



19.1.2011

B7-0043/2011 }  
B7-0049/2011 }  
B7-0067/2011 }  
B7-0068/2011 }  
B7-0069/2011 }  
B7-0070/2011 }  
B7-0071/2011 } RC1/rev2

## JOINT MOTION FOR A RESOLUTION

pursuant to Rule 122(5) of the Rules of Procedure

replacing the motions by the following groups:

EFD (B7-0043/2011)  
ALDE (B7-0049/2011)  
ECR (B7-0067/2011)  
S&D (B7-0068/2011)  
PPE (B7-0069/2011)  
GUE/NGL (B7-0070/2011)  
Verts/ALE (B7-0071/2011)

on Iran – the case of Nasrin Sotoudeh

**José Ignacio Salafranca Sánchez-Neyra, Filip Kaczmarek, Cristian Dan Preda, Bernd Posselt, Eija-Riitta Korhola, Tunne Kelam, Monica Luisa Macovei, Sari Essayah, Elena Băsescu, Csaba Sógor, Ria Oomen-Ruijten, Roberta Angelilli**

on behalf of the PPE Group

**María Muñoz De Urquiza, Ana Gomes**

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PE455.877v01-00 }  
PE455.895v01-00 }  
PE455.896v01-00 }  
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PE455.899v01-00 } RC1/rev2

on behalf of the S&D Group

**Marietje Schaake, Ramon Tremosa i Balcells, Frédérique Ries, Marielle De Sarnez, Sonia Alfano, Kristiina Ojuland, Alexander Graf Lambsdorff, Alexander Alvaro**

on behalf of the ALDE Group

**Barbara Lochbihler, Isabelle Durant, Raül Romeva i Rueda, Heidi Hautala**

on behalf of the Verts/ALE Group

**Charles Tannock, Struan Stevenson, Ryszard Antoni Legutko, Tomasz Piotr Poręba, Adam Bielan, Michał Tomasz Kamiński, Marek Henryk Migalski**

on behalf of the ECR Group

**Marie-Christine Vergiat**

on behalf of the GUE/NGL Group

**Fiorello Provera, Bastiaan Belder**

on behalf of the EFD Group

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## European Parliament resolution on Iran – the case of Nasrin Sotoudeh

*The European Parliament,*

- having regard to its previous resolutions on Iran, notably those concerning human rights, and in particular those of 10 February 2010<sup>1</sup> and 8 September 2010<sup>2</sup>,
  - having regard to the declaration made by the UN High Commissioner for Human Rights, Navy Pillay, on 23 November 2010, expressing concern about the case of Nasrin Sotoudeh and stating that this was part of a much broader crackdown and that the situation of human rights defenders in Iran was growing more and more difficult,
  - having regard to the United Nations Declaration on Human Rights Defenders, which the United Nations General Assembly adopted by consensus in 1998, stipulating that states ‘shall take all necessary measures to ensure the protection by the competent authorities of human rights defenders against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary actions’ as a consequence of their legitimate efforts to promote human rights,
  - having regard to the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural and the Convention on the Rights of the Child, to which Iran is a party,
  - having regard to the United Nations General Assembly resolution of 21 December 2010 on the situation of human rights in the Islamic Republic of Iran,
  - having regard to Rule 122(5) of its Rules of Procedure,
- A. whereas Nasrin Sotoudeh, a prominent Iranian human rights lawyer, was sentenced to 11 years in jail on charges of ‘acting against national security’, ‘membership of the Centre for Human Rights Defenders’, not wearing hejab (Islamic dress) during a videotaped message, and ‘propaganda against the regime’; whereas she was also banned from practising law and travelling for 20 years after completion of her sentence,
- B. whereas Sotoudeh, a mother of two children, was arrested on 4 September 2010, held for long periods in solitary confinement, reportedly tortured and denied contact with her family and lawyer, and whereas she came close to death after a hunger strike to protest against her prison conditions and violations of due process,
- C. whereas Sotoudeh’s husband, Reza Khandan, was summoned by the police on 15 January and detained overnight, released on a third-person guarantee and is under prosecution because of his advocacy on behalf of his wife,

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<sup>1</sup> OJ C 341 E, 16.12.2010, p. 9.

<sup>2</sup> Texts adopted, P7\_TA(2010)0310.

- D. whereas Nasrin Sotoudeh has been the lawyer of the Dutch national Zahra Bahrami, who was arrested after the Ashura protests on 27 December 2009 and has been recently sentenced to death,
- E. whereas Sotoudeh's sentence is part of a systematic assault on human rights lawyers and activists in Iran, which includes the sentencing on 7 January 2011 of Shiva Nazarahari, co-founder of Committee of Human Rights Reporters and a prominent activist, to four years in prison and 74 lashes and the sentencing on 30 October 2010 of a prominent lawyer, Mohammad Seifzadeh, to nine years in prison and a ten-year ban from practising law; whereas human rights lawyer Mohammad Oliyafar is serving a one-year sentence for his advocacy on behalf of his clients; whereas other human rights defenders facing imminent prosecution in Iran are Mohammad Ali Dadkhah, Abdolfattah Soltani and Houtan Kian,
- F. whereas, over one year after the Ashura demonstrations in December 2009, hundreds of Iranian citizens who were arrested still linger in prison and the authorities have continued to make arrests throughout the year, in particular on the occasion of Students' Day of 7 December 2010, and whereas according to reports by Amnesty International over 70 students are still detained,
- G. whereas journalists and bloggers also continue to be targeted, with reportedly over 30 journalists behind bars at the moment, and even acclaimed representatives of Iranian culture, such as film director Jafar Panahi, who in December 2010 was banned from film-making for 20 years as well as sentenced to 6 years' imprisonment, are denied freedom of expression,
- H. whereas forced confessions, torture and ill-treatment of prisoners, sleep deprivation, solitary confinement, clandestine detention, cruel, inhumane and degrading treatment, physical abuse, including sexual violence, and impunity for State agents continue to be widespread in Iran, giving rise to serious doubts as to the fairness and transparency of the judicial process in that country,
- I. whereas, instead of extrajudicial killings being investigated, the mourning relatives of those who have been killed may face arrest, as in the case of Mahdi Ramazani, who was taken into custody at the grave site of his son in December 2010 and confronted with exorbitant bail conditions, which he is in no capacity to pay,
- J. whereas Iran has pledged to the international community that it will abide by the International Covenant on Civil and Political Rights,
1. Calls on the Government of the Islamic Republic of Iran to immediately and unconditionally release Nasrin Sotoudeh and all other prisoners of conscience, and considers that Nasrin Sotoudeh's sentence is of a political nature, aimed at taking one of Iran's leading human rights defenders out of practice;
  2. Strongly condemns the extraordinarily harsh sentence against Nasrin Sotoudeh and the intimidation of her husband, and commends her for her courage and commitment;

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3. Calls on the Islamic Republic of Iran to adhere to the standards set forth by the UN Basic Principles on the Role of Lawyers, which states that lawyers must be allowed to carry out their work ‘without intimidation, hindrance, harassment or improper interference’ and recognises that lawyers are entitled to freedom of expression, including ‘the right to take part in public discussion of matters concerning the law, the administration of justice and the promotion and protection of human rights’;
4. Deeply deplores the lack of fairness and transparency in the judicial process in Iran and calls on the Iranian authorities to uphold due process in law and practice; appeals to the head of the Iranian Judiciary, Ayatollah Sadegh Amoli Larijani, to establish an independent commission to examine the prosecution of human rights lawyers and to hold accountable all officials who have participated in illegal procedures;
5. Calls on the authorities to combat the impunity of human rights violators within the security forces; reiterates its demand for an independent investigation into allegations of extrajudicial executions since the disputed June presidential elections and for alleged violators to be brought to justice;
6. Calls on the Government of Iran to cooperate fully with all international human rights mechanisms, to continue exploring cooperation on human rights and justice reform with the United Nations and to fully implement the recommendations of the Universal Periodic Review;
7. Calls for the re-establishment of a UN mandate for a Special Rapporteur to investigate human rights abuses and encourage accountability for those perpetrating human rights violations in Iran;
8. Calls on the Iranian authorities to grant the Red Crescent access to all prisoners and to allow international human rights organisations to monitor the situation in the country;
9. Urges the Iranian authorities to reconsider the sentence imposed on Zahra Bahrami, and to grant her a fair trial and access to Dutch authorities, given her Dutch citizenship, in accordance with international standards;
10. Calls on the European External Action Service to devise additional measures in the context of the European Instrument for Democracy and Human Rights, in order actively to protect Iranian human rights defenders, and encourages the Member States and local authorities to support initiatives such as the European Shelter City Programme and the International Cities of Refugee;
11. Calls for the existing list of individuals and organisations subject to the EU travel ban and the freezing of assets to be extended to include Iranian officials who are responsible for violations of human rights, repression and curtailment of freedom in Iran;

12. Calls on EU representatives and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy to re-engage in talks about human rights with the Islamic Republic of Iran;
13. Instructs its President to forward this resolution to 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 Secretary-General of the United Nations, the United Nations Human Rights Council, the President of the Iranian Supreme Court and the Government and Parliament of the Islamic Republic of Iran.