



Plenary sitting

B8-0566/2018

11.12.2018

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on Iran, notably the case of Nasrin Sotoudeh
(2018/2967(RSP))

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on behalf of the ALDE Group

B8-0566/2018

European Parliament resolution on Iran, notably the case of Nasrin Sotoudeh (2018/2967(RSP))

The European Parliament,

- having regard to its previous resolutions on Iran, notably those concerning human rights, and in particular those of 10 March 2011 on the EU's approach towards Iran, of 17 November 2011 on Iran - recent cases of human rights violations, of 3 April 2014 on the EU strategy towards Iran, of 25 October 2016 on the EU strategy towards Iran after the nuclear agreement and of 31 May 2018 on the situation of imprisoned EU-Iranian dual nationals in Iran,
- having regard to the EU Guidelines on the Death Penalty, on Torture, on Freedom of Expression and on Human Rights Defenders,
- having regard to the new EU Strategic Framework and Action Plan on Human Rights and Democracy, which aims to place the protection and surveillance of human rights at the heart of all EU policies,
- having regard to Council Decision (CFSP) 2018/568 of 12 April 2018(5), extending the restrictive measures related to serious human rights violations in Iran for one year, until 13 April 2019,
- having regard to the joint statement made in Tehran on 16 April 2016 by the VP/HR, Federica Mogherini, and the Minister of Foreign Affairs of the Islamic Republic of Iran, Javad Zarif, in which it was agreed to engage in a human rights dialogue and to organise exchange visits between the EU and Iran on human rights-related issues,
- having regard to the EU-Iran Human Rights dialogue on 20 November 2017,
- having regard to the granting of the European Parliament Sakharov Prize for Freedom of Thought and Expression to Nasrin Sotoudeh in 2012,
- having regard to the report issued by the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran on 27 September 2018,
- having regard to the statement made by the United Nations on 29 November 2018 on the release of all those who have been imprisoned for promoting and protecting the rights of women,
- having regard to the declaration by the HR/VP on 2 January 2018 on behalf of the EU on the situation in Iran,
- having regard to the annual report of the UN High Commissioner for Human Rights and the reports of the Office of the High Commissioner and the UN Secretary-General on the situation of human rights in the Islamic Republic of Iran, of 23 March 2018,

- having regard to the Universal Declaration of Human rights of 1948,
 - having regard to the International Covenant on Civil and Political Rights of 1966, to which Iran is a party;
 - having regard to Rule 135(5) of its Rules of Procedure,
- A. Whereas in Iran, civil society protests against poverty, inflation, corruption and political authoritarianism have been met by the Iranian authorities with severe repression;
- B. Whereas Nasrin Sotoudeh, a prominent Iranian human rights lawyer, was arrested in her home in Tehran in June 2018 and transferred to Evin prison; whereas she is currently serving a five-year prison sentence and facing several national security related charges, largely in connection with her work as a lawyer defending women who have been prosecuted for peacefully protesting Iran's compulsory hijab law by removing it in public;
- C. whereas in August 2018, Nasrin Sotoudeh began a hunger strike in protest against her judicial persecution; whereas on November 26 Nasrin Sotoudeh went on a second hunger strike to protest the Iranian authorities' refusal to allow fellow political prisoner Farhad Meysami, a human rights defender campaigning for women's rights, to receive hospital treatment; whereas Nasrin Sotoudeh has sued Iranian authorities for banning her from seeing her children and other family in Evin prison for the past two months under the pretext of her alleged 'improper hijab';
- D. whereas Reza Khandan, Nasrin Sotoudeh's husband, has been detained since September 4 in connection with his support for women's rights activists and his peaceful campaign for his wife's release from prison;
- E. Whereas Nasrin Sotoudeh was the recipient of the 2012 European Parliament Sakharov Prize for Freedom of Thought; whereas Nasrin Sotoudeh was unable to attend the official Prize ceremony due to the prison sentence she was serving at the time;
- F. Whereas Nasrin Sotoudeh, who was sentenced to prison in 2011 for a period of eleven years, forbidden to practice her profession and subjected to a travel ban of twenty years, has served three years in prison under charges of spreading propaganda and conspiring to harm state security; whereas she was released in September 2013 after her sentence was commuted;
- G. Whereas the judiciary system of Iran continues to criminalise legitimate human rights activism and the Iranian intelligence services have intensified its crackdown against civil society workers, human rights defenders and religious and ethnic minorities, arresting lawyers, students and human rights defenders including environmental activists and those peacefully protesting against the compulsory hijab laws;

- H. Whereas Iranian courts regularly fall short on providing due process and fair trials, with denial of access to legal counsel and denial of consular, UN or humanitarian organisations visits; whereas sentences by the Iranian judiciary are often based on vague or unspecified national security and espionage charges;
- I. Whereas freedom of the press, both online and offline, freedom of association and freedom of thought is still being repressed in Iran;
1. Calls on the Iranian Authorities to immediately and unconditionally release Nasrin Satoudeh; expresses extreme concern on the arbitrarily prolonged detention of Nasrin Sotoudeh and the denial of access to medical care; regrets the particularly worrying espionage charges against Nasrin Sotoudeh and consequent imprisonment without due process;
 2. Urges the judiciary system of Iran to respect due process and fair trial and disclose information on the charges against Nasrin Sotoudeh;
 3. Calls for the immediate and unconditional release of all human rights activists imprisoned in Iran, including Farhad Meysami, Narges Mohammadi, Arash Sadeghi, Reza Khandan and all other human rights activists imprisoned solely for peacefully exercising their rights to freedom of expression, association and assembly;
 4. Expresses grave concern over the arrests of EU-Iranian dual nationals upon their entering of Iran, stresses that these arrests hinder the possibilities of people-to-people contacts and calls on the Iranian authorities to allow for Iranian diaspora in Europe to safely travel to their country of birth; Calls on the Iranian Authorities to ensure due process rights of all EU citizens who have been detained in Iran and grant them a fair trial;
 5. Insists that the Iranian Authorities must guarantee the safety and well-being of all detainees while in detention, including adequate medical care, the conduction of credible investigations into any ill-treatment or torture allegations and to allow them full access to lawyers of their choice;
 6. Deplores sentences are often based on confessions obtained under torture, and based on vague or unspecified charges;
 7. Condemns the systematic torture in Iranian prisons and calls for an immediate cease all forms of torture and ill-treatment of all prisoners;
 8. Regrets that human rights and political activists are actively being prosecuted in Iran; notes with concern the numerous arrests of women in Iran for participating in anti-hijab protests and that many are still held in custody;
 9. Demands the Iranian authorities to cease the permanent harassment against human rights defenders and condemns all acts of intimidation and reprisals against human

rights defenders, including for communicating with EU and UN officials and independent human rights organisations;

10. Considers the lack of freedom of expression online, the systematic surveillance and monitoring of internet traffic as well as the lack of digital freedoms to be an obstacle to trade with Iran, as well as a violation of people's rights and freedoms;
11. Calls on Iranian authorities to fully respect the universal human rights of all people, in particular the rights to free expression online and offline; calls on Iran to cease satellite jamming and ease internet censorship restrictions;
12. Notes that Iran, as a state party to the International Covenant on Civil and Political Rights, should respect freedom of thought, conscience and religion as well as freedom of expression, association and peaceful assembly in line with its obligations;
13. Calls on Iran to deepen its engagement with international human rights mechanisms; urges the Iranian authorities to ensure that the future UN Special Rapporteur on the situation of human rights in Iran is allowed to enter the country and carry his official mission;
14. Strongly condemns the use of the death penalty and calls on the government of Iran to work towards abolishing the death penalty;
15. Expresses its support for discussions on human rights taking place in the context of the EU-Iran High Level Dialogue launched after the conclusion of the Joint Comprehensive Plan of Action (JCPOA), however emphasises the necessity of a formal EU-Iran human rights dialogue based on universal human rights; stresses that the EU should be determined to systematically raise, publicly and privately, human rights concerns in bilateral and multilateral fora;
16. Urges the VP/HR, the EEAS and Member States to not allow talks on the JCPOA overshadow our responsibility to address the worrying human rights violations in Iran;
17. Reiterates its call for an EU-wide ban on the export, sale, update and maintenance of any form of security equipment which can or is used for internal repression, including Internet surveillance technology to states with a deplorable human rights record such as Iran;
18. Instructs its President to forward this resolution to the European Council, the European Commission, the VP/HR, the Governments and Parliaments of the Member States, the Secretary-General of the United Nations and the Government and Parliament of Iran;