



Plenary sitting

B8-0191/2019

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))

Elena Valenciano, Victor Boștinăru, Soraya Post, Knut Fleckenstein
on behalf of the S&D 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 on the case of Nasrin Sotoudeh of December 2018, on the imprisoned EU-Iranian dual nationals in Iran of May 2018, on the EU strategy towards Iran of April 2014 and on death penalty of October 2015 and to its report on the EU strategy towards Iran after the nuclear agreement of 24 October 2016;
 - having regard to the EU Guidelines on the Death Penalty, on Torture and on Freedom of Expression;
 - having regard to the EU Guidelines on Human Rights Defenders;
 - having regard to the Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran from September 2018;
 - having regard to the Statement by UN human rights experts “Iran must protect women’s rights advocates”, of 29 November 2018
 - having regard to the Universal Declaration of Human Rights;
 - having regard to the International Covenant on Civil and Political Rights;
 - having regard to Rule 135 of its Rules of Procedure.
- A. 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 with no access to a lawyer since January 2018 for over a year on accusation of spying, with no evidence, and four of them are charged with “corruption on earth” that could even carry the death penalty; whereas their trials that opened on January 30 have fallen short of fair trial standards; 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 authorities have failed to conduct transparent investigation into his death and allegations of torture of other detainees;
- B. 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;

- C. whereas the human rights lawyer Nasrin Sotoudeh was tried in absentia on 30 December 2019; whereas she is facing charges of “national security” crimes which could result in her sentencing to decades in prison; whereas the trial lacked basic international standards of due process; whereas the real reason of her imprisonment seems to be her peaceful defense of human rights in Iran, including a woman’s right to choose whether to wear a hijab; whereas Nasrin Sotoudeh was awarded the 2012 Sakharov prize for Freedom of Thought by the European Parliament in recognition of her outstanding work in the defence of human rights;
- D. Whereas Mrs.Sotoudeh’s husband Reza Khandan was sentenced to six years in prison in January 2019 for posting updates about his wife’s case on social media;
- E. Whereas UN human rights experts have called on Iran to guarantee the rights of human rights defenders and lawyers who have been jailed for publicly supporting protests against the mandatory wearing of the hijab in Iran;
- F. Whereas there are numerous reports regarding the inhuman and degrading conditions in prisons and the lack of adequate access to medical care during detention with the aim of intimidating, punishing, or coercing detainees, in contravention of the United Nations Standard Minimum Rules for the Treatment of Prisoners; whereas according to civil society reports detainees held by the Ministry of Intelligence and the Revolutionary Guards were routinely subjected to prolonged solitary confinement amounting to torture;
- G. Whereas serious concerns remain over the politicisation of judges, particularly those presiding over Revolutionary Courts; whereas judicial harassment is being used to silence human rights defenders;
- H. Whereas the EU has adopted restrictive measures related to violations of human rights, including asset freeze and visa bans for individuals and entities responsible for grave human rights violations and ban on exports to Iran of equipment which might be used for internal repression and of equipment for monitoring telecommunications; whereas these measures are regularly updated and remain in place; whereas the last update, from 12 April 2018, extended them until 13 April 2019;
1. Calls on the Iranian authorities to immediately and unconditionally release all the human rights defenders, including Nasrin Sotoudeh, Reza Khandan, and fellow women’s rights activist Farhad Meysami, and prisoners of conscience detained and sentenced for merely expressing their right to freedom of expression and peaceful assembly; stresses that that Iranian authorities must in all circumstances ensure that human rights defenders are able to carry out their human rights work free of threats, intimidation, and impediment;
2. Calls on the Iranian authorities to immediately release environmental activists Taher Ghadirian, Niloufar Bayani, Amirhossein Khaleghi, Houman Jokar, Sam Rajabi, Sepideh Kashani, Abdolreza Kouhpayeh and Morad Tahbaz, unless pending their release guarantee a fair and transparent trial with access to a lawyer of their choice;

further calls on the Iranian government to allow for independent and transparent investigation into Kavous Seyed Emami's death in custody as well as the allegations of torture and mistreatment of other conservationists in detention;

3. Calls on the Iranian parliament to amend article 48 of country'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;
4. Calls on the Iranian authorities to ensure detained human rights defenders' access to professional medical care they need inside or outside prison without undue delay;
5. Urges the Iranian authorities to ensure the full implementation of the International Covenant on Civil and Political Rights, of which Iran is party;
6. Insists that Iranian authorities must guarantee the safety and well-being of all detainees while in detention, including adequate medical care to human rights defenders; calls on the Iranian authorities to investigate all allegations of ill-treatment in detention and bring perpetrators to justice; calls for an independent investigation into the death in custody of Seyed Emami;
7. Welcomes the amendments to the drug-trafficking law, which reduced the imposition of capital punishments; calls on the Iranian authorities to introduce an immediate moratorium on the use of the death penalty as a step towards abolition; calls for a review of all death sentences to ensure that these trials adhered to international standards;
8. Calls on the EU Member States and the EU institutions to keep raising systematically the case of the arrested human rights defenders in their contacts with their Iranian counterparts;
9. Calls on EU Member States with diplomatic missions on the ground to fully implement the EU Guidelines on Human Rights Defenders and to provide all appropriate support to human rights defenders detained, including prison visits, trial monitoring and the provision of legal or any other form of assistance that he might require;
10. Insists once again on the importance of an expeditious establishment of an EU Delegation in Tehran, which would inter alia strengthen the EU capacity to monitor the human rights situation on the ground and engage with the Iranian counterparts;
11. Calls on the EU and its Member States to increase their protection and support for human rights defenders in Iran, including through emergency grants under the European Instrument for Democracy and Human Rights;
12. Calls on the EEAS to continue including human rights, particularly the situation of human rights defenders, in the context of the EU-Iran High Level Dialogue;

13. Calls on the Iranian authorities to extend a standing invitation to the visit of all Special Procedures of the UN Human Rights Council and to cooperate in a proactive manner, urges them to ensure particularly that the UN Special Rapporteur on the situation of human rights in Iran is allowed to enter the country;
14. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the Islamic Consultative Assembly, the Government of the Islamic Republic of Iran, and the Office of the Supreme Leader of the Islamic Republic of Iran;