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*Plenary sitting*

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**B8-0190/2019**

12.3.2019

## **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 human rights defenders  
(2019/2611(RSP))

**Marietje Schaake, Petras Auštrevičius, Beatriz Becerra Basterrechea, Izaskun Bilbao Barandica, Dita Charanzová, Gérard Deprez, Marian Harkin, Ivan Jakovčić, Ilhan Kyuchyuk, Louis Michel, Javier Nart, Urmas Paet, Maite Pagazaurtundúa Ruiz, Carolina Punset, Jozo Radoš, Frédérique Ries, Robert Rochefort, Jasenko Selimovic, Pavel Telička, Johannes Cornelis van Baalen, Matthijs van Miltenburg, Hilde Vautmans, Mirja Vehkaperä, Valentinas Mazuronis**  
on behalf of the ALDE Group

**European Parliament resolution on Iran, notably the case of human rights defenders (2019/2611(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, of 31 May 2018 on the situation of imprisoned EU-Iranian dual nationals in Iran and of 13 December 2018 on Iran and notably the case of Nasrin Sotoudeh of December 2018,
- having regard to the statement on Iran of 29 November 2018 by the Special Rapporteur on the situation of human rights defenders,
- having regard to the EU Guidelines on the Death Penalty,
- having regard the Council Conclusions on Iran of 4 February 2019,
- 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 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 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 concerns about the human rights situation in Iran remain very high
  - B. whereas Iran continues to frequently apply the death penalty;
  - C. Whereas the Iranian Ministry of Intelligence and other intelligence forces in Iran have unleashed a severe clampdown against civil society workers and human rights defenders, arresting lawyers, environmental activists, women rights defenders and peaceful activists against compulsory hijab laws;
  - D. Whereas Nasrin Sotoudeh, a prominent Iranian human rights lawyer and recipient of the 2012 European Parliament Sakharov Prize for Freedom of Thought, was arrested in her home in Tehran in June 2018 and jailed in Evin Prison, Tehran;
  - E. Whereas Nasrin Sotoudeh is currently serving a five-year prison sentence, after grossly unfair court proceedings, on the charge of “assisting in hiding spies with the intent to harm national security”; whereas the court verdict also includes the notion that Nasrin Sotoudeh “had been given €50,000 for the Sakharov Prize so that she could sustain her activities against national security and for the overthrow of the state”;
  - F. whereas after months of detention, without legal assistance by a lawyer of her choosing, Nasrin Sotoudeh has now been convicted on a range of national security charges in a second trial; whereas Nasrin Sotoudeh reportedly faces a potential 34-year prison sentence and 148 lashes;
  - G. Whereas the relentless prosecution of Nasrin Sotoudeh is largely in connection with her work as a lawyer defending women who have been peacefully protesting Iran’s compulsory hijab law by removing it in public;
  - H. Whereas Reza Khandan, the husband of Nasrin Sotoudeh, was detained in connection with his support of women who have peacefully campaigned against forced hijab and for peacefully campaigning on behalf of his wife’s release from prison; whereas he was released on bail from Evin prison in December 2018; whereas in January 2019, the Revolutionary Court in Tehran sentenced him to six years in prison;
  - I. Whereas Farhad Meysami, a human rights defender campaigning for women’s rights, has been in detention since 31 July 2018; whereas Farhad Meysami, a medical doctor by profession, has been on hunger strike since 1 August and his health has deteriorated drastically; whereas the Revolutionary Court in Tehran sentenced him to a total of six years in prison;

- J. Whereas Narges Mohammadi, who advocated for the abolition of the death penalty in Iran, is now serving a 16-year prison sentence on national security-related charges for her peaceful human rights work;
- K. Whereas Narges Mohammadi and British-Iranian journalist Nazanin Zaghari-Ratcliffe announced a three-day hunger strike on 14 January 2019 to protest the Iranian authorities' repeated denial of medical care, to which Iranian authorities responded with preventing them from regular telephone calls with their families; Whereas deliberately denying medical care to political prisoners in Iran occurs frequently;
- L. Whereas Arash Sadeghi has been sentenced to a total of 19 years in prison on national security-related charges based entirely on his human rights work, including communicating with Amnesty International and members of the European Parliament; Whereas Arash Sadeghi life is at risk and requires urgent medical care;
- M. whereas Kavous Seyed Emami, an Iranian-Canadian university professor who was arrested with other conservationists, died under suspicious circumstances in custody on February 10, and judicial authorities have failed to conduct a transparent and independent investigation into his death, as well as into allegations of torture of other detainees;
- N. Whereas eight conservationists, Taher Ghadirian, Niloufar Bayani, Amirhossein Khaleghi, Houman Jokar, Sam Rajabi, Sepideh Kashani, Abdolreza Kouhpayeh and Morad Tahbaz, who is also a British national, have been detained since January 2018 with no access to a lawyer and without evidence brought against them, in a grossly unfair trial with confessions allegedly made under torture; whereas four of the conservationists are charged with "corruption on earth" that could even carry the death penalty and the other four face up to 10 or 11 years in prison on charges of espionage and co-operating with hostile states against the Islamic Republic;
- O. Whereas at least eight journalists are currently in detention in Iran, and Iranian journalists abroad, in particular staff members of BBC Persian and their families, are often harassed by Iranian judiciary;
- P. whereas the continuing practice of arrests of EU-Iranian dual citizens is followed by prolonged solitary confinement and interrogations, lack of due process, and long prison sentences based on vague or unspecified 'national security' and 'espionage' charges, as well as state-sponsored smear campaigns against the imprisoned individuals;
- Q. whereas the Iranian judiciary continues to clamp down on peaceful acts of resistance by women's rights defenders protesting compulsory hijab; whereas at hundred women's rights defenders were arrested or remained in detention in Iran during 2018 according to human rights organisations;
- R. Whereas on 7 March 2019, Ebrahim Raisi was appointed as Iran's new chief of judiciary;

- S. Whereas freedom of the press, both online and offline, freedom of association and freedom of thought are repressed in Iran;
- T. whereas the Iranian judiciary censors freedom of speech online as they continue to block or restrict access to social media and communication platforms, news websites and jam satellite channels;
- U. whereas numerous journalists and human rights defenders are subject to online surveillance, harassment, phishing attempts as well as deliberately targeted actions by hackers;
- V. Whereas the judiciary system of Iran continues to criminalise legitimate human rights activism; whereas the judiciary has used article 48 of Iran Criminal procedure law to further restrict the access of conservationists and several human rights defenders' access to a lawyer of their own choice;
- W. 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;
1. Regards the recent conviction of Nasrin Sotoudeh on unspecified national security crimes and reports of a potential 34-year prison sentence and 148 lashes as a grave miscarriage of justice; regrets that the verdict will again be the result of a grossly unfair trial that took place in her and her lawyer's absence; Calls on the Iranian authorities to immediately and unconditionally release Nasrin Sotoudeh;
  2. 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 defenders imprisoned solely for peacefully exercising their rights to freedom of expression, association and assembly, including women's rights defenders protesting compulsory hijab; urges the judiciary system of Iran to respect due process and fair trial and disclose information on the charges against all human rights defenders;
  3. Calls on the Iranian judiciary to allow for a transparent and independent investigation into Kavous Seyed Emami's death in custody as well as the allegations of torture and mistreatment of other conservationists in detention;
  4. Calls on the Iranian authorities to immediately and unconditionally release environmental activists Taher Ghadirian, Niloufar Bayani, Amirhossein Khaleghi, Houman Jokar, Sam Rajabi, Sepideh Kashani, Abdolreza Kouhpayeh and Morad Tahbaz, and pending their release guarantee a fair and transparent trial with access to a lawyer of their choice;
  5. Calls for the immediate and unconditional release of at least eight journalists in detention and expresses concern over the lengthy prison sentences given to journalists for legitimate reporting;

6. Urges Iranian authorities to end the harassment of journalists abroad, in particular staff members of BBC Persian and their families; expresses concern that dozens of BBC Persian staff are unable to return to their home country, with Iranian judiciary blocking financial transfers as well as seizing their domestic assets;
7. Condemns the continuing practice of imprisonment of EU-Iranian dual nationals by the Iranian judiciary following unfair trials; calls for their immediate and unconditional release, or for them to be retried in accordance with international standards, and for the officials responsible for the violations of their rights to be held accountable;
8. Calls on the Iranian judiciary to cease online censorship, including by blocking Telegram, continuing to restrict access to Facebook, Instagram and Twitter, jamming satellite channels and blocking news websites;
9. Calls on the Iranian judiciary to stop the surveillance of journalists in the country, including harassing journalists and conducting phishing attempts on social media by Iranian security and intelligence, as well as deliberate targeting of journalists and their family members by hackers;
10. Calls on the Iranian Parliament to amend article 48 of Iran's criminal procedure law to ensure all detainees have access to a lawyer of their own choice upon arrest and during the entire judicial process, and to eliminate all other restrictions to the right to fair trial;
11. Urges the Iranian judiciary to ensure the safety and well-being of all detainees while in detention, including adequate medical care access; condemns the practice of deliberately denying medical care to political prisoners;
12. Demands the Iranian judiciary to allow unconstrained access to lawyers by all detainees; deplores the systematic torture in Iranian prisons and calls for an immediate cease of all forms of torture and ill-treatment of all detainees;
13. Strongly condemns the use of the death penalty, including its use against juvenile offenders, and calls on the Iranian authorities to introduce an immediate moratorium as a first and fundamental step towards its abolishing;
14. Demands the Iranian judiciary 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 organizations;
15. Calls on all Iranian authorities, including the judiciary, to fully respect the universal human rights of all people, in particular the rights to free expression online and offline;

16. Urges the Iranian authorities, as a state party to the International Covenant on Civil and Political Rights, to respect freedom of thought, conscience and religion as well as freedom of expression, association and peaceful assembly in line with its obligations;
17. 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;
18. Takes note of the appointment of Ebrahim Raisi as the new chief of Iran's judiciary, who is known for his involvement in multiple human rights violations, including mass executions;
19. 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 and to publicly reaffirm that respect for human rights is a core component in the development of EU-Iran relations;
20. Urges the VP/HR, the EEAS and Member States to publicly call for the release of all human rights defenders imprisoned solely for their rights to freedom of expression, association and assembly, which includes by raising the names of Nasrin Sotoudeh, Farhad Meysami, Narges Mohammadi, Arash Sadeghi, Reza Khandan and the eight environmental activists detained; stresses that pending their release, said EU officials should call on the Iranian authorities to guarantee their safety and wellbeing and to pursue full investigations into reports of torture;
21. Urges all Member States with a diplomatic presence in Tehran to use the mechanisms envisaged in the EU Guidelines on Human Rights Defenders to support and protect these individuals, including by public statements, diplomatic démarches, monitoring trials and prison visits;
22. Urges the VP/HR and EEAS to take further steps aimed at establishing a formal human rights dialogue with Iran;
23. 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;