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*Plenary sitting*

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**B8-0564/2018**

11.12.2018

## **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 Iran, notably the case of Nasrin Sotoudeh  
(2018/2967(RSP))

**Cornelia Ernst, Sofia Sakorafa, Marie-Christine Vergiat, Malin Björk,  
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on behalf of the GUE/NGL Group

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

*The European Parliament,*

- having regard to its previous resolutions on Iran, in particular European Parliament resolution of 25 October 2016 on the EU strategy towards Iran after the nuclear agreement (2015/2274(INI));
- having regard to the Universal Declaration of Human Rights of 1948,
- having regard to the 1966 International Covenant on Civil and Political Rights and the 1966 International Covenant on Economic, Social and Cultural Rights (ICESCR), to which Iran is a party,
- having regard UN Security Council Resolution 2231
- having regard to Rule 135 of its Rules of Procedure,

**The case of the Sakharov price winner Nasrin Sotoudeh and other human rights defenders**

- A. Whereas the prominent human rights lawyer and Sakharov price winner Nasrin Sotoudeh was arrested on 13 June 2018 and faces several national security related charges, largely in connection with her work as a lawyer defending women who have been prosecuted for peacefully protesting against forced hijab; whereas it has been reported that Nasrin Sotoudeh is also accused of receiving a cash prize from the European Parliament after she was jointly awarded (along with Iranian filmmaker Jafar Panahi) the EU Parliament's Sakharov Prize for Freedom of Thought for peacefully advocating human rights in Iran in 2012; whereas Nasrin Sotoudeh's husband Reza Khandan has been 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.
- B. Whereas Nasrin Satoudeh started a hunger strike on 26 November 2018 in protest at the Iranian authorities' refusal to allow Farhad Meysami to receive specialist medical treatment in a hospital outside prison;
- C. whereas Farhad Meysami, a human rights defender campaigning for women's rights, has been in detention since his arrest on 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;

- D. whereas Narges Mohammadi, has been advocating for the abolition of the death penalty in Iran and is now serving a 16-year prison sentence on national security-related charges for her peaceful human rights work.
- E. 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 the Iranian authorities have repeatedly intentionally impeded his access to potentially life-saving medical care and subjected him to torture by deliberately depriving him of the specialist medical care he needs;
- F. whereas on 27 August a Revolutionary Court in Tehran sentenced spiritual teacher Mohammad Ali Taheri to death for “spreading corruption on earth” for establishing the spiritual group Erfan-e Halgheh. He has been held in solitary confinement for almost 8 years;

### **Human rights situation in Iran in 2018**

- G. Whereas the human rights situation in Iran has seriously deteriorated in 2018; whereas in the wake of the wave of protests that erupted across the country since December 2017, the Iranian authorities have stepped up their repression of those seeking to peacefully exercise the rights to freedom of expression, association and peaceful assembly;
- H. Whereas there are numerous reports regarding the inhuman 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;
- I. Whereas the intensity and scope of the repression against human rights defenders has increased in 2018; whereas the Iranian authorities consistently impose lengthy prison sentences against human rights defenders accusing them of “spreading propaganda against the system”, “gathering and colluding to commit crimes against national security”, “founding a group with the purpose of disrupting national security”, “insulting the Supreme Leader” and “insulting Islamic sanctities”;
- J. Whereas protests against different aspects of the political, economic and social life continue: whereas truckers strike spreading to 75 cities in 25 provinces; whereas taxi drivers protest over low fares and high costs of maintains; whereas farmers strike for the second time this year in Isfahan central Iran over water; whereas Bazaar merchants in different towns protest against the economic uncertainty in the country and the currency's free fall; whereas industry workers walked out over job security and back pay; whereas University Students protest over mandatory dress codes; whereas nationwide teachers' strike went on for the second time this year over low pay and job security; whereas during these protests dozens of people have been killed and hundreds of people have been jailed on broad worded national security charges;

- K. Whereas Iranian authorities have increased targeting of teachers and labor activists in recent weeks for organizing and conducting peaceful protests; whereas the Council for Coordination among Teachers Unions organized a walkout involving dozens of teachers across Iran to protest their insufficient salaries due to high inflation and poor living conditions; whereas it was the second teacher-organized walkout since September 21, when Iran's public school year began;
- L. Whereas women and girls experience pervasive discrimination, in law and practice, and receive little or no protection against cruel, inhuman or degrading practices, including domestic violence, marital rape, and early and forced marriage;
- M. Whereas the Iranian law still retains the death penalty for a wide range of offences; whereas the penal code also continues to provide for stoning as a method of execution; whereas Iranian authorities have executed at least five people who were under the age of 18 at the time of the crime of which they were convicted; whereas according to Amnesty International, at least 85 others remain on death row and the real number could be much higher;

#### **Joint Comprehensive Plan of Action (JCPOA)**

- N. Whereas the Joint Comprehensive Plan of Action (JCPOA) with Iran which was endorsed by UN Security Council Resolution 2231, adopted on July 20, 2015, is a significant multilateral achievement on the path towards a stable and peaceful Middle East;
- O. Whereas President Trump's decision to withdraw from the JCPOA and impose severe sanctions, including secondary sanctions on European companies doing legitimate business with Iran, represents a clear violation of international law;
- P. Whereas the economic situation in Iran has been aggravated by the sanctions imposed by the US creating suffering for the civilian population;
- Q. 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";
- R. Whereas the EU and the Member States have reaffirmed their commitment to the JCPOA and have taken measures to protect legitimate European economic interests;

#### **Sakharov price winner Nasrin Satoudeh and other human rights defenders**

1. Urgently calls for the immediate and unconditional release of the Nasrin Sotodeh, Farhad Meysami, Narges Mohammadi, Arash Sadeghi, Reza Khandan, , Mohammad

Ali Taheri and all other human rights defenders imprisoned solely for peacefully exercising their rights to freedom of expression, association and assembly, including through their human rights work;

2. Calls on the Iranian authorities to ensure that Farhad Meysami, Narges Mohammadi and Arash Sadeghi are given immediate access to the specialized medical care they need in a medical facility outside prison, in compliance with international standards and medical ethics, including the principles of confidentiality, autonomy and informed consent;
3. 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 organizations;

### **General human rights situation**

4. Expresses its solidarity with the people who protest against the worsening economic and social situation which continues to aggravate as result of the US sanctions against Iran and all those who struggle for the improvement of the human rights situation in Iran in all aspects;
5. Urges the Islamic Republic of Iran to undertake more efforts to implement the pledges made by the President of the Islamic Republic of Iran with respect to human rights and to address the concerns by concrete action that results in demonstrable improvements for the Iranian people;
6. Urgently calls upon the Islamic Republic of Iran to create and maintain, in law and in practice, a safe and enabling environment in which an independent, diverse and pluralistic civil society can operate free from hindrance and insecurity;
7. Calls upon the Islamic Republic of Iran to launch a comprehensive accountability process in response to all cases of serious human rights violations, including those involving the Iranian judiciary and security agencies, and calls upon the Government of the Islamic Republic of Iran to end impunity for such violations
8. Urges the Islamic Republic of Iran to end widespread and serious restrictions on the right to freedom of expression, opinion, association and peaceful assembly, both online and offline, including by ending the harassment, intimidation and persecution of political opponents, human rights defenders, women's and minority rights activists, labour leaders, students' rights activists, academics, film-makers, journalists, bloggers, social media users and social media page administrators, media workers, artists, lawyers and persons belonging to recognized and unrecognized religious minorities and their families,
9. Calls upon the Islamic Republic of Iran to release persons arbitrarily detained for the legitimate exercise of these rights, to consider rescinding unduly harsh sentences, including the death penalty and long-term internal exile, for exercising such fundamental freedoms and to end reprisals against individuals, including for cooperating with the United Nations human rights mechanisms;

10. Calls to put an end to the continued and sustained house arrest of leading opposition figures from the 2009 presidential elections despite serious concerns about their health, as well as the pressure exerted upon their relatives and dependants, including through arrest;
11. Notes the advances made by Iranian women in the fields of education, science and research, exemplified by the fact that the majority of students in Iranian universities are female; urges the Islamic Republic of Iran to eliminate, in law and in practice, all forms of discrimination and other human rights violations against women and girls; expresses its sympathy and solidarity with the campaign against the country's mandatory Islamic dress code; condemns the detention of women who removed their head scarves as part of the campaign and calls for the immediate and unconditional release;
12. Urges the Islamic Republic of Iran to cease the widespread and systematic use of arbitrary detention, including the use of such practices to target dual and foreign nationals, and to uphold, in law and in practice, procedural guarantees to ensure fair trial standards, including timely access to legal representation of one's choice from the time of arrest through all stages of trial and all appeals, the right not to be subjected to torture, cruel and inhuman or degrading treatment or punishment and consideration of bail and other reasonable terms for release from custody pending trial;
13. Expresses serious concern about ongoing severe limitations and restrictions on the right to freedom of thought, conscience, religion or belief and other human rights violations, including but not limited to harassment, intimidation, persecution, arbitrary arrests and detention, denial of access to education and incitement to hatred that leads to violence against persons belonging to recognized and unrecognized religious minorities and calls upon the Government of the Islamic Republic of Iran to release all religious practitioners imprisoned for their membership in or activities on behalf of recognized or unrecognized minority religious group, to eliminate, in law and in practice, all forms of discrimination, including economic restrictions, such as the closure or confiscation of businesses and properties, the cancellation of licences and denial of employment in certain public and private sectors, including government or military positions and elected office, and other human rights violations against persons belonging to recognized and unrecognized religious minorities;
14. Calls upon the Islamic Republic of Iran to ensure, in law and in practice, that no one is subjected to torture or other cruel, inhuman or degrading treatment or punishment, which may include sexual violence, and punishments that are grossly disproportionate to the nature of the offence, in conformity with amendments to the Penal Code, the constitutional guarantees of the Islamic Republic of Iran and international obligations;
15. Calls upon the Islamic Republic of Iran to address the poor conditions of prisons, to eliminate the denial of access to adequate medical treatment and the consequent risk of death faced by prisoners and calls upon the Islamic Republic of Iran to establish credible and independent prison oversight authorities to investigate complaints of abuse;
16. Expresses serious concern at the alarmingly high frequency of the imposition and carrying-out of the death penalty by the Islamic Republic of Iran, in violation of its

international obligations, including the imposition of the death penalty against minors and persons who at the time of their offence were under the age of 18; reiterates the European Union's strong, principled and long-standing opposition to the death penalty in all cases and under all circumstances, sees it as a major objective within the political dialogue between the EU and Iran to reduce the application of the death penalty; calls for an immediate moratorium on the carrying out of death sentences in Iran;

17. Acknowledges legislative and administrative changes in the Islamic Republic of Iran, including the new Code of Criminal Procedure, the Criminal Procedure Bill in respect of Juveniles and Children, the amendment to the Anti-Narcotics Law regarding penalties for drug-related offences and the Citizens' Rights Charter, which, if properly implemented, would address some human rights concerns;
18. Takes note of the engagement of the Islamic Republic of Iran with human rights treaty bodies and notes in particular the engagement of the Government of the Islamic Republic of Iran with the Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities and its participation in the universal periodic review; notes the ongoing contact with and dialogue between the Islamic Republic of Iran and the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, as well as the invitations extended to other special procedures mandate holders; however deplores the lack of implementation of the recommendations of the UN human rights bodies; calls on the Iranian authorities to accept the repeated requests made by the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran to visit the country in order to carry out the mandate
19. Welcomes the renewed political dialogue between the EU and Iran, including on human rights, however deplores the lack of progress in the human rights dialogue; welcomes the of developing constructive inter-parliamentary dialogue which contributed to re-establishing mutual trust; expresses concern that the deterioration of the human rights situation in Iran could have a negative impact on this development and calls for an intensified inter-parliamentary dialogue on human rights issues within this framework;
20. Acknowledges the efforts of the Islamic Republic of Iran to host large numbers of Afghan refugees, granting them access to basic services, in particular access to health care and education for children;

### **JCPOA**

21. Condemns the decision by the United States of America on 8 May 2018 to withdraw from the Joint Comprehensive Plan of Action and to impose severe sanctions on Iran; calls in light of the progressive retreat of the US from the multilateral, rules-based world order, namely its withdrawal from the Paris Agreement, the JCPOA, the UN Human Rights Council, its halting of funding for UNRWA and various UN agencies and multilateral fora and its attacks on the International Criminal Court (ICC) for a principle review of the transatlantic relations;
22. Notes with deep concern the negative impact of sanctions on economic and social

situation in Iran, which mainly affect ordinary Iranians and their enjoyment of their economic and social rights: stresses deep concern that by preventing financial transfers to the country, the re-imposition of sanctions further hinder the availability and distribution of essential medical and pharmaceutical equipment and supplies, potentially increasing mortality rates;

23. Reaffirm its full support for the JCPOA,
24. Calls on the European Union and its Member States to ensure continued normalisation of the relations with Iran as stipulated in the JCPOA and to protect European companies investing in Iran against US sanctions; reaffirms that respect for human rights is a core component in the development of EU-Iran relations;
25. Expresses concern at the growing militarisation in the wider region which endangers the right to life for all the people in the region; calls on all states of the region, in particular Iran, Saudi-Arabia and Israel, to refrain from fuelling conflicts, mistrust and adversary action, such as the imposition of sanctions, and calls for efforts towards regional reconciliation, arms control and disarmament;
26. Instructs its President to forward this resolution to the government and parliament of Iran, the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, and the EEAS.