism in the face of an imminent threat, whether an American military attack or the prospect of a Velvet Revolution by Iranians, both of which are viewed as part of the same transaction.

The all-consuming Western emphasis on Iran's nuclear program has allowed President Ahmadinejad's apocalyptic hate-mongering to eclipse the aspirations of Iran's overwhelmingly youthful population, 70 percent of whom are 30 years of age and under. While the Western media dwells on exoticized images of Islamic terrorists in the post-9/11 world, a profound and irresistible demographic shift is redefining Iranian society from within. This is a disillusioned, post-ideological generation that dreams of a prosperous and open society built on democracy and the rule of law. It is a generation that is Internet savvy, glued to satellite television, and no longer satisfied by the clash of civilizations rhetoric that increasingly unpopular leaders peddle because they have nothing else to offer their people. It is a diverse and dynamic society of student activists and public intellectuals, journalists and webloggers, feminists and artists, teachers' and bus drivers' unions, the complex but intertwined ingredients of an emerging civil society that is by far the biggest threat to Tehran's hardliners, as demonstrated by increasing desperation to

infiltrate the NGO community and to arrest and prosecute its leaders.

Throughout its modern history, Iran has been a trophy in the machinations of foreign powers with little regard for the welfare of its people. Today, Iran is viewed primarily through the prism of nuclear non-proliferation, energy security, and regional stability. While U.N. resolutions periodically condemn Iran's human rights record, there is no serious consideration given to the aspirations of the long-suffering Iranian people whose voices are displaced by the logic of realpolitik. On the one hand, there is fear of military conflict of the nuclear issue that will harm the reformists and help strengthen the hand of hardliners in the name of fighting the common enemy. On the other hand, there is the equal fear of a grand bargain with Iran, which will lead to Western toleration of human rights abuses in the name of national self-interest. In both scenarios, the Iranian people lose.

At this critical juncture, the core of a principled foreign policy must consist of a twin strategy of empowering the Iranian people while isolating those that stand in their way. It would be a grave mistake to try and dominate or manipulate the democratic process for short-term objectives. While the international community has an important role to play, as it did in the struggle against Apartheid and other repressive regimes, it must be understood that this struggle is first and foremost that of the Iranian people.

A particular aspect of a principled foreign policy that I wish to raise with this commission today is the question of accountability for human rights violations. This is an area where the international community has an important role to play. From its very inception, the Islamic Republic has engaged in widespread and systematic human rights violations against the citizens. Arbitrary executions, torture, religious and political persecution, even assassination of hundreds of dissidents aboard, these are the hallmarks of a government that has extinguished the lives of countless thousands as a means of staying in power. There is a direct connection between impunity for such atrocities and the continuation of repressive policies. It doesn't take much imagination to realize that the assumption of public office by those that should be prosecuted for crimes against humanity is not conducive either to a domestic policy of reform or to a foreign policy of good neighborly relations. In the ordinary course of events, such abuses would be handled by an independent and impartial judiciary. In Iran, however, it is the judiciary itself that is an instrument of repression, as demonstrated by the long list of senior Iranian officials implicated in serious human rights abuses.

A genuine democratic transformation requires justice for the victims of these crimes and a shift in the boundaries of power and legitimacy in a system where a culture of impunity has prevailed

for so long. There is an inextricable relationship between holding leaders accountable for human rights violations, opening a space for democracy and civil dialogue, and the transformation of Iran's regional posture. Informed Iranian sources have indicated to me in no uncertain terms that it is imperative - imperative to send a message to the Iranian leadership that they will be held to account for their crimes beyond the borders of Iran.

A point of departure in such an undertaking is simply to document and publicize the truth. The Iran Human Rights Documentation Centre, established in 2003, has engaged in the publication of meticulously detailed analytic reports that address human rights violations and attempt to identify those most responsible in the hopes that the uncovering of the truth will make it much more difficult to avoid a reckoning with the past when the opportunity presents itself.

The centre has the good fortune of being treated with suspicion by both ends of the political spectrum: those that believe it is part of right-wing conspiracy to legitimize the invasion of Iran and those that think that it is an inconsequential left-wing NGO. The reality is that the center's dedicated staff have labored to prepare some of the best-documented analytic human rights reports on Iran, including two on the persecution of Baha'is, which are widely disseminated in Iran, which it is hoped will contribute to creating a space for internalizing accountability in any future democratic scenario. Some governments have privately expressed support for the centre, but are reluctant to publicly endorse it for fear of alienating the Iranian government.
Multilateral support, however, is vital for engaging the international community in a process that should eventually give rise to a more formal mechanism for identifying those responsible for crimes against humanity, with a view to stigmatizing and isolating them, both in Iran and abroad.

There is a need for a concerted international policy of ensuring accountability, and this at least requires serious consideration and an informed dialogue aimed at exploring its potential impact. One starting point could be the extension of U.N. Security Council targeted sanctions against those involved in the nuclear industry to those implicated in serious human rights abuses. Travel bans and asset freezes on human rights grounds could contribute to the isolation of elements responsible for international crimes and empower those discouraged by the impression of invincibility created by hardliners.
Other more vigorous options could include an International Commission of Inquiry or even discussion of an International Criminal Tribunal that in due course could bring perpetrators of crimes against humanity to justice.

My purpose today is not to elaborate in great detail the form and shape that such a process may eventually take, but simply to emphasize the tremendous importance of accountability to any principled foreign policy. I am aware that those of a realist persuasion may dismiss this theme and these

proposals as naïve idealism, but I'm comforted by the fact that when I served as legal advisor to the prosecutor of the U.N. Yugoslav Tribunal, we received the exact same treatment, only to become one of the most important instruments of governance and post-conflict peace-building in the Balkans. We must elevate our sights beyond narrow immediate considerations and realize that a better future cannot be built without reckoning with the past, that a principled approach is the only lasting basis for stability, and that the achievement of democracy and human rights by the Iranian people holds the potential of completely transforming the Middle East region.

Thank you, Mr. Chairman.

MR. CROMARTIE: Thank you, Dr. Akhavan. Thank you very much.

Dr. Roya Boroumand is the co-founder and executive director of the Boroumand Foundation for the Promotion of Human Rights and Democracy in Iran, the co-author of several articles on the political situation in Iran and on the nature of Islamic terrorism.
Thank you so much for joining us today.

ROYA BOROUMAND: Thank you for having me here and giving me the opportunity to address the commission.

This is a first for me since we are library rats and human rights researchers, and so you would forgive me if I will not follow the formal format and would like to have sort of a heart-to-heart talk with the commission.
I think what I heard before - I was going to tell you about the wide ranges of discrimination that affect Iran - Iranian Muslims, Sufis, and the religious laws that affect the lives of Iranian women, and I can certainly do so. I think, however, that considering the important issues that you are looking into, it's important for us actors in civil society to talk to you as such. We are no diplomats and we are no journalists.

And we are here and my organization has been created to document human rights violations, not only to call on the Iranian government to stop human rights violations, but also because we care for the well-being of the Iranian population.

It is now 30 years since the revolution; and we all have experiences, common experiences, about how things happen 30 years ago and how things could have gone differently had the Iranian civil society been heard outside Iran. When I hear the fact that after - that the rhetoric about human rights and the rhetoric about what the Iranian government does wrong is counterproductive, I am a little bit concerned. Because of course, you know, I've lost my access to the country since I was vocal against human rights in Iran, so, you know, I can't go, come and go, but we certainly, thanks to the Internet, can read what the Iranians write. And they write. And you probably have not heard.

You have heard a lot about the Holocaust denial of President Ahmadinejad; you probably have not heard about the Iranian political dissidents who, from their prison in Evin, sent a statement to - with empathy for the Holocaust victims. And so I think we have - there is a complexity in the Iranian situation that is sometimes lost because of the speed of events here and because of the lack of language. We, as Iranian dissidents during the time of the Shah, we were hearing President Carter talk about human rights, and we were thrilled to see that when we write an open letter criticizing the policies of the government that they don't come to arrest us.

So I think, you know, you have to keep in mind the situation on the ground and that, you know, often times we hear the "axis of evil" discourse. For example, we just heard, "It ruined everything. Everything was lost." Everything was lost for whom? I am not a diplomat, so I don't focus on diplomacy, but I am watching the civil society, and I can tell you - and it's not to say that it is good to call people names, that's not what I'm saying. I think that the discourse contained one specific statement, which referred to the Iranian government as the unelected leaders. And I think that that is what had an incredible effect.

The few weeks following that statement, nothing wrong happened in Iran. No reformist minister was arrested, no newspaper was closed. On the other hand, you had a flurry of statements and communiqués by students, by nurses, by all sorts of civil society actors. You had the release from prison for the Nowruz holidays, for the New Year holiday, of a few students who had been held since the students' rioting and had not been allowed out. You had incredible debate within the parliament of Iran about what to do next, whose fault it is, you know. The hardliners would accuse the reforms, the reformers would accuse the hardliners - it is your fault. They would look at the debates in the Duma, the Soviet parliament, about how they did under Gorbachev.

So, I think, you know, things are a little bit more complex. And if you allow me, I will take you to this time of the revolution. I think if you want to devise policy, I'm not here to give you advice on policy, but I can give you the information, maybe

some of the information, that you may need to devise a policy that will be a long-term, sustainable policy. During the revolution, if you think about the images, what do you remember of the time of the revolution? I guess, you know, I am ready to bet that you remembered the crowds, these masses of Iranians in the street, and a waving Ayatollah. You remember young students, angry students with their fists up taking hostages and chanting anti-American slogans. You also remember young boys running on the minefields in the Iran-Iraq war.

And so all these images that you remember, you remember veiled women demonstrating, but I don't think that you saw the Iranian judges, the Iranian clerics, the Iranian women's rights activists, bar association members who wrote and fought against the establishment of a theocracy in Iran against the constitution. I don't think that you remember the rioting that took place in various regions in Iran during the referendum for the constitution of the Islamic Republic and I don't think that anyone talked about people who got stabbed, intimidated, harassed because they opposed the Islamic Republic constitution and the laws that were going to affect all of us for the next decades.

So, you know, when you think in terms of Iran, there are several Irans; there is not one Iran. There is one Iran that is the leaders and the rulers, and they have many factions. And there is a real competition between them. But there is also the other Iran that you don't hear about, and you don't hear about it because they have been banned from participating in the politics and administration of their country for the past three decades. You know, we know that Sunni Muslims are discriminated against by law, they are not allowed to participate in their government, they are not allowed to participate in the army, and they are not allowed to be part of many of these para-state organizations because they are Sunni, simply because they are Sunni. And they, of course, you know, opposed the Islamic Republic from the onset, 1979, you know. This is the country of Shiite Muslims, so what about these millions of Sunnis? So they were really upset. And not only they, but, you know, during the debates among the revolutionary clerics, a lot of them also got up and said, "Well, we have millions of Sunnis. We can't just say that this is the republic of Shi'a Muslims." You know, intimidation, fear, so things went the way they did.

We have a selection process that Mr. Akhavan talked about, and this selection process eliminates from not only the government positions, but from a lot of also para-state functions and private functions. Any Iranian Shi'a, practicing Iranian, whose loyalty to the principle and the principle tenets of the Islamic Republic is not certain and is doubted. Not only them, but also, you know, we had a lot - Iran was a modernizing country, and it still is.

We had many political parties from the extreme left who were, I'm sure you remember, very anti-American. The members of these groups, hundreds, sometimes thousands depending on, you know, which ones, they were born in Muslim families, they had been sometimes practicing Muslims, and had decided of their own free will not to believe anymore. These people were all discriminated against, not only their parties were banned, but they were arrested whether or not they opposed the Islamic Republic. They were arrested and hundreds of them were executed in a mass prison killing in 1988 where prisoners who had been previously sentenced to prison sentences - prison terms - were re-questioned, and if their loyalty to religion and the Islamic Republic tenets was not proven, they were hanged.

And so, I will end on a note that, you know, when you look at the history, and in my written comment you will see that we have a lot of Ayatollahs, Grand Ayatollahs, who opposed the principles that are the principles of the Islamic Republic today and that give powers to the clerical elite and a small clerical elite. So, you know, the history of Iran would show you, if you look into the history of the revolution, you see that this was not clear cut, and that had these Ayatollahs had the support or visibility outside Iran, maybe the Islamic Republic would not have been what it is now. So I urge the Commissioners to, for a short period of time, at least, think about being long-term pragmatists. Keep the human rights in Iran as a relevant indicator of the Islamic Republic's legitimacy and include in all policy discussions the demands of those dissenters who, in spite of the chronic crackdown on civil society, insist on the universality of human rights, including the right to have and practice a religion, to change one's religion, or not to partake of religion at all.

Thank you.

MR. CROMARTIE: Thank you so much.

Dr. Paul Marshall is senior fellow for the Center for Religious Freedom at the Hudson Institute here in Washington. He is also the author of a new book called "The World Survey of Religious Freedom." Dr. Marshall, thank you for coming, sir.

PAUL MARSHALL: Thank you. Thank you, Mr. Chairman, and thanks to you and the commission for this very important hearing.

In my remarks, I want to give a
brief overview of the treatment of religious minorities and dissidents. There is, in my written testimony, an expanded version. And as you mentioned,
as we're on television, if I may give a plug for the book, "Religious Freedom
in the World," just out -

MR. CROMARTIE: Hold it a little higher, yes.

MR. MARSHALL: Okay.
Thank you very much - and it has extensive survey of the situation of
religious freedom in Iran.

In doing this, I'm aware that the
commissioners and the commission are very well aware of the dynamics within Iran,
but I am continually surprised by the fact of how many people are not. So it bears repetition. A second reason for reemphasizing it is that
this reveals something - it is not a side issue in Iran - it reveals something about
the nature of the regime. And as we look
at policy towards Iran,
this must be emphasized and borne in mind.

The Iranian government is one of
the world's worst religious persecutors.
As well as Muslims, all religious minorities, including Sunni Muslims,
Sufis, Baha'is, Assyrians, Catholics, Anglicans, Armenians, evangelicals, Mandaeans,
Jews, and Zoroastrians suffer. The
Assyrian and Mandaean communities have almost disappeared from the
country. As has been noted, this affects
not only non-Muslims. Muslims who do not
subscribe to the state doctrine are also subject to persecution. Sunnis, especially Sufis, have regularly been banned from teaching their religion, and some have been tortured for their
beliefs. Shiites who dare to dissent
from state orthodoxy have been tried, including for blasphemy, one put it,
"tried for the crime of thinking."

If we look particularly at the
religious minorities, again, it should be emphasized that these are not
haphazard things of a regime which cracks down when it feels there are
problems. The question of religious
minorities and their repression is constitutionalized, legalized, and
structured. Article 19 of the
constitution dealing with equal rights notably does not exclude religious

discrimination. Again, according to the constitution, Iran says it treats non-Shiite Islam with, quote, "complete respect," and it gives formal recognition to Zoroastrianism, Judaism, and Christianity, but no other religions. Zoroastrians, Jews, and orthodox Christians are not normally free to practice their rituals and educate their children, but cannot enter government service or hold commissions in the armed forces. University applicants are screened for Islamic orthodoxy and must pass a test in Islamic theology, obviously restricting religious minorities.

The situation for those non-recognized religious minorities is worse. Other features of the religious status of minorities - if a Muslim intentionally murders a non-Muslim, they may be asked only to pay blood money, which may be waived by the courts. The blood money of a woman and non-Muslims is less than that of a Muslim man. There are two categories of non-Muslims: people of the book, Christians, Jews, and Zoroastrians; their blood money is less than that of a Muslim. Murdering other minorities, non-people of the book, such as Baha'is, has no legal ramifications. They, as well as those who leave Islam, fall into the category of murder with impunity, and if killed, no one will punish their killers. For sexual relations between a non-Muslim man and a Muslim woman, the non-Muslim faces death. That's the overall structure.

Some comments on particular minorities: under the monarchy, the members of the small Zoroastrian community were regarded as, in some sense, an unofficial privileged status, as true ancient Iranians. Since the Islamic revolution, many have fled, and those remaining have reduced legal rights and suffer discrimination in education and employment. Jews are forbidden to visit Israel. Jewish families cannot travel abroad together. Jewish schooling is forbidden, as is the study of Hebrew. Since 1979, Jews have been executed for religious reasons or allegations of spying for Israel. By 2007, the Jewish community was less than half its size of 1979. The Christian population endures discrimination, harassment, surveillance, arrest, and imprisonment. Since Ahmadinejad's coming into office, Church raids have increased, resulting in detainment of worshippers and of church leadership, with threats, harassment, and at times arrest. People suspected of involvement in evangelical activity have been tortured.

The Iranian regime regards its largest non-Muslim minority, the Baha'is, as a heresy and persecutes them severely. As noted, its adherents are regarded as unprotected infidels who may be killed with impunity. In recent years, the regime has developed a coordinated strategy of repression, including having the Ministry of Information, the Revolutionary Guard, and the policy identify all Baha'is, and

also, apart from other penalties, excluding them from high-earning or sensitive areas. This includes not only newspapers and periodicals, publishing and bookselling, and Internet cafes, but with paranoid scope, higher sensitive areas are defined to include jewelry and watch making, coffee shops, gravures, the tourist industry, car rentals, hotel management, and tailoring and training institutions.

A new Islamic penal code has recently been presented for discussion to the parliament, to the Majlis. This, for the first time, would make the death penalty for apostasy and for heresy a required punishment. That is, it cannot be changed, reduced, or annulled. It should be noted that in the past the Iranian regime has applied the death penalty for heresy and apostasy, but it had not been explicitly codified. If this penal code is accepted, it would be codified and would be a special danger to liberal thinkers, those who have left Islam, and Baha'is. The proposed law says that apostasy - that is, leaving Islam for one born Muslim - the penalty is death. For one who had converted to Islam and then left, the penalty is death, with three days to recant. The punishment for a woman is life imprisonment, and, under the guidance of the court, special hardship. For those who, and I quote, "whoever claims to be a prophet is sentenced to death." Any Muslim who invents a heresy and creates a sect contrary to the obligations of Islam is considered an apostate. That particular clause appears to be directed at the Baha'is.

Let me close by emphasizing the importance of religious freedom. It is not only a matter of minority rights, vitally important though these are, it is the fact that when, as in Iran, politics and religion are intertwined, you cannot have political freedom unless you have religious freedom. This very structured, systematic repression also reveals something of the nature of the system. For example, Iranian political dissidents have at times been charged with offenses such as treason, but can also be charged with, I quote, "insulting Islamic holy values." The argument is the regime embodies Islam, you oppose the regime, you attack Islam, therefore you are a blasphemer. Akbar Ganji, who was mentioned, was, amongst the charges against him was propaganda against the Islamic system, so that political dissent is treated as a religious offense.

We should also note that the regulations governing the lives of religious minorities and the provisions of the proposed penal code are, again, systematically structured and reminiscent of the Nazi Nuremberg Laws. I do not say that lightly. I think all of us want to avoid the situation of "reductum ad Hitlerum" every time we see a problem, but in this case, the parallel structures of identification, exclusion from jobs and other things, and now penal penalties are, in fact, exactly parallel. So I say this as an analytic point, not simply as throwing out a political swear word. There appear to be steps towards the destruction of religious communities, and they require the international pressure against them that the Nuremberg Laws did not receive.

Finally, it should be noted that
the proposed penal code contemplates extending its jurisdiction over actions
that take place outside of the country.
With Iran,
this is a particular concern. Note that
this is a regime that has already assassinated political opponents abroad, it
passed a death sentence on Salman Rushdie, it has called for the death of
Scandinavian cartoonists, and is currently pushing for international law -
international restrictions against what it calls insulting Islam, which, to
reemphasize, for it includes critics of the regime. This attempt at universal jurisdiction is an
attempt to export its repression. So, in
conclusion, commissioners, I would reemphasize that it's important to make the
issue of religious freedom central in terms of Iran because it is so inbuilt into
the structure and the structure of power of the regime. And secondly, it helps us to understand
it. Iran has very many dimensions, as we
have mentioned, but in respect of its legal code, particularly its religious
dimensions, it should not be understood simply as a regional power which wants
protection of its regime and regional control, but it's - if I may borrow a
term from another tradition - it has a Messianic religious element, which while
not the only dynamic in the country, still has considerable power in shaping
it.

Thank you very much.

MR. CROMARTIE: Thank you, Dr. Marshall, and I thank all of
our panelists.

We're going to go over time for a
few minutes, so if you can stay, please do.
We've come to the end, but we do want to have some questions for our
panelists. So if we can be concise, that
would be excellent.

Commissioner Bansal and
Commissioner Gaer.

PREETA D. BANSAL: Yes. A
question I have - I mean, Iran
obviously has a rich legal and constitutional history for many centuries, not
just in the current regime. A couple
related questions to what you have discussed.
One, to what degree would you say the Iranian people have an awareness

generally of international human rights and the rights guaranteed to them under those instruments? To what degree do they have access to the Internet? I know you both have talked a lot about the Internet and what that offers. In certain countries, certainly there's blocking of the Internet. I'm wondering if you've come across any of that in Iran. Thirdly, I'm just - and more generally, I'm interested to what degree do you think - what are the hopes of actually achieving reform from within? And I'm wondering what your views are about the democracy programs, like whether the U.S. democracy programs - if you shared the same views expressed by some of our other panelists.

MR. CROMARTIE: And if you could each answer it with less than one minute.

(Laughter.)

Who wants to go first?

MR. AKHAVAN: Well, in less than one minute - yes, Iran has a rich legal history. There has been a regression. One of the embodiments is Shirin Ebadi, who was a woman judge who was disqualified from the bench. So there's been a clear regression and the judiciary has become an instrument of repression. All the political prisoners are prosecuted and imprisoned, and there is a whole line of investigating magistrates and others who have been promoted through the ranks exactly because of their participation in this process. In terms of awareness, it's very difficult to say, but I think there is a very vigorous human rights movement within Iran. And the access to Internet explains in part why there is such awareness. There are apparently more weblogs in the Persian language than any other language other than English, which is a statistic that I've been given - some 60,000 weblogs, I've heard. Maybe my colleague with me is in a better position to say.

Now, in terms of hopes of reform within, we have to understand the European experience, 350 years of civil wars, revolutions, world wars, before one achieves this sort of democratic stability. Now, I'm not suggesting we should go through two world wars and 350 years, but the point is that you cannot simply have an instant formula for democracy. It involves a process of social-political maturation. And I would suggest that Iran is the furthest along in the Middle East, in the Islamic Middle East, in that respect, and it is a very difficult situation because there is this façade of extremism symbolized by President Ahmadinejad's bellicose remarks. But immediately underneath that is a

population, which, as I said, is post-ideological, very pragmatic, and for the most part wants stability and prosperity and openness. So it's not that the average person thinks in intellectual terms about human rights, they want an end to corruption, they want an end to fear, they want an end to intimidation.

And the final point about the U.S. democracy program, it's very difficult in such a short time to explain the complexities, I think there is a danger to the extent that civil society in Iran is perceived as an extension of U.S. hegemony in the region. And that's why I'm saying that the best thing to do in certain circumstances is to stand back and to encourage in the same way as, for example, the African National Congress struggled against Apartheid with the support and encouragement of the international community, but not the idea that somehow the movement has been co-opted. So I would say that the U.S. should not disengage, but should very carefully calibrate its engagement so that it doesn't become the kiss of death for civil society in Iran.

MS. BOROUMAND: Again, in a very short time, it's a very complex question. There is no miracle solution. The Iranian constitution does not allow its own reform, and so the reason why - part of the reason why the reformists failed, and that is what you read in the Iranian papers, blogs, is that they were not able to achieve the reforms. So that's part of why the reforms are not feasible in the present state of the Iranian constitution. It is also that a lot of the reformist elite did not really intend democratic reform. They paid lip service to it. However, we have an Iranian government that is also very concerned about its international image. And so, alongside with what I just told you, you see regularly, you know, manuals and guidelines for the law enforcement officers and who they can shoot and when they can shoot them, you see manuals and guidelines about treatment of prisoners. These things would not have happened 30 years ago.

And so there is reference to human rights, there is discussion about it. And I don't want to say that it's really sincere or they really think that they will enforce it, but I think some in the ruling elite believe that they have to think about these things. And that is not because, you know, we are screaming here, but it's because there is a constituency within Iran that, unlike 1979, is using the language of human rights, is referring to conventions, international law systematically. Women, students, political activists, prisoners, you know, this language is all over the place. And the ordinary Iranians may not know the details and sophistication of it, and this is part of why we try to promote the literature of human rights and the history of other countries, but certainly things are not as simple as they were in '79. And so the situation is not hopeless by any means.

MR. MARSHALL: If I may just add on that. In terms of democracy promotion, as many people have argued, in some ways the use of the word, the centralizing word, democracy is unfortunate because there's emphasis on elections and missing out on the republican, small-R, aspects of that, and the stress on free societies. I'd just make that first comment. The second one is focusing on the religious aspect, that the key clash of ideas or war of ideas in the modern world is the one taking place within Islam. That has been pointed out before this morning, not only amongst the population at large, but amongst the Ayatollahs. There are a variety of Sunni figures, who on religious grounds, are highly critical of the regime. And insofar as we are able to give a platform to people, it's also important to give a religious platform and to as much as possible allow people to criticize the religious basis of the regime, on which it's often quite insecure.

MR. CROMARTIE: Quickly.

MS. BOROUMAND: Yes. I think one issue that needs to be emphasized is that whether or not you engage the Iranian leadership or not, whether or not you decide to talk to them, it is important for you to know exactly who they are and what they are about. But it's like any negotiations. If you include human rights and you tell them that, you know, when they say democracy that they don't mean it and you understand that they don't mean it, so that the discussion is about the facts and the issues, and not about diplomatic niceties. Then, I think, the interlocutors will be challenged into thinking about how they can look better in the international community, and then maybe they will think about how to reform their laws.

MR. CROMARTIE: Commissioner Gaer, go ahead.

FECLICE D. GAER: Thank you all very much for helping us understand what we see and what we don't see.

I wanted to pick up on the question I asked earlier in the hearing. We're being told that a range of Iranian dissidents, human rights activists feel and caution that U.S. support for them or their human rights issues can be counterproductive. I'm wondering if you could comment on whether religious communities, and the communities about whom you've testified here today, feel the same way - Baha'is, Jews, Christians, Sunni Arabs, including the Turkmen, who have been under some pressure recently - and would U.S. engagement with Iran change this view?

MR. AKHAVAN: If I may, the problem is U.S. support can mean so many things, and we need to calibrate what we mean by U.S. support. Is it for violent overthrow of the regime or is it for giving resources to women's rights groups to organize themselves? There are so many different forms that we can't speak in blanket terms.
So I think that at one level, yes, U.S. support has played into the hands of the regime by allowing it to demonize the civil society. And if you look at the arrest of Dr. Haleh Esfandiari, Professor Ramin Jahanbegloo, and all of these public intellectuals, you see that in every instance the charge is one of sort of conspiracy to ferment a Velvet Revolution as part of some sort of U.S. conspiracy. Now, the regime would probably do that anyways, but I think that this sort of bellicose rhetoric only helps them rationalize it and legitimize it in the eyes of the public, the Iranian public, that otherwise would be prone to supporting this sort of opposition. So it's a question of calibrating.

But on the other hand, as I mentioned, there's a fear of some sort of military confrontation, violent overthrow, on the part of the Iranian public, but there's an equal fear of a grand bargain which would lead to appeasement of Iran. And that's the other side of the equation. So I think that the point is that there must be engagement, but engagement should be principled. And if I may just briefly explain that. One of the points here is that you have two Irans: you have the Iran of the hardliners, you have the Iran of the vast majority, which has yet to find a political voice, but which is in the process of doing so. The policy has to, on the one hand, isolate the hardliners and empower the majority. That's why it has to be calibrated and nuanced.

Now, getting back to the question of accountability. I'm not going to give you the details, but I would say that at least two members of the cabinet of Mr. Ahmadinejad could be prosecuted for crimes against humanity. I'm not using that in a polemical way. I'm a former war crimes prosecutor. I can tell you what the evidence against them is. The former Minister of Justice, Mr. Shooshtari, was implicated in the mass execution of 4,000 people in 1988, the famous execution of 4,000 leftists in Iran. The prosecutor-general of Tehran, Saeed Mortazavi, is implicated in the arrest and torture of thousands, including Canadian-Iranian photojournalist Zahra Kazemi. So you see here a sort of process by which human rights abuses are a right of passage to gaining power, and that defines the sensibility of the government, both in terms of repression of domestic dissent and how it perceives its foreign policy interests.

The point that I'm making is that at the end of the day, the cost of the violations have to be individualized. You cannot impose sanctions that are going to hurt the ordinary people that are already suffering, you must send a message to those that use human rights violations as part of their cost-benefit calculus, that they will personally pay. And had there been more time, I would have been very pleased to speak about how some elements of the regime have, in addition to human rights violations, stolen hundreds of millions of dollars of

the oil wealth of Iran and used it in investments across the world, probably in this country, as well. So we need to look beyond this, sort of, abstract notion of Iran, and start targeting those individuals and their practices.

And I just wanted to end by saying that it was very impressive, I suppose, for my dear friend Roya and I to hear that Mr. Rafsanjani had been telling Dr. Slavin that America's reputation has suffered as a result of Guantanamo Bay. Anyone that knows anything about Mr. Rafsanjani's record, including his role in a number of assassinations abroad, if I may add, including the assassination of my dear friend Roya's father in Paris, his role in the bombing of the Jewish Cultural Center in Argentina, would, I think, think twice before quoting him as a critic of U.S. human rights policy.

MS. BOROUMAND: Well, I also think that when you hear that human rights advocates are saying that the U.S. support to human rights in Iran is counterproductive, you have to, again, look at the complexity. We have many human rights advocates. We have many groups that you don't ever hear about. And we have some higher-profile advocates who also have their own judgments. So, what you hear is not necessarily on weblogs, it's not necessarily on statements. The Iranians mostly focus on what goes wrong in their houses, you know, and in their homes, in their country.

So in the past 30 years, I think because our foundation looks at the number of victims and documents daily the executions, I can tell you that the minute there is no visibility on Iran's human rights violations, the number of executions goes up. You talk about the nuclear issue, 475 executions in 2007. You talk about human rights violations and executions, the number comes down. It's just, you know, it's like organic.

Now, does that mean that, you know, you can affect extreme change, you have to talk to your European colleagues. They were engaging in Iran on human rights, and as far as we could read them, and we were not involved in these discussions and in the meetings that they had with the Iranians, neither was the judiciary, by the way. You know, the most important people never really attended these meetings. So they were frustrated. So I think you have to devise with them how to go about it because that the same time there are important publications and workshops due to these, you know, these engagements. But overall, as far as we are concerned here, there were no changes in the laws and there were no opening for political parties, no opening. So, you're talking democracy, you're talking political participation. No opening for any party outside of the very small nucleus of revolutionary parties. So, this is a case-to-case basis. But if you stop talking about human rights in Iran,

human rights in Iran
will worsen. There is no doubt.

MR. CROMARTIE: Thank you.
Dr. Marshall, quickly.

MR. MARSHALL: Yes. I
couldn't pretend to speak for all the religious minority groups in Iran,
but I may say generally most are not so active democracy-promoters, they're
simply active trying-to-stay-alive-till-tomorrow-promoters. So there's too much pressure for them as
communities, though individuals are involved.
What, I think, across the board they appreciate is their situation being
publicized and also the government being criticized on this point. As I think we all know, one of the worse
things which people in a repressed situation - one of the hardest things is if
you think that nobody knows and nobody cares.
You're isolated. That's the way
the world is. And then you hear that
someone said something. And this is
known that we are not forgotten. That
itself is tremendously strengthening.
So, I think, continually raise these religious discrimination issues
because they're so stark, and, in many cases, so unusual.

And also, my sense is - I may stand
corrected by my fellow panelists - but my sense is that the Iranian government
is particularly sensitive and nervous on this point. If I may give just two
examples from Ahmadinejad's last visit, that when these issues are raised, he
doesn't defend them. He doesn't argue
that the regime is right. He backs
off. When in New York, he was asked about the Baha'is, he
just sort of obfuscated. He said,
"They're not recognized." He didn't say,
which is what his official position is, "They are heretics and they should be
killed." When he was asked about
homosexuals, he did not refer - he did not say, "It's an abomination, they
should be killed," as the legal code says.
He says, "We don't have any." So
these are things which they're actually very unwilling to defend in a public
forum, which means there's either bad conscience or it's bad politics. So, I would suggest continually raising this
with them.

MR. CROMARTIE: Thank you.
Ladies and gentlemen, I think it's fair to say you can tell the success
of a hearing is when it goes over time and you feel bad about ending it, but
we've gone 20 minutes over time and we do need to bring this to a close. Thanks so much to our panelists for joining
us. I'd like to also say thank you to
the commission staff for all the hard work they put in to make this such a
success. Thank you all for coming and
staying with us. We appreciate it very

much.

(END)