



TEXTS ADOPTED

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Iran, notably the case of Nasrin Sotoudeh

European Parliament resolution of 13 December 2018 on Iran, notably the case of Nasrin Sotoudeh (2018/2967(RSP))

The European Parliament,

- having regard to its previous resolutions on Iran,
 - having regard to the statement on Iran of 29 November 2018 by the Special Rapporteur on the situation of human rights defenders, the Special Rapporteur on the independence of judges and lawyers, the Chair-Rapporteur of the Working Group on Arbitrary Detention, the Chair of the Working Group on the issue of discrimination against women in law and in practice and the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran,
 - having regard to the EU Guidelines on the Death Penalty, on Torture and Other Cruel Treatment, on Freedom of Expression Online and Offline and on Human Rights Defenders,
 - having regard to the report of 27 September 2018 of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran,
 - having regard to the awarding of the Sakharov Prize for Freedom of Thought and Expression to Nasrin Sotoudeh in 2012,
 - having regard to the Universal Declaration of Human Rights of 1948,
 - having regard to the International Covenant on Civil and Political Rights of 1966 and the International Covenant on Economic, Social and Cultural Rights of 1966, to which Iran is a party,
 - having regard to the Iranian President's Charter on Citizens' Rights,
 - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas Nasrin Sotoudeh, a prominent Iranian human rights lawyer, was arrested on 13 June 2018 after she represented a woman facing imprisonment for peacefully protesting

against Iran's compulsory hijab law by removing it in public; whereas Nasrin Sotoudeh has been in the women's ward of Evin Prison since her arrest and started her third hunger strike on 26 November 2018 to protest against the Iranian authorities' refusal to allow Farhad Meysami to receive hospital treatment;

- B. whereas Nasrin Sotoudeh was informed that she had been detained as the result of a five-year prison sentence that was issued against her in absentia in 2015 by a Revolutionary Court judge; whereas she was charged with 'espionage in hiding';
- C. whereas Nasrin Sotoudeh received the Sakharov Prize for Freedom of Thought in 2012 in absentia for her work and commitment to human rights; whereas Nasrin Sotoudeh has campaigned long and tirelessly for human rights in Iran, and has already spent several years in prison for her efforts; whereas her prosecution and the charges brought against her demonstrate the grave extent to which the Iranian judiciary is criminalising human rights activism;
- D. whereas Nasrin Sotoudeh has on several occasions spoken publicly about rule of law deficiencies in Iran and inadequacies in its justice system; whereas the arrest of Nasrin Sotoudeh is part of an intensified crackdown against women's rights defenders in Iran; whereas women's rights defenders who have actively campaigned to enhance women's empowerment and rights have suffered harassment, arbitrary arrests and detention, and their rights to a fair trial and due process have been violated;
- E. whereas in September 2018, her husband, Reza Khandan, was arrested while peacefully demonstrating for the release of Nasrin Sotoudeh, and accused of 'spreading propaganda against the system' and of 'promoting the practice of appearing in public without a veil' among other charges;
- F. whereas in Iran, civil society protests against poverty, inflation, corruption and political authoritarianism have been on the increase and have been met by the Iranian authorities with severe repression; whereas the Iranian intelligence service has intensified its crackdown on civil society workers and human rights defenders, lawyers, environmental activists, women's rights defenders, students, teachers, truck drivers and peaceful activists; whereas in 2018, the Iranian authorities stepped up their repression of those seeking to peacefully exercise the rights to freedom of expression, association and peaceful assembly and jailed hundreds of people on broad and vaguely worded national security charges;
- G. 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;
- H. whereas the Special Rapporteur on the situation of human rights in Iran has reiterated the grave concerns previously expressed by the Secretary-General of the United Nations, the UN High Commissioner for Human Rights, and his predecessor with respect to the continuing executions of juvenile offenders in Iran;
- I. whereas substantial violations of the rights of religious and ethnic minorities in Iran have been described in the reports of the Special Rapporteur on the situation of human rights in Iran and the Secretary-General of the United Nations, including allegations of discrimination against religious minorities, including Christians and Baha'i;

- J. whereas Iranian courts fall short in providing due process and fair trials, with denial of access to legal counsel, particularly during the investigation period, and denial of consular, UN or humanitarian organisation visits; whereas sentences by the Iranian judiciary are often based on vague or unspecified national security and espionage charges;
- K. whereas there have been 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 UN Standard Minimum Rules for the Treatment of Prisoners;
- L. whereas on 12 April 2018, the Council extended until 13 April 2019 its restrictive measures responding to serious human rights violations in Iran, including asset freeze and visa bans for individuals and entities responsible for grave human rights violations and a ban on exports to Iran of equipment which might be used for internal repression and of equipment for monitoring telecommunications;
- M. whereas the EU and Iran held the fourth meeting of the High Level Political Dialogue on 26 November 2018 in Brussels; whereas discussions on human rights were held as an integral part of the EU-Iran political dialogue and as a continuation of regular exchanges held in November 2017 and in February 2016;
- N. whereas the actual implementation of the Charter on Citizens' Rights would be a step towards improving the civil rights of the Iranian people;
1. Calls on the Government of Iran to immediately and unconditionally release Nasrin Sotoudeh; commends Nasrin Sotoudeh for her courage and commitment; urges the judiciary system of Iran to respect due process and fair trial and disclose information on the charges against Nasrin Sotoudeh;
 2. Calls on the Iranian authorities to ensure that the treatment of Nasrin Sotoudeh while in detention adheres to the conditions set out in the 'Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment', adopted by UN General Assembly resolution 43/173 of 9 December 1988; stresses that the Iranian authorities must guarantee the safety and well-being of all detainees while in detention, including through the provision of adequate medical care; calls on the Iranian authorities to investigate all allegations of ill-treatment in detention and bring the perpetrators to justice; condemns the systematic torture carried out in Iranian prisons and calls for all forms of torture and ill-treatment of all prisoners to be brought to an immediate end; calls on Iran to ensure, in law and in practice, that no one is subjected to torture or other cruel, inhuman or degrading treatment or punishment;
 3. Calls on the Government of Iran to respect human rights and fundamental freedoms, including of opinion and expression; calls for the release of all those arrested for the peaceful exercise of the rights to freedom of assembly, opinion and expression, including Reza Khandan, as well as other human rights defenders, environmental activists, trade unionists, women's rights campaigners and prisoners of conscience; calls on the Iranian authorities to fully respect the universal human rights of all people, in particular the rights to freedom of expression online and offline; calls on the Iranian authorities to respect and protect the rights of peaceful assembly, and refrain from the use of violent force in dispersing non peaceful assemblies;

4. Expresses its sympathy for and solidarity with the campaign against the country's mandatory dress code; condemns the detention of women who removed their head scarves as part of the campaign, and calls for their immediate and unconditional release;
5. Expresses its solidarity with Iranians demonstrating to improve their social and economic situation and pursuing social and economic rights;
6. Expresses grave concern over the arrests of EU-Iranian dual nationals upon entry to Iran; stresses that these arrests hinder opportunities for people-to-people contacts, and calls on the Iranian authorities to allow all Iranians to safely travel to their country of birth;
7. Calls on the Iranian authorities to ensure the right of all defendants to a legal counsel of their choice in all court cases without undue limitations, and to a fair trial, in line with Iran's international commitments under the International Covenant on Civil and Political Rights; calls on the Iranian Government to ensure the due process rights of all citizens detained in Iran and to grant them a fair trial;
8. Calls on the Iranian authorities to guarantee religious freedom in accordance with the Iranian Constitution and its international commitments, and to stop discrimination against religious minorities as well as non-believers; condemns the systematic persecution of the Baha'i minority; calls, furthermore, on the Iranian authorities to ensure that all those who reside in the country have equal protection before the law, regardless of ethnicity, religion or belief;
9. Calls on the Iranian authorities to guarantee in all circumstances that all human rights defenders in Iran are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions, including the deprivation of liberty, intimidation and judicial harassment; calls on the Iranian authorities to halt all acts of intimidation and reprisals against human rights defenders, including for communicating with EU and UN officials and independent human rights organisations;
10. Calls on the European External Action Service (EEAS) and the Commission to step up their efforts in support of Sakharov prize laureates at risk, including Nasrin Sotoudeh and others who have either been arrested or convicted or who are facing the death penalty or manifestly unfair trials in third countries;
11. 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 Nasrin Sotoudeh and other human rights defenders, including prison visits, trial monitoring and the provision of legal or any other form of assistance that they might require;
12. 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 on the use of the death penalty as a step towards its abolition; notes the amendments to the drug-trafficking law, which should reduce the imposition of capital punishment;
13. Reiterates its call on Iran to deepen its engagement with international human rights mechanisms by cooperating with the Special Rapporteurs and special mechanisms, including by approving requests for access to the country by mandate holders; stresses

the need for closer engagement with the Human Rights Council;

14. Calls for the EU, including the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, and the Member States to systematically raise human rights concerns in public and in private with the Iranian authorities in bilateral and multilateral fora, including on the situation of political prisoners and human rights defenders and on freedom of expression and association, as an essential condition for making further progress in economic and political relations; expresses its support for discussions on human rights; emphasises, however, the necessity of a formal EU-Iran human rights dialogue based on universal human rights;
15. 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 governments and parliaments of the Member States, the Secretary-General of the United Nations and the Government and Parliament of Iran.