



Plenary sitting

B9-0382/2021

6.7.2021

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 144 of the Rules of Procedure

on the case of Ahmadreza Djalali in Iran
(2021/2785(RSP))

Marisa Matias
on behalf of The Left Group

**European Parliament resolution on the case of Ahmadreza Djalali in Iran
(2021/2785(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 to the UN Convention against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment of 1984,
- having regard to the UN's Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment of 1988,
- having regard to the UN's Standard Minimum Rules for the Treatment of Prisoners (the 'Nelson Mandela Rules') of 2015,
- having regard to the Iranian President's Charter on Citizens' Rights,
- having regard UN Security Council Resolution 2231,
- having regard to Rule 135 of its Rules of Procedure,

A. whereas Dr Ahmadreza Djalali, a Swedish-Iranian disaster medicine expert, was sentenced to death on charges of "cooperation with a hostile government" and "espionage" in October 2017; whereas his conviction and sentence were based on a confession extracted under torture and after an unfair trial; whereas he was charged for allegedly spying for Israeli intelligence, Mossad agents, and providing information that led to the assassinations of at least two nuclear scientists, Shahriari and Ali Mohammadi;

B. whereas in November 2020, Dr Djalali was transferred to solitary confinement in the notorious Evin prison and was informed that his execution was imminent; whereas between November 2020 and April 2021, he has been subjected to torture and ill-treatment and held incommunicado for much of this period; whereas during this prolonged solitary confinement he was in a small cell without a bed or mattress, and with the lights switched on 24 hours a day; whereas his state of health is critical and

there are heightened concerns that he is being denied access to adequate health care; whereas the mental and physical distress and health issues deriving from this mistreatment prevent him from eating properly, which has resulted in dramatic weight loss and speaking troubles;

- C. whereas between February and March 2021 he was permitted two family visits; whereas in April 2021 he was transferred to the public ward of Evan prison, but he is still barred from all phone calls to his family or further family visits; whereas during the last seven months, he has been permitted to speak with his lawyer once;
 - D. whereas Dr Djalali is a Swedish citizen since 2018, but was a permanent resident in Sweden at the time of his arrest; whereas EU-Iranian dual nationals continue to be arrested, with releases never fully granted, and with arrest followed by prolonged solitary confinement and interrogations, with lack of due process, lack of a fair trial and long prison sentences based on vague or unspecified 'national security' and 'espionage' charges; whereas Iran does not recognise dual nationality, thereby limiting the access foreign embassies have to their dual nationals held there;
 - E. whereas since 2020, there has been an alarming escalation in the use of the death penalty against protesters, women's rights activists, dissidents and members of minority groups in Iran; whereas torture and other ill-treatment are widespread in Iran, particularly during interrogations, and are perpetrated with impunity; whereas many of the recent victims of torture and the death penalty are participants of the November 2019 protests, and neither them nor their family have had access to justice domestically; whereas impunity continues to work as an enabler of such gross human rights violations; whereas such crimes violate the obligations of Iran under international human rights law;
 - F. whereas Iran is the third most affected country by the COVID-19 pandemic in the world, with a death rate of 3.5 %, greater than 2 % worldwide; whereas the policy of maximum pressure, used by the United States to create an unprecedented economic crisis in Iran has a direct impact on the Iranian health sector; whereas Iranian healthcare system is reliant on long-standing relations with European suppliers; whereas EU has provided some assistance, but in view of the extraterritorial US sanctions failed to meet its commitments stemming from the JCPOA; whereas INSTEX created to find solutions for this problem processed just one transaction, targeting Iran's core public healthcare needs in the fight against COVID-19;
1. Urges the Iranian authorities to withdraw the death sentence against Dr Djalali, to release him immediately and to allow him to return to his family in Sweden as soon as possible; urges the Iranian authorities to accord him an enforceable right to compensation, as per the recommendation of the UN Working Group on Arbitrary Detention in his case; calls on the Swedish authorities to enhance diplomacy with Iran over his case;
 2. Expresses deep concern about the state of health of Dr Djalali; urges the Iranian authorities to ensure that he has access to prompt and appropriate medical care, and to protect him from torture and other ill-treatment; calls on the Iranian authorities to,

pending his release, ensure that he has regular access to his family and lawyer; urges the Iranian authorities to conduct a prompt, independent, effective and impartial investigation into his allegations of torture and other ill-treatment, and to ensure accountability of perpetrators;

3. Deeply regrets the lack of progress made in the cases regarding EU-Iranian dual nationals detained in Iran; demands the immediate and unconditional release of all EU-Iranian dual nationals, unless they are retried in accordance with international standards;
4. Underlines that EU citizens' security and protection of their fundamental rights are of the highest importance for the EU; urges the Iranian authorities to cooperate with EU Member State embassies in Tehran in order to enable the establishment of a comprehensive list of EU-Iranian dual nationals currently being detained in Iranian prisons, and to closely monitor each individual case;
5. 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; notes the amendments to the drug trafficking law, which should reduce the number of death sentences; sees it as a major objective within the human rights dialogue between the EU and Iran to reduce the application of the death penalty;
6. 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. Expresses deep concern at the impunity for serious human rights violations in Iran; stresses the need to establish an impartial and independent mechanism to collect, consolidate, preserve, and analyse evidence of the most serious crimes under international law, including torture and ill-treatment; calls on Iran to cooperate with the UN Special Rapporteur on the situation of human rights in Iran, including by allowing him to enter the country;
8. Expresses deep concern specifically at the situation of human rights defenders, trade unionists and labour activists, lawyers and political prisoners held in Iran's prisons and urgently calls on the authorities to release them;
9. 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 activists, 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;

10. 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 strongly supports the Iranian women and human rights defenders who keep on defending human rights despite the difficulties and personal repercussions they are facing; welcomes the new long-awaited draft law on “preserving the dignity and protection of women against violence” which is currently before Parliament; deplors, however, that the bill has several shortcomings: it falls short of international standards, it fails to provide effective guarantees to protect women from violence and to ensure remedies, it does not criminalize child marriage or marital rape, and it fails to repeal the multiple discriminatory provisions against women in Iran’s Civil Code; urges the Iranian Parliament to address these shortcomings;
11. Stresses the urgent need for enhanced humanitarian assistance to Iran; calls on the EU and its Member States, in particular France and Germany, and the United Kingdom to provide financial assistance and other aid to Iran’s public healthcare system and NGO partners working in the country; insists on further efforts of the EU and the Member States to defend against the extraterritorial sanctions of the US in order to help Iran to overcome the severe social crisis resulting from the double challenge of US sanctions and the pandemic; urgently calls on the Member States to double the efforts to make INSTEX fully operational and effective;
12. Notes with deep concern the negative impact of US extraterritorial sanctions on the economic and social situation in Iran, which have seriously hit the banking and manufacturing and affect ordinary Iranians and their enjoyment of their economic and social rights; strongly calls on the president elect Biden to lift these sanctions;
13. Expresses its continued commitment to working constructively with the Islamic Republic of Iran on the Joint Comprehensive Action Plan (JCPOA); reiterates the importance of universal compliance with the JCPOA;
14. Instructs its President to forward this resolution to the government and parliament of Iran, the governments and parliaments of the EU Member States and the United Kingdom, the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, and the EEAS.