



TEXTS ADOPTED

Provisional edition

P8_TA-PROV(2018)0231

Situation of imprisoned EU-Iranian dual nationals in Iran

European Parliament resolution of 31 May 2018 on the situation of imprisoned EU-Iranian dual nationals in Iran (2018/2717(RSP))

The European Parliament,

- having regard to its previous resolutions on Iran, in particular those of 25 October 2016 on the EU strategy towards Iran after the nuclear agreement¹, of 3 April 2014 on the EU strategy towards Iran², of 17 November 2011 on Iran – recent cases of human rights violations³, and of 10 March 2011 on the EU’s approach towards Iran⁴,
- having regard to its previous resolutions on the EU Annual Reports on Human Rights,
- 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 2018⁵, 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 Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (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 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

¹ Texts adopted, P8_TA(2016)0402.

² OJ C 408, 30.11.2017, p. 39.

³ OJ C 153 E, 31.5.2013, p. 157.

⁴ OJ C 199 E, 7.7.2012, p. 163.

⁵ OJ L 95, 13.4.2018, p. 14.

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 Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas there are several EU-Iranian dual nationals detained in Iranian prisons, including Mr Ahmadreza Djalali, a Swedish-Iranian researcher who has been accused of spying and sentenced to death following an unfair trial, with no access to a lawyer or to the necessary medical care, while under imminent threat of execution and in poor health;
- B. whereas Mr Kamran Ghaderi, an Austrian-Iranian citizen, was on a business trip to Iran when he was arrested and sentenced to 10 years in prison after the prosecution used a coerced confession; whereas also currently detained in Iran is Mrs Nazanin Zaghari-Ratcliffe, a British-Iranian who worked for a charitable organisation and has been diagnosed with advanced depression; whereas Mr Abbas Edalat, a British-Iranian academic, was arrested in April 2018 and the charges against him have not been communicated yet;
- C. whereas the continuing practice of arrests of EU-Iranian dual citizens is followed by a pattern of prolonged solitary confinement and interrogations, lack of due process, denial of consular access or visits by the UN or humanitarian organisations, secretive trials in which the detainee is given limited access to counsel, long prison sentences based on vague or unspecified ‘national security’ and ‘espionage’ charges, and state-sponsored smear campaigns against the imprisoned individuals;
- D. whereas Iran, as a state party to the International Covenant on Civil and Political Rights (ICCPR), should respect freedom of thought, conscience and religion, as well as freedom of expression, association and peaceful assembly, in line with its obligations;
- E. whereas Iran continues to imprison and has recently stepped up its arrests of civil society activists, human rights defenders, environmental activists and political activists; whereas human rights defenders, journalists and political activists are being actively prosecuted for their peaceful actions;
- F. whereas dual nationals detained in Iran have not always been given access to a lawyer and a fair trial; whereas in practice Iran treats dual nationals as Iranians only, which limits the access of foreign embassies to their citizens detained in the country, and the access of the detainees to consular protection;
- G. whereas several political prisoners and individuals charged with national security crimes have suffered from a lack of adequate access to medical care during detention, with serious consequences;
1. Condemns the continuing practice of imprisonment of EU-Iranian dual nationals by the Iranian authorities 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;

2. Expresses grave concern about the arrests, without prima facie evidence of having committed a crime, of EU-Iranian dual nationals upon their entry into Iran; stresses that these arrests hinder the possibilities of people-to-people contacts;
3. Deplores the fact that EU-Iranian dual citizens are detained in Iran's prisons in poor conditions, and that they are often forced to make confessions following torture and inhumane treatment;
4. Calls on the Iranian authorities to guarantee Mr Djalali full access to his lawyer and to any medical treatment should he so request; urges the Iranian authorities to annul his death sentence and to immediately release him, as requested by the international community;
5. Calls on the Iranian authorities to ensure the retrial of Kamran Ghaderi, in order to guarantee that his right to a fair trial is respected, to immediately release Nazanin Zaghari-Ratcliffe, who is already eligible for early release, and to urgently make known the charges against Abbas Edalat;
6. Calls on the Iranian authorities to respect the fundamental right of the defendants to access a lawyer of their choice and the right to a fair trial, given Iran's international obligations as stipulated in the Universal Declaration of Human Rights;
7. Condemns, following credible reports, the acts of torture and other cruel treatment carried out, particularly during interrogations, and calls on the Iranian authorities to respect the human dignity of the prisoners; deplores the cruel and inhumane conditions of detention and calls on Iran to ensure that all the prisoners receive adequate medical care;
8. Calls on the judiciary to respect the principles of fair trial and due process and to grant suspects access to legal counsel, consular visits and visits by the UN and humanitarian organisations, as well as full access to medical treatment and healthcare services in accordance with Iran's international obligations; calls on Iran to take the necessary steps with a view to revision of the law in order to ensure fair trials and access to a lawyer during the investigative phases and to put an end to forced confessions made as a result of torture;
9. Calls on the European External Action Service and the Commission to establish an internal task force in support of EU nationals who are facing the death penalty or manifestly unfair trials in third countries, in order to enhance the support available from their national consular or diplomatic services;
10. Calls on the Iranian authorities to cooperate with the embassies of EU Member States in Tehran in order to establish a list of EU-Iranian dual nationals currently detained in Iranian prisons, and to closely monitor each individual case, given that citizens' security and protection of their fundamental rights are of the highest importance for the EU;
11. Calls for the release of all human rights defenders imprisoned in Iran and for all acts of intimidation against them to be stopped;
12. Welcomes raising significantly the bar for convictions of drug-related crimes punishable by death as a first step towards implementing a moratorium on the death penalty in Iran;

13. Calls 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; urges the Iranian authorities to ensure in particular that the future UN Special Rapporteur on the situation of human rights in Iran is allowed to enter the country;
14. Supports the 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; stresses that the EU should remain determined to continue raising its human rights concerns with Iran both bilaterally and in multilateral forums;
15. Reiterates the engagement of Iran in a human rights dialogue and welcomes the openness on the part of the Iranian authorities to pursuing this dialogue;
16. Calls on the VP/HR to raise the issues of prison conditions and violations of human rights with the authorities, and particularly the cases of the EU-Iranian dual nationals imprisoned in Iran, in order to put an end to cruel and inhumane treatment in Iranian prisons; calls on the VP/HR and the Member States to systematically raise human rights concerns with the Iranian authorities, including the situation of political prisoners and human rights defenders and freedom of expression and association;
17. 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.