



Plenary sitting

B8-0255/2018

29.5.2018

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 the situation of imprisoned EU-Iranian dual nationals in Iran
(2018/2717(RSP))

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

The European Parliament,

- having regard to its report on the EU strategy towards Iran after the nuclear agreement of 24 October 2016 and to its previous resolutions, notably on the EU strategy towards Iran of April 2014 and on death penalty of October 2015;

- having regard to the EU Guidelines on the Death Penalty, on Torture and on Freedom of Expression;

- having regard to the Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran from March 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 at least four EU-Iranian dual nationals are currently imprisoned in Iran: Nazanin Zaghari-Ratcliffe, Ahmadreza Djalali, Kamran Ghaderi and Abbas Edalat;

B. whereas Iran does not recognise dual nationals, whose rights to consular assistance are enshrined in the UN Vienna Convention;

C. whereas the case of Nazanin Zaghari is particularly worrying, since she has been diagnosed with advanced depression; whereas the remarks made by UK Foreign Secretary only worsened the situation when he declared that Ms. Zaghari had been training Iranian journalists, putting her in great risk;

D. whereas Ahmadreza Djalali was arrested while attending a conference in Tehran and sentenced to death on a charge of corruption in 2018; whereas his trial has been described as “grossly unfair” by civil society organisations;

E. whereas Kamran Ghaderi was on a business trip to Iran when he was arrested and condemned to a 10-year prison sentence after the prosecution used coerced confession;

F. whereas Abbas Edalat, a professor and anti-war activist, was arrested in April 2018 and the charges against him have not been communicated yet;

G. whereas dual Dutch-Iranian national Zahra Bahrami was arrested for participating in a peaceful political protest, then retrospectively charged with drug trafficking and executed in

2011 for being a member of an “international narcotics transit gang”;

H. whereas the arrest of EU-Iranian dual nationals is part of a broader worrying picture of violations of due process and the right to a fair trial; arbitrary arrests and detentions; continuing executions, including of juvenile offenders; new restrictions placed upon freedom of expression, association and peaceful assembly and access to information; conditions of detention; the denial of adequate medical care; torture and other ill-treatment in detention, in particular to coerce confessions; and discrimination against women;

I. 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;

J. whereas in the past months there has been a heavy crack down on the rights to freedom of expression, association and peaceful assembly, including jailing of peaceful critics on spurious national security charges; whereas the Government reportedly closed seven million web addresses, including Facebook, Twitter, Instagram, and the websites of human rights and political opposition groups; whereas in December 2017 President Rouhani stated "We need a secure communication atmosphere for people, not a suppressive one in which people's rights are violated";

K. whereas there are no independent mechanisms for ensuring accountability within the judiciary, and serious concerns remain over the politicisation of judges, particularly those presiding over Revolutionary Courts;

L. 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;

M. whereas the UN Special Rapporteur on the situation of human rights in Iran recalled the importance of the JCPOA, stressing that “peace, development, and human rights are deeply interlinked” and that “any imposition of economic sanctions combined with reduced dialogue and international cooperation will ultimately undermine the full enjoyment of civil, social, and economic rights in the country”

1. Expresses its serious concern at the situation of several imprisoned EU-Iranian dual nationals and calls on the Iranian authorities to ensure the full respect of their rights under international law, notably the right to a fair trial, which includes the right to have access to a lawyer of choice and the right to be heard by a competent, independent and impartial tribunal,

2. Urges Iranian authorities to address the cases of arbitrary detention of EU-Iranian dual nationals, and to ensure their right to consular access, access to medical health and respect for their dignity;

3. Calls on the Iranian authorities to ensure the retrial of Ahmadreza Djalali and of Kamran Ghaderi, in order to guarantee that their right to a fair trial is respected, to immediately release Nazanin Zaghari, who is already eligible for early release, and to urgently communicate the charges that Abbas Edalat is accused of;

4. Deeply deplores the crack down on the rights to freedom of expression, association and peaceful assembly, urges the Iranian authorities to ensure the full implementation of the Iranian Charter of Citizens' Rights and of the International Covenant on Civil and Political Rights, of which it is party;

5. Calls for the immediate and unconditional release of all persons detained and sentenced solely for exercising their right to freedom of expression and peaceful assembly;

6. Recalls its condemnation of the execution of Zahra Bahrami, a Dutch-Iranian national, on drug-related charges, which her family claims were fabricated, and after a reportedly unfair trial; in this regard, welcomes the much-awaited amendments to the drug-trafficking law, which will reduce the imposition of capital punishments, but stresses that this is insufficient; 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;

7. Calls on the European External Action Service and the European 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;

8. Calls on the Commission and the Member States to reaffirm the categorical principle that European aid and assistance, including to UNODC counter-narcotics programmes, may not facilitate law enforcement operations that lead to death sentences and the execution of those arrested;

9. 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;

10. 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;

11. Firmly supports the commitment to continuing the full implementation of the JCPOA in all its parts as a pre-condition to peace and the continuation of a policy of engagement with the country that has the chance to facilitate deeper dialogue and progress on human rights issues; in this regard, 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 situation on the ground and engage with its Iranian counterparts, as well as local civil society;

12. 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;