



Plenary sitting

B9-0383/2021

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))

Ernest Urtasun, Hannah Neumann, Sara Matthieu, Alice Kuhnke, Jakop G. Dalunde, Pär Holmgren, Bronis Ropé, Mounir Satouri, Ignazio Corrao, Jordi Solé
on behalf of the Verts/ALE 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 those of 17 December 2020 on Iran, in particular the case of 2012 Sakharov Prize Laureate Nasrin Sotoudeh, of 19 December 2019 on the violent crackdown on the recent protests in Iran, of 19 September 2019 on Iran, notably the situation of women’s rights defenders and imprisoned EU dual nationals, of 14 March 2019 on Iran, notably the case of human rights defenders, of 13 December 2018 on Iran, notably the case of Nasrin Sotoudeh, of 31 May 2018 on the situation of imprisoned EU-Iranian dual nationals in Iran, of 3 April 2014 on the EU strategy towards Iran, of 8 October 2015 on the death penalty and of 25 October 2016 on the EU strategy towards Iran after the nuclear agreement,
- having regard to the remarks by the High Representative/Vice-President Josep Borrell at the European Parliament plenary debate on the situation in Iran on 7 October 2020,
- having regard to the EU Guidelines on Human Rights Defenders,
- having regard to the EU Guidelines on the Death Penalty, on Torture and on Freedom of Expression,
- having regard to the Statements by the UN Office of the High Commissioner for Human Rights of 18 March 2021 on “Iran: Ahmadreza Djalali nearing death in solitary confinement, torture must end now” and those of 9 December 2020 and of 13 November 2020,
- having regard to the statement by Javaid Rehman, Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, at the forty-sixth session of the Human Rights Council - on 21 March 2021 and to the report of the UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran of 30 January 2019,
- having regard to the report of the UN Secretary-General of 8 February 2019 on the situation of human rights in the Islamic Republic of Iran,
- having regard to the Opinion No. 92/2017 concerning Ahmadreza Djalali (Islamic Republic of Iran) adopted by the UN Working Group on Arbitrary Detention at its eightieth session, 20–24 November 2017,
- having regard to the Universal Declaration of Human Rights,
- having regard to the International Covenant on Civil and Political Rights,
- having regard to Rule 144 of its Rules of Procedure,

- A. Whereas Ahmadreza Djalali, a Swedish and Iranian national, was arbitrarily arrested in April 2016 during a visit to Iran to attend workshops on disaster medicine and sentenced to death for “corruption on earth” in October 2017; whereas his conviction and sentence were based on a confession extracted under torture and after an unfair trial; whereas the Supreme Court upheld Djalali’s sentence on 9 December 2018 without granting his lawyers an opportunity to file their defence submissions on his behalf;
- B. Whereas, since his arrest in April 2016, Ahmadreza Djalali has suffered severe physical and psychological ill-treatment; whereas he has been in solitary confinement since November 2020 under the constant risk of his imminent execution and suffering from deprivation of sleep, dramatic weight loss and difficulty in speaking;
- C. Whereas, already in November 2017, the UN Working Group on Arbitrary Detention concluded that the deprivation of liberty of Ahmadreza Djalali, being in contravention of articles 3, 5, 8, 9, 10 and 11 of the Universal Declaration of Human Rights and of articles 7, 9, 10 and 14 of the International Covenant on Civil and Political Rights, is arbitrary and called for the release of Djalali;
- D. Whereas Djalali’s prolonged solitary confinement and ill-treatment is not an isolated case as such measures are increasingly and systematically used by the Iranian authorities as a form of punishment and in order to extract forced confessions from detainees;
- E. Whereas there are numerous reports regarding the inhuman and degrading conditions in prisons and the lack of adequate access to medical care during detention, which have the aim of intimidating, punishing or coercing detainees, in contravention of the UN Standard Minimum Rules for the Treatment of Prisoners; whereas in March and April 2020, prisoners across the country waged hunger strikes, protests and riots to protest the authorities’ failure to protect them from COVID-19; whereas the authorities responded with unlawful force, resorting to beatings and firing live ammunition, metal pellets and tear gas to suppress protests, as a result of which several Ahwazi Arab prisoners were killed, and many others were injured in Sheiban and Sepidar prisons in Ahvaz, Khuzestan province;
- F. Whereas there are no independent mechanisms for ensuring accountability within the judiciary, and serious concerns remain over the politicisation of judges; whereas judicial harassment is being used to silence human rights defenders;
- G. 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 2021, extended them until 13 April 2022;

- H. 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. Calls on the Iranian authorities to immediately and unconditionally release Ahmadreza Djalali, as well as all others who are arbitrarily detained, including human rights defenders, of whom many are women;
 2. Is appalled by the continuous psychological and physical ill-treatment of Djalali, including through the use of prolonged solitary confinement and deprivation of sleep and is deeply concerned that, even if he is not executed, Djalali may soon die in detention due to his poor condition;
 3. Recalls that the UN Working Group on Arbitrary Detention had concluded already in 2017 that Djalali’s detention was arbitrary and requested Iran to release Ahmadreza Djalali immediately and accord him an enforceable right to compensation and other reparations, as he had been detained without an arrest warrant, had only been formally charged 10 months after his arrest, and had been “effectively prevented from exercising his right to challenge the lawfulness of his detention”; condemns the decision of the Iranian authorities to ignore the calls of the UN Working Group on Arbitrary Detention;
 4. Denounces the systematic use of prolonged solitary confinement as a form of punishment and reminds the Government of Iran that the practice violates its obligations under the International Covenant on Civil and Political Rights; urges the Iranian Government to ensure the full implementation of the International Covenant on Civil and Political Rights, of which it is party, to guarantee the right of all detainees to due process and a fair trial, including the right to be represented by a lawyer of their own choosing and to halt the use of solitary confinement as a form of punishment; calls on the Iranian authorities to investigate all allegations of ill-treatment in detention and bring perpetrators to justice; insists that Iranian authorities must guarantee the safety and physical and psychological well-being of all detainees while in detention, including dignified medical care;
 6. Is alarmed by the increasing use of the death penalty against protesters, dissidents and members of minority groups in the country and reiterates its urgent call 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; equally calls on Iran to urgently abolish, in law and practice, all forms of corporal punishment, including flogging, amputation and blinding, which amount to torture under international law;
 7. Is alarmed at the targeting of minorities, including through executions, enforced disappearances and arbitrary sentencing of individuals from the Baluch, Kurdish and Ahwazi Arab minorities; expresses serious concern at the harassment, arbitrary arrests and imprisonments of religious minorities, and at the wide-spread discrimination against sexual minorities in Iran, including hate speech from public officials and most

disturbingly the application of the death penalty for consensual same-sex relations; urges the Iranian authorities to eliminate all forms of discrimination against all minorities and to ensure the equal rights, respect and dignity of all individuals;

8. Calls on the EU VP/HR to clearly and publicly call for the release of Djalali and on all senior representatives of EU Member States and of the EU institutions, notably VP/HR Borrell and Commissioners, to systematically raise the case of Djalali in their contacts with their Iranian counterparts and to request to meet with him during their visits in the country;
9. Calls on EU Member States with diplomatic missions on the ground to fully implement the EU Guidelines on Human Rights Defenders; calls on the EU and its Member States to increase their protection and support for human rights defenders in Iran, including through emergency grants under the European Instrument for Democracy and Human Rights;
10. 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;
11. 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 human rights situation on the ground and engage with its Iranian counterparts and with local civil society; 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;
12. Calls on the EU and its Member States to address the particular vulnerability of women human rights defenders through adequate protectionary measures that shield them from the specific and gendered risks they are exposed to; denounces the continuous judicial harassment of human rights defender Narges Mohammadi and calls on the Iranian authorities to drop all charges against her, which directly follow her human rights work, including, more recently, her work from inside Evin and Zanjan prisons where she had been detained, and a legal complaint she made regarding her treatment there;
13. Calls on the EU delegation and Member States' representations in the country to strengthen their support for civil society in their engagement with the authorities, and to use all available instruments to increase their support for human rights defenders' work, and, where appropriate, to facilitate the issuing of emergency visas, and provide temporary shelter in the EU Member States;
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 governments and parliaments of the Member States 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.