

118TH CONGRESS  
2ND SESSION

# H. R.

To impose sanctions on the judges, prosecutors and investigators of the Islamic Republic's Islamic Revolutionary Courts.

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## IN THE HOUSE OF REPRESENTATIVES

Ms.. Kim (for herself, and Mr. Schiff, Mr. Lawler, and Mr. Trone introduced the following bill; which was referred to the Committee on

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## A BILL

To impose sanctions on the judges, prosecutors and investigators of the Islamic Republic's Islamic Revolutionary Courts, which are involved in sham trials, torture, and inhumane treatment and sentencing of Iranian protesters and political dissidents.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the Targeting Oppressive  
5 Officers to Mitigate Abuse in the Iranian Judiciary Act (the  
6 "TOOMAJ Act").

7 **SECTION 2. FINDINGS.**

8 Congress makes the following findings:

9 (1) Torture is deeply contrary to both the laws and  
10 ethical values of the United States, as well as to

11 international norms. This universal denouncement of  
12 torture finds its reflection in several domains: through the  
13 U.S. criminal code, specifically 18 U.S.C. §§ 2340–2340A; in  
14 International treaties, highlighted by the United Nations  
15 Convention Against Torture (CAT); within customary  
16 International law; across centuries of the Anglo-American  
17 legal tradition; and in the longstanding policies of the  
18 United States.

19 (2) Article 3 of the Universal Declaration of Human  
20 Rights guarantees the right to life, liberty, and security of  
21 person. Article 9 of such Declaration prohibits arbitrary  
22 arrests or detentions and Article 18 of such Declaration  
23 guarantees the right to freedom of thought, conscience,  
24 and religion.

25 (3) As a member state of the United Nations and other  
26 international institutions, the Islamic Republic of Iran is  
27 bound by international commitments concerning human  
28 rights and the rule of law. Nevertheless, the Islamic  
29 Republic of Iran has systematically and consistently  
30 curtailed the ability of Iranian citizens to exercise  
31 fundamental freedoms without fear of retribution.

32 (4) The judicial system of the Islamic Republic of Iran  
33 consists of a Chief Justice, who is responsible for  
34 overseeing court administration, and several classes of  
35 courts, including Islamic Revolutionary Courts, which are  
36 tasked with trying prisoners accused of subverting the  
37 Islamic Republic. The trials of Iranian political prisoners  
38 and protestors typically are held before judges of these  
39 Islamic Revolutionary Courts.

40 (5) Unlike an adversarial system, the Islamic Republic's  
41 judicial model is inquisitorial. The inquisitorial system  
42 gives judges a significant role in deciding what evidence  
43 will be considered, whether the accused can access legal  
44 counsel or a fair trial, and the outcome of a case.

45 (6) The Islamic Revolutionary Courts oversee cases  
46 involving political crimes, and employ well-documented  
47 practices that deny fairness and subvert justice. This  
48 includes denying access to counsel, refusing to disclose the  
49 nature of charges, using torture and sexual violence to  
50 extract confessions, and using coerced confessions in  
51 proceedings, among others.

52 (7) On September 16, 2022, a 22-year-old woman  
53 named Jina Mahsa Amini, died in the detention of the  
54 Morality Police after being beaten and detained for  
55 allegedly transgressing the Islamic Republic's morality laws  
56 concerning women's dress. This tragic incident triggered  
57 widespread anti-gender apartheid, pro-democracy protests  
58 across all of Iran, which have become known globally as  
59 the "Woman Life Freedom" movement.

60 (8) In the course of the protests, the Iranian  
61 security forces' violent crackdown included mass arrests,  
62 well-documented beating of protestors, stifling  
63 internet access, and shooting protestors with live  
64 ammunition. Weeks into the protests, Iranian security  
65 forces had reportedly killed, blinded, or injured hundreds  
66 of civilian protestors, including women and children.

67 (9) By November 2022, reports were ongoing

68 and confirmed that the Islamic Republic had commenced  
69 an intensive crackdown on protestors, characterized  
70 by crimes against humanity, including mass  
71 imprisonment of tens of thousands of civilians, torture,  
72 gender and sexual violence, and heightened persecution of  
73 ethnic and religious minorities.

74 (10) On December 12, 2022, Majid Reza Rahnava  
75 became the first publicly executed Iranian for charges  
76 stemming from his alleged involvement in the protests.  
77 In the time since, many others have been executed,  
78 and many more have been detained, tortured and killed in  
79 secret, and their families have been threatened.

80 (11) As a result of the intense crackdown, the UN  
81 Human Rights Council established the Independent  
82 International Fact-Finding Mission on the Islamic  
83 Republic of Iran (FFMI) on November 24, 2022. The FFMI  
84 mandate was to investigate alleged human rights  
85 violations in Iran in connection with the protests that  
86 began in Iran on September 16, 2022, especially with  
87 respect to women and children.

88 (12) Despite the efforts of the FFMI to engage with  
89 the Islamic Republic, the Islamic Republic did not grant  
90 the FFMI access to the country, nor respond to calls for  
91 meetings. The FFMI investigation resulted in over 27,000  
92 evidence items. It conducted a total of 134 in-depth  
93 interviews with victims and witnesses, including 49  
94 women, and 85 men, both inside and outside the country,  
95 and gathered evidence and analysis from experts on

96 digital and medical forensics, and domestic and  
97 international law, among others.

98 (13) On March 18, 2024, the FFMI issued its report  
99 following its investigation, and found that Islamic  
100 Republic authorities were responsible for egregious  
101 human rights violations in connection with the Jina Mahsa  
Amini protests. The FFMI confirmed the use of  
102 unnecessary and disproportionate force on peaceful  
103 protests, resulting in unlawful killings and injuries of  
104 protesters. The FFMI found that at least nine young men  
105 were arbitrarily executed, following sham proceedings  
106 before Islamic Revolutionary Courts that disregarded  
107 basic fair trial and due process guarantees, creating terror  
108 among other protestors. The FFMI further found that by  
109 January 2024, the Iranian Regime's Islamic Revolutionary  
110 Courts had issued at least 26 death sentences against  
111 protestors.

112 (14) With respect to the Islamic Revolutionary  
113 Courts, the FFMI found that trials involved systematic  
114 violations of due process. Most protestors were brought  
115 before Revolutionary Courts, on vague charges of  
116 "corruption on earth" or "waging war against God" in  
117 relation to protected conduct or speech. They were  
118 denied some of the basic procedural elements of due  
119 process. Many were denied access to counsel, not able to  
120 access their case files, or receive copies of their  
121 judgments. The FFMI found that Islamic Revolutionary  
122 Courts showed clear bias against protesters, and  
123 systematically dismissed complaints of rape, torture and

124 ill-treatment.

125 (15) Toomaj Salehi is an Iranian dissident and  
126 rap artist who criticizes the Islamic Republic’s oppressive  
127 policies through his music. He is widely revered inside  
128 Iran for directly challenging the Islamic Republic’s denial  
129 of human rights. He was arrested in October 2022, in the  
130 aftermath of the Woman Life Freedom protests, and has  
131 endured intense psychological and physical torture,  
132 including prolonged solitary confinement. In July 2023, he  
133 was sentenced to over six years of prison for “corruption  
134 on Earth,” a crime manufactured by the Islamic Regime to  
135 silence dissent. On November 18, 2023, Salehi was  
136 released from prison on bail. A few days later, he issued a  
137 public statement revealing the depth of torture he had  
138 endured at the hands of the Islamic Republic. On  
139 November 30, 2023, Toomaj Salehi was re-arrested on  
140 charges of publishing false information and disturbing  
141 public opinion. On April 24, 2024, despite a remand from  
142 the Islamic Republic’s Supreme Court, the Islamic  
143 Revolutionary Court overseeing Salehi’s case declared the  
144 decision of the Supreme Court to be “advisory” and issued  
145 a death sentence to Toomaj Salehi.

146 (17) Examples of victims of the Islamic Revolutionary  
147 Courts are plentiful. Vahid Afkari is a 37-year-old Iranian  
148 who was arrested along with his brothers Habib and  
149 Navid Afkari during the 2018 Iranian protests. All three  
150 were tortured into confessing to killing a security officer.  
151 On September 12, 2020, Navid Afkari was executed. Vahid

152 Afkari remains imprisoned, and has been held in solitary  
153 confinement for over 1,000 days. He is denied medical  
154 treatment for the injuries he has sustained from torture  
155 and suicide attempts.

156 (18) Narges Mohammadi is an Iranian human rights  
157 Activist, the 2023 Nobel Peace Prize recipient, and the  
158 vice president of the Defenders of Human Rights  
159 Center, a human rights organization based in  
160 Tehran. She has been repeatedly prosecuted by the  
161 Islamic Republic due to her outspoken positions against  
162 the government's human rights abuses. She is currently  
163 imprisoned, and routinely subjected to prolonged solitary  
164 confinement, psychological torture, and physical abuse.

165 (19) Fatemeh Sepehri is an Iranian political and  
166 women's rights activist and a political prisoner. She is a  
167 signatory of the "Statement of 14 Political Activists," a  
168 series of open letters that called for the resignation of the  
169 Supreme Leader of Iran, the abolition of the Islamic  
170 Republic, and the establishment of a secular democracy.  
171 She was arrested on September 21, 2022 during the  
172 Woman Life Freedom protests, and is imprisoned in  
173 solitary confinement.

174 (20) Saman Yasin, a well-known and acclaimed 27-  
175 year-old Kurdish artist and rapper, has been a vocal critic  
176 of the Islamic Republic and openly supported Woman Life  
177 Freedom protestors in his social media. In November  
178 2022, he received a death sentence, which he appealed.  
179 Although the Supreme Court of the Islamic Republic

180 overturned his death sentence, Yasin has been denied a  
181 fair trial, and suffers ongoing psychological and physical  
182 torture while imprisoned, including involuntary  
183 admissions to psychiatric hospitals. His fate is part of  
184 a larger pattern of torture tactics against political  
185 prisoners, including injections and the administration of  
186 unidentified pills. As a result of his severe and enduring  
187 torture, on February 27, 2024, Saman Yasin wrote an  
188 open letter to the head of the Islamic Republic's judiciary,  
189 in which he demanded his own execution.

190 (21) Nika Shakarami was a 16-year-old Iranian girl  
191 who actively participated in nonviolent protests after the  
192 killing of Jina Mahsa Amini. She disappeared during the  
193 Woman Life Freedom protests, and her family found her  
194 shattered body in a mortuary ten days after her  
195 disappearance. Despite Islamic Republic authorities  
196 denying any wrongdoing, a subsequent leaked internal  
197 Islamic Revolutionary Guard Corps document revealed  
198 that she had been taken into custody, bound in a van,  
199 sexually assaulted by one of three men, and spent her  
200 final minutes being fatally beaten by all three men.

201 (22) Nika Shakarami, along with Sarina Esmailzadeh  
202 and Hadis Najafi, two other young women murdered by  
203 the Islamic Republic, became symbols of the ongoing  
204 protests in Iran. Despite attempts by authorities to  
205 suppress information about Shakarami's death,  
206 international media coverage and social media tributes  
207 highlighted her story, sparking outrage and further



208 fueling the protests. Nika Shakarami is a testament to the  
209 untold number of protestors that never had the prospect  
210 of appearing before an Islamic Revolutionary Court. Had  
211 she survived; she likely would have been taken before an  
212 Islamic Revolutionary Court, based on manufactured  
213 charges, for a trial that would offer no due process,  
214 insufficient access to legal counsel, and false confessions  
215 based on torture.

216 (23) There are also numerous reported cases of American  
217 citizens and U.S. Legal Permanent Residents being  
218 arbitrarily detained, subjected to sham trials, and unjustly  
219 imprisoned by Iranian Revolutionary courts on baseless  
charges.

220 (24) Examples of such cases include Jason Rezaian, a  
221 Washington Post journalist who was imprisoned for over  
222 500 days on charges of espionage, Siamak Namazi, an  
223 Iranian American businessman who was sentenced to 10  
224 years in prison on charges of spying and collaborating  
225 with a hostile government, and Amir Hekmati, a former  
226 U.S. Marine and an Iranian American who accused of  
227 espionage and was sentenced to death, but the sentence  
228 was later overturned and then retried and sentenced to  
10 years in prison.

229 **SECTION 3. SANCTIONS ON JUDGES OF THE ISLAMIC**  
230 **REVOLUTIONARY COURTS.**

231 (a) SENSE OF CONGRESS.—It is the sense of Congress  
232 that—

233 (1) the United States shall stand with and support  
234 the people of Iran in their demand for fundamental  
235 human rights and an end to gender apartheid;

236 (2) the United States shall continue to hold the  
237 Islamic Republic of Iran, and all its branches of  
238 government, including the judiciary and its judges,  
239 accountable for abuses of human rights, crimes against  
240 humanity, corruption, and the export of terrorism; and

241 (3) the Islamic Republic must immediately end its gross  
242 violations of internationally recognized human rights.

243 (b) IN GENERAL.—

244 (1) DETERMINATION REQUIRED.—Not later  
245 than 90 days and annually thereafter after the date of  
the enactment of this

246 Act, the President shall determine whether the sanctions  
247 listed in paragraph (2) apply with respect to each  
248 foreign person described in subsection (c), and  
249 impose all applicable such sanctions with respect  
250 to each such foreign person and entity.

251 (2) SANCTIONS LISTED.—The sanctions listed  
252 in this paragraph are the following:

253 (A) Sanctions described in section 105(c) of the  
254 Comprehensive Iran Sanctions, Accountability, and  
255 Divestment Act of 2010 (22 U.S.C. 8514(c)).

256 (B) Sanctions applicable with respect to a  
257 person pursuant to Executive Order 13553 (50 U.S.C. 1701  
258 note; relating to blocking property of certain persons  
259 with respect to serious human rights abuses by the  
260 Government of Iran).

261 (C) Sanctions applicable with respect to a

262 person pursuant to Executive Order 13224 (50 U.S.C.  
263 1701 note; relating to blocking property and prohibiting  
264 transactions with persons who commit, threaten to  
265 commit, or support terrorism).

266 (D) Sanctions applicable with respect to a  
267 person pursuant to Executive Order 13818 (relating to  
268 blocking the property of persons involved in serious  
269 human rights abuse or corruption).

270 (E) Sanctions applicable with respect to a person  
271 pursuant to Executive Order 13876 (relating to imposing  
272 sanctions with respect to Iran).

273 (F) Penalties and visa bans applicable with  
274 respect to a person pursuant to section 7031(c) of the  
275 Department of State, Foreign Operations, and  
276 Related Programs Appropriations Act, 2021.

277 (3) FORM OF DETERMINATION.—The determination  
278 required by paragraph (1) shall be provided in an  
279 unclassified form but may contain a classified annex  
280 provided separately containing additional contextual  
281 information pertaining to justification for the issuance of  
282 any waiver issued, as described in paragraph (1)(C)(ii).  
283 The unclassified portion of such determination shall be  
284 made available on a publicly available internet website of  
285 the Federal Government.

286 (c) FOREIGN PERSONS DESCRIBED.—The foreign persons  
287 described in this subsection are the following:

288 (1) Adjudicators and investigators  
289 including judges, prosecutors and investigators of the  
290 various branches of the Islamic Revolutionary Courts  
291 involved in overseeing, committing, or adjudicating based  
292 on inhumane treatment of prisoners of conscious  
293 including political prisoners from detention to sentencing.

294 (d) CONGRESSIONAL OVERSIGHT.—

295 (1) IN GENERAL.—Not later than 60 days after  
296 receiving a request from the chairman and ranking  
297 member of one of the appropriate congressional committees  
298 with respect to whether a person meets the criteria of a  
299 person described in subsection (c), the President shall—

300 (A) determine if the person meets such criteria; and

301 (B) submit a classified or unclassified report to such  
302 chairman and ranking member with respect to such  
303 determination that includes a statement of whether or not  
304 the President imposed or intends to impose sanctions  
305 with respect to the person pursuant to this section.

306 (2) APPROPRIATE CONGRESSIONAL COMMITTEES  
307 DEFINED.—In this subsection, the term “appropriate  
308 congressional committees” means—

309 (A) the Committee on Foreign Affairs of  
310 the House of Representatives; and

311 (B) the Committee on Foreign Relations of the  
312 Senate.

313 SECTION 4. STATEMENT OF POLICY.

314 It is the policy of the United States that—  
315 (1) the legal and bureaucratic apparatus of the Islamic  
316 Revolutionary Courts facilitates the Islamic Republic in  
317 shielding human rights abuses from scrutiny;  
318 (2) judgments, sentences and other official acts that  
319 emanate from the Islamic Revolutionary Courts should  
320 not be afforded judicial deference by the international  
321 legal community, and may serve as evidence of torture  
322 and human rights violations;  
323 (3) the Islamic Republic of Iran should immediately stop  
324 violating the human rights of political prisoners or any  
325 person with a proceeding before the Islamic  
326 Revolutionary Courts, including by—  
327 (A) torture;  
328 (B) assault;  
329 (C) denial of access to health care; and  
330 (D) denial of a fair trial; and  
331 (4) the Islamic Republic of Iran should immediately  
332 release all political prisoners.

333 **SECTION 5. DEFINITIONS.**

334 In this Act:

335 (1) **POLITICAL PRISONER.**—The term “political prisoner”  
336 means a person who has been detained or imprisoned on  
337 politically motivated grounds.

338 **SECTION 6. SEVERABILITY.**

339 If any provision of this Act, or the application of such

340 provision to any person or circumstance, is found to be  
341 unconstitutional, the remainder of this Act, or the  
342 application of that provision to other persons or  
343 circumstances, shall not be affected.