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*Plenary sitting*

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**B8-0187/2019**

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))

**Cornelia Ernst, Sofia Sakorafa, Marie-Christine Vergiat, Malin Björk,  
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Ziluaga**

on behalf of the GUE/NGL Group

**B8-0187/2019**

**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; and the International Covenant on Economic, Social and Cultural Rights;
- having regard to the ruling of the International court of Justice of 8 October 2018 on “alleged Violations of the 1955 Treaty of Amity, Economic Relations, and Consular rights (Islamic republic of Iran v. United states of America)
- having regard to Rule 135 of its Rules of Procedure,

**Human rights defenders**

- A. Whereas in 2018 human rights defenders and lawyers in Iran continue to face arbitrary arrest, detention and prosecution in reprisal of their work; whereas judicial harassment is being used to silence human rights defenders; whereas in 2018 Iranian authorities arrested and detained, prosecuted and continued to imprison at least 112 women human rights defenders;
- B. 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; 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;

- C. 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;
- D. Whereas Sakharov price winner Nasrin Sotoudeh, a prominent human rights lawyer and women's rights defender who has been arbitrarily detained in Tehran's Evin prison since her arrest on 13 June 2018, faces a total of up to 34 years in prison and 148 lashes in relation to two ongoing court cases; whereas Nasrin Sotoudeh is awaiting a court verdict following a grossly unfair trial that took place, in her and her lawyer's absence, on 30 December 2018 before Branch 28 of the Revolutionary Court in Tehran; whereas she has been prosecuted on seven charges, some of which are related to her opposition to forced hijab laws, removing her headscarf during prison visits, defending women who peacefully protested against forced hijab, giving media interviews about the violent arrest and detention of women protesting and placing flowers at the scene where a woman protester was violently arrested; whereas other charges are based on her work with three human rights groups including the Campaign for Step by Step Abolition of the Death Penalty;
- E. Whereas Amirshah Davoudi, a defence attorney of several political and civil activists in Iran was arrested November 20, 2018 and is being held in an undisclosed location; whereas he was charged with "propaganda against the system" and "defamation of the authorities."; whereas his case is pending for trial at Branch 15 of Tehran Revolutionary Court;
- F. Whereas Massoud Shamsnejad, a lawyer representing several Iranian Kurdish political prisoners, was arrested on January 8, 2019, during the trial of one of his clients and taken to the Intelligence Department's detention centre in Urmia; whereas he was notified of a six-year prison sentence imposed by Branch 3 of the Islamic Revolution Court in Urmia;
- G. Whereas on January 1, 2019, Mr. Farhad Mohammadi, a Kurdish human rights lawyer and environmental activist, was arrested in Sanandaj, Kurdistan Province without indication of charges against him;
- H. Whereas on January 1, 2019, Mr. Mehdi Houshmand-Rahimi was convicted and sentenced in absentia by Branch 1 of the Islamic Revolution Court of Arak, Markazi Province, to two years' imprisonment for "insulting the head of the Judiciary" and "insulting the Supreme Leader" (Articles 609 and 514, respectively, of the Islamic Penal Code), whereas in a separate case, on December 18, 2018, Branch 28 of the Islamic Revolution Court of Tehran had sentenced Mr. Houshmand-Rahimi in absentia to five years' imprisonment and was tried on charges of "spreading propaganda against the system" (Article 500 of the Islamic Penal Code), and "insulting the founder of the Islamic Republic" and "the Supreme Leader" (Article 514) by voicing "insulting remarks during a speech on November 17, 2016";

### **Women**

- I. 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; whereas in 2018 dozens of

women peacefully protesting against the abusive, discriminatory and degrading practice of forced hijab by taking off their headscarves in public were violently assaulted and arrested: whereas millions of others were routinely harassed and assaulted in public places by the “morality police” for failing to comply with Iran’s strict Islamic dress code;

- J. Whereas in 2018 at least 39 women arrested last year in connection with hijab protests, according to Amnesty International, which says another 55 people were detained for their work on women's rights, including women who tried to enter football stadiums illegally and lawyers advocating for women; whereas the hijab protests continue in Iran despite the repressions and need international support:

### **Social protests**

- K. Whereas the unilateral withdrawal of the United States of America (US) from the 2015 Joint Comprehensive Plan of Action (JCPOA) in Mai 2018 , and the subsequent imposition of sanctions saw the destabilisation of Iran’s currency and economy; whereas the resulting economic pressures have led to protests and strikes across the country, which the government has sought to suppress;

- L. whereas bans on independent trade unions persists;

- M. whereas in 2018 thousands of workers staged peaceful demonstrations and strikes in protest at unpaid wages, poor working conditions and other grievances; whereas authorities arrested hundreds, sentencing many to prison terms and flogging;

- N. Whereas Esmail Bakhshi a trade unionist and spokesperson for the independent Workers Union of Haft Tappeh Sugarcane Agro-Industrial Company who started a strike to protest against months’ delays in paying wages was arrested on November 18, 2018, along with more than a dozen other workers at the local sugar factory in the Iranian city of Shush: whereas on January 4, 2019, Esmail Bakhshi publicly informed about his torture in prison, and invited the Iranian minister of intelligence to a live television show to discuss use of torture in prisons; whereas he was arrested once again following his talks about torture on January 20, 2019;

- O. Whereas Sepideh Gholian who was first arrested by Iranian security forces on 18 November 2018 for reporting on a labour protest organized by the Workers Union of Haft Tappeh Sugarcane Agro Industrial Company; whereas following her public comments about the torture she was arrested again on January 20, 2019;

- P. Whereas in September, 2018 six teachers were sentenced to flogging and prison terms for taking part in a peaceful protest calling for higher wages: whereas more than a dozen others were arrested when nationwide strikes took place in October and November;

- Q. Whereas Mohammad Habibi a teachers’ right activist and member of the Teachers Union was arrested on March 3, 2018 and he was convicted of “assembly” and “collusion” against the security of the Islamic Republic; whereas on 4 August, Branch 26 of the

Revolutionary Court in Tehran sentenced Habibi to ten years and a half in prison, a ban on social and political activities for two years, a travel ban for two years, and 74 lashes;

- R. Whereas in October, hundreds of striking truck drivers were arrested and threatened with the death penalty;
- S. Whereas nine people arrested in connection with protests against unpaid wages, poverty, corruption and authoritarianism died in custody under suspicious circumstances; whereas their families are facing reprisals for seeking the truth and justice;

### **Death penalty**

- T. Whereas the Iranian law still retains the death penalty for a wide range offences; whereas in 2018 following amendments to the anti-narcotics law there was a drop in the number of drug-related executions, however 273 people were executed in 2018; whereas there are 6 women and at least 4 minors among those executed: ; whereas the penal code also continues to provide for stoning as a method of execution;

Whereas Atena Daemi an anti-death penalty campaigner and a women's rights activist is serving a seven-year prison sentence in Iran for handing out anti-death penalty leaflets and criticizing Iran's execution record on social media;

### **US sanctions**

- U. Whereas in August 2018, the UN Special Rapporteur on the negative impact of the unilateral coercive measures on the enjoyment of human rights criticized the re-imposition of sanctions against Iran after the United States' unilateral withdrawal from the JCPO, stating that international sanctions must be lawful, proportional and must not harm the human rights of ordinary citizens: whereas he said: "These unjust and harmful sanctions are destroying the economy and currency of Iran, driving millions of people into poverty" and will "likely lead to silent deaths in hospitals as medicines run out";
- V. Whereas the US extraterritorial sanction have a severe impact on Iran's ability to import drugs, raw materials, pharmaceutical and hospital machinery, sterilising machines and other equipment required to treat serious diseases;
- W. Whereas the International Court of Justice in its ruling of 8 October underlines that restrictions on importing "foodstuffs and medicines, including life-saving medicines, treatment for chronic disease or preventive care, and medical equipment, may have a serious detrimental impact on the health and lives of individuals on the territory of Iran"; whereas the Court ordered the United States to "remove, by means of its choosing, any impediments arising from the measures announced on 8 May", allowing medicines and medical devices, foodstuff and agricultural goods into Iran, together with "spare parts, equipment and associated services (including warrant, maintenance, repair services and inspections) necessary for the safety of civilian aviation."; whereas the United States refuse to implement this ruling;

1. Urgently calls upon the Islamic Republic of Iran to **release** all persons arbitrarily detained for the legitimate exercise of their rights, to freedom of expression, opinion, association and peaceful assembly, both online and offline, to rescind 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; in particular, reiterates its urgent call for the immediate and unconditional release of Sakharov price winner **Nasrin Sotodeh**;
2. **Condemns in its strongest terms the continued crackdown** on the rights to freedom of expression, association and peaceful assembly; urges the Iranian authorities to ensure the full implementation of the International Covenant on Civil and Political Rights, of which it is party;
3. 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,
4. Expresses its solidarity with and respect for the women who are engaging in the peaceful **protests against the compulsory veiling (hijab)**; underlines that coercion by the state or by private actors to ensure compliance with rules on traditional, cultural or religious forms of dress violate women's rights to freedom of expression and to freedom of religion or belief; stresses that women should be free to decide whether or not they want to wear specific symbols and dress on the basis of personal religious convictions, cultural customs or for any other reason;
5. Calls upon the Iranian authorities to immediately and unconditionally **release all woman** who were for engaging in a peaceful protest against compulsory veiling (hijab), to end the persecution of women who speak out against compulsory veiling, and abolish this discriminatory and humiliating practice;
6. Urges Iran to **stop criminalizing the work of women's rights defenders**, including those who peacefully protest against forced hijab, and abolish forced hijab laws;
7. Urges the Iranian authorities to **stop the prosecution of those 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;
8. Insists that Iranian authorities must guarantee the **safety and well-being of all detainees** while in detention, including adequate medical care; 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 nine cases of detainees' death in custody;

9. Notes with deep concern the negative impact of **US extraterritorial sanctions** on the economic and social situation in Iran, which 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, endangering Healthcare and health of Iranian people, in particular children, women and people with chronic diseases, potentially increasing mortality rates; strongly calls on the US to lift these sanctions;
10. Welcomes the much-awaited amendments to the drug-trafficking law, which has reduced 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;
11. 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;
12. 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;
13. Calls on the EEAS to continue the **dialogue with Iran on human rights**, particularly the situation of human rights defenders, women and people protesting against the worsening social situation in the context of the EU-Iran High Level Dialogue;
14. 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;
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 Islamic Consultative Assembly, the Government of the Islamic Republic of Iran, and the Office of the Supreme Leader of the Islamic Republic of Iran;