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*Plenary sitting*

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**B9-0387/2021**

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))

**Pedro Marques, Andrea Cozzolino, Jytte Guteland**  
on behalf of the S&D 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, 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 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, Swedish-Iranian national, remains at risk of execution in Iran, following his conviction and death sentence in October 2017 for “corruption on earth” in a grossly unfair trial; whereas he was subjected to torture and other ill-treatment and, for much of the period of his detention, was held incommunicado; whereas during this period he was held in prolonged solitary confinement in Tehran’s Evin prison;
- B. Whereas, in November 2017, the UN Working Group on Arbitrary Detention has 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;
- C. 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;
- D. Whereas torture and other ill-treatment in Iran's prisons and detention centres are widespread and systematic, especially during interrogations;
- E. Whereas intelligence and security bodies, and also prosecution officials involved in carrying out arrests and conducting interrogations are the key drivers of human rights violations and crimes under international law; whereas the victims and their families are denied justice as Iran's judiciary, in principle responsible for conducting transparent and independent investigations with the aim to ensure justice and accountability, is itself complicit in gross human rights violations due to politization of judges; whereas judicial harassment is being used to silence human rights defenders;
- F. 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;
- G. 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 halt any plans to execute Ahmadreza Djalali, and quash his conviction and sentence;
  2. Calls on the Iranian authorities to immediately release Ahmadreza Djalali and accord him an enforceable right for compensation, as per recommendation of the UN Working Group on Arbitrary Detention in his case;
  3. Calls on the Iranian authorities to, pending the release of Ahmadreza Djalali, provide him regular access to his family and lawyer and protect him from torture and other ill-treatment, bringing to justice the officials found responsible for the violations of his rights;
  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;
  5. Is alarmed by the use of death penalty against protesters and dissidents in Iran 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;

6. Calls on the EU VP/HR and Member States to call for the release of Ahmadreza Djalali and continue to advocate for his conviction and sentence to be quashed, as well as other wrongfully detained dual nationals, such as Austrian-Iranians Kamran Gaderi and Massoud Mossaheb, German-Iranians Nahid Taghavi and Jamshid Sharmahd, and UK-Iranians Nazanin Zaghari-Ratcliffe, Anoosh Ashoori, Mehran Raof and Morad Tahbaz;
7. 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;
8. Calls on the Commission and the Member States to reaffirm 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. 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;
10. 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;
11. 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;
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 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