



TEXTS ADOPTED

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Iran, in particular the case of 2012 Sakharov Prize Laureate Nasrin Sotoudeh

European Parliament resolution of 17 December 2020 on Iran, in particular the case of 2012 Sakharov Prize Laureate Nasrin Sotoudeh (2020/2914(RSP))

The European Parliament,

- having regard its previous resolutions on Iran, in particular that of 13 December 2018 on Iran, notably the case of Nasrin Sotoudeh¹, and that of 17 September 2019 on the situation of women’s rights defenders and imprisoned EU dual nationals²,
- having regard the statement of the United Nations Office of the High Commissioner for Human Rights (OHCHR) of 9 December 2020 on Iran, requesting the release of Nasrin Sotoudeh,
- having regard to the statement of the Spokesperson of the European External Action Service (EEAS) of 12 December 2020 on the execution of Mr Ruhollah Zam,
- having regard the statement of the OHCHR of 25 November 2020 calling on Iran to halt the execution of Ahmadreza Djalali,
- having regard the statement of the UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran of 26 October 2020 urging accountability for violent protest crackdowns and his report of 21 July 2020 on the situation of human rights in the Islamic Republic of Iran,
- having regard to the 5th European Union – Iran High Level Dialogue of 9 December 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 awarding of the Sakharov Prize for Freedom of Thought to Nasrin

¹ OJ C 388, 13.11.2020, p. 127.

² Texts adopted, P9_TA(2019)0019.

Sotoudeh in 2012,

- having regard to the Universal Declaration of Human Rights of 1948,
 - having regard to Rule 144(5) and 132(4) of its Rules of Procedure,
- A. whereas Nasrin Sotoudeh, the winner of the 2012 Sakharov Prize for Freedom of Thought, is an Iranian lawyer, human rights activist and political prisoner who, over the past 15 years, has fought for the rights of women, children, religious minorities, journalists and artists, as well as those facing the death penalty, and as a result, has been continuously targeted and harassed by the Iranian authorities and has been arrested and imprisoned several times; whereas her prosecution and the charges brought against her demonstrate the grave extent to which the Iranian judiciary is criminalising human rights activism;
- B. whereas Nasrin Sotoudeh has been arbitrarily detained since 13 June 2018 for representing women who protested against Iran’s mandatory hijab law and was sentenced in absentia in March 2019 to 33 years in prison and 148 lashes; whereas UN experts have on numerous occasions raised serious concerns that her current detention is arbitrary and called for her release;
- C. whereas Nasrin Sotoudeh was temporarily released on 7 November 2020 following a positive test for COVID-19; whereas she was ordered to return to Qarchak prison, a women’s detention centre in Teheran known for cruel and inhuman detention conditions, on 2 December 2020; whereas this decision on the part of the Iranian authorities may have life-threatening consequences for her and further extends her arbitrary imprisonment in violation of Iran’s obligations under international human rights law;
- D. whereas Nasrin Sotoudeh’s family, relatives and friends, notably her husband Reza Khandan, have been targeted by the Iranian authorities with the aim of silencing them and stopping any campaigning for the release of Nasrin Sotoudeh;
- E. whereas the arrest of Nasrin Sotoudeh is part of an intensified crackdown against women’s rights defenders in Iran; whereas women’s rights defenders who have actively campaigned to enhance women’s empowerment and rights have suffered harassment, arbitrary arrests and detentions, and their rights to a fair trial due process have been violated;
- F. whereas Ahmadreza Djalali, an Iranian-Swedish medical doctor and academic and professor at VUB University in Belgium and Università degli Studi del Piemonte Orientale in Italy who was sentenced to death on spurious espionage charges in October 2017, has reportedly been transferred to solitary confinement in preparation for his execution, despite widely held findings which confirm that his trial was grossly unfair and that his conviction was based on a forced confession extracted under torture; whereas he has received threats from Iranian officials to kill him and his family in Sweden and Iran; whereas in a letter written from Evin political prison, he wrote that the reason behind his detention was that he objected to spying for Iran against European institutions; whereas Dr Djalali was informed on 24 November 2020 that his execution was imminent;

- G. whereas on 12 December 2020, journalist Ruhollah Zam was executed by hanging following a rushed Supreme Court decision of 8 December 2020 to uphold his capital sentence for vague charges of ‘corruption on earth’, which were supported by forcibly extracted confessions; whereas Mr Zam, who had been granted asylum in France in 2009 and ran a popular Telegram channel critical of the Iranian authorities, was lured to Iraq and kidnapped and taken to Iran by Iranian authorities; whereas his execution for exercising his right to freedom of expression constitutes a blatant violation of international human rights law;
- H. whereas the EU national and prominent French-Iranian academic Fariba Adelkhah, a research director at Sciences Po University Paris, has been arbitrarily detained since June 2019 at Evin prison;
- I. whereas EU-Iranian dual nationals continue to be arrested, with arrest followed by prolonged solitary confinement and interrogations, with a lack of due process, no access to 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 being held there;
- J. whereas Iranian courts fall short in providing due process and fair trials, with denial of access to legal counsel, particularly during the investigation period, and denial of consular, UN or humanitarian organisation visits; whereas sentences by the Iranian judiciary are often based on vague or unspecified national security and espionage charges; whereas there are no independent mechanisms for ensuring accountability within the judiciary, and serious concerns remain over the politicisation of judges;
- K. whereas civil society protests in Iran against poverty, inflation, corruption and political authoritarianism have been met by the Iranian authorities with severe repression; whereas the Iranian intelligence service has intensified its crackdown on civil society workers and human rights defenders, lawyers, environmental activists, women’s rights defenders, students, journalists, teachers, truck drivers and peaceful activists;
- L. whereas UN human rights experts have called on Iran to guarantee the rights of human rights defenders and lawyers who have been jailed for publicly supporting protests against the mandatory wearing of the hijab in Iran and have reiterated grave concerns with regard to the continuing executions of juvenile offenders in Iran;
- M. whereas there have been numerous reports regarding the inhuman and degrading conditions in prisons and the refusal to provide adequate access to medical care during detention with the aim of intimidating, punishing, or coercing detainees, in contravention of the UN Standard Minimum Rules for the Treatment of Prisoners;
- N. whereas dozens of human rights defenders, journalists, lawyers, and activists continue to remain behind bars for peaceful activism and have been excluded from clemency and temporary releases implemented during the COVID-19 pandemic to reduce overcrowding in prisons;
- O. whereas the UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, in his annual report delivered to the UN General Assembly on 21 July 2020, was dismayed by Iran’s continued use of the death penalty and its high execution

figures and affirmed that reports received demonstrate a continued trend of restricting freedom of expression and ongoing discrimination against minorities and women;

- P. whereas in this same report, the UN Special Rapporteur affirms that despite clear evidence that Iranian security forces used excessive and lethal force which caused the deaths of over 300 people, including women and children, at protests in November 2019, nearly one year on, the Iranian authorities have failed to conduct an investigation compliant with international standards;
 - Q. whereas the use of death sentences against protesters has been increasing, with a pattern of so-called confessions extracted under torture, after which protesters are executed without their lawyers or family members being informed, as was the case for wrestling star Navid Afkari, murdered by execution on 12 September 2020 for charges he fully denied; whereas his brothers remain in prison and have received very lengthy sentences for having participated in anti-government protests;
 - R. whereas Parliament adopted a resolution calling for the establishment of an EEAS StratCom unit dedicated to the Middle East, notably Iran;
 - S. whereas mass surveillance technologies are being used to quell online and street protests, including through online censorship; whereas state media have run disinformation campaigns against protesters and human rights defenders, with the involvement of leading national figures, with the aim of distorting the November 2019 protests;
1. Strongly condemns the arbitrary detention, sentencing and, recently, return to prison of woman human rights defender and lawyer Nasrin Sotoudeh, and calls on the authorities of the Islamic Republic of Iran to immediately and unconditionally release her, as a matter of urgency, and allow her to receive the healthcare she requires;
 2. Strongly condemns the execution on 12 December 2020 of French-based journalist Ruhollah Zam, editor of the Amad News Telegram channel, and on 12 September 2020 of wrestler Navid Afkari; expresses its deepest condolences to their families, friends and colleagues; calls on the EU and its Member States' institutions to provide more effective protection to Iranian nationals residing in the EU who are subjected to harassment and threats from Iranian intelligence services;
 3. Calls on Iran to immediately halt the imminent execution of Swedish-Iranian academic Ahmadreza Djalali, release and compensate him, and stop threatening his family in Iran and Sweden; strongly condemns, furthermore, his torture, arbitrary detention and death sentence; notes that Dr Djalali was told on 24 November 2020 that the prosecution authorities had issued an order to carry out the sentence and that he was moved to solitary confinement in section 209 of Evin prison; reiterates its calls for urgent interventions by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy (VP/HR) and EU Member States, aimed at halting any plans to execute Ahmadreza Djalali, quashing his death sentence and securing his immediate release;
 4. Calls on all EU Member States to jointly make public statements and undertake diplomatic initiatives to monitor unfair trials and visit prisons where human rights defenders and other prisoners of conscience are being detained, including EU nationals

in Iran, in line with the EU Guidelines on Human Rights Defenders;

5. Calls on the Government of Iran to immediately and unconditionally release the hundreds of people arbitrarily detained for peacefully exercising their rights to freedom of opinion and expression including protesters, journalists, media workers, political dissidents, artists, writers and human rights defenders, including lawyers, women's rights defenders, labour rights activists, minority rights activists, conservationists, anti-death penalty campaigners and others including those demanding truth, justice and reparation for the mass extrajudicial executions of the 1980s; emphasises that, pending their release, the Iranian authorities must guarantee their physical and mental;
6. Urges Iran to immediately drop all charges and lift all travel restrictions on all European-Iranian dual nationals who are subjected to arbitrary detention and other restrictive measures, such as in the cases of Fariba Adelkhah, Nahid Taghavi, Kameel Ahmady and Nazanin Zaghari-Ratcliffe; reiterates its demand for the immediate and unconditional release of Kamran Ghaderi, Massoud Mossaheb and Morad Tahbaz, who are currently being detained in Iranian prisons, and denounces, once again, the continuing practice of imprisonment of EU-Iranian dual nationals by the Iranian judiciary following unfair trials, and their lack of access to consular support;
7. Expresses concern at the physical assault and forcible transfer, on 13 December 2020, of the woman human rights defender Golrokh Iraee to Evin prison; calls for the immediate clarification of her situation and reiterates its demand for her release;
8. Condemns in its strongest terms the 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, to which it is a party, and to ensure 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;
9. Condemns the restrictions on civic space, the use of the death penalty as a weapon of political repression, the amputations, floggings and other cruel and inhuman punishments included in Iran's penal code, the cruel and inhuman detention conditions, confessions obtained through torture or ill-treatment and the trial of civilians before revolutionary courts; denounces the use of the death penalty as a deterrent against peaceful dissent human rights activism and the right to exercise freedom of expression; calls on the Iranian Government to declare an immediate moratorium on all pending executions with a view to the full abolition of the death penalty;
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 women; 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; strongly supports the Iranian women and human rights defenders who keep on defending human rights despite the difficulties and personal repercussions they are facing;
11. Calls on the Iranian authorities to address all forms of discrimination against persons belonging to ethnic and religious minorities, including Christians and Baha'i, and LGBTI persons, and to immediately and unconditionally release all those imprisoned for exercising their right to freedom of religion or belief or sexual orientation;

12. Calls for the establishment of a UN-led inquiry into the crimes under international law and other serious human rights violations committed during the protests of November 2019 and January 2020; urges the EU and its Member States to adopt targeted restrictive measures against the officials responsible for those abuses;
13. Strongly supports the aspirations of the Iranian people who want to live in a free, stable, inclusive and democratic country which respects its national and international commitments on human rights and fundamental freedoms; calls on the Iranian authorities to ensure independent and impartial investigations into all of the deaths that occurred at these protests, into all of those suspected of bearing criminal responsibility for the killing of protesters, and into all cases of victims being subjected to ongoing enforced disappearances and extrajudicial executions; calls on the Iranian authorities, furthermore, to exhume and return the remains of the victims to their families, to identify and prosecute the perpetrators, and to provide effective remedies for the victims;
14. Welcomes the adoption of the Human Rights Sanctions Mechanism, the so-called Magnitsky Act, by the Council as an important EU instrument to sanction violators of human rights; calls for targeted measures against Iranian officials who have committed serious human rights violations including the recent executions of Ruhollah Zam and Navid Afkari and the arbitrary detention of dual and foreign nationals in Iran, as well as of those involved in gross human rights abuses, including judges who have sentenced to death journalists, human rights defenders, political dissidents and activists;
15. Considers that further targeted sanctions will be necessary if the Iranian authorities do not free Dr Djalali, as the EU and its Member States are requesting;
16. Calls on the Council to raise human rights violations as a core component of its bilateral cooperation with Iran, in line with the Joint Statement agreed by the VP/HR and the Iranian Foreign Minister in April 2016; 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 and strongly calls on the Iranian authorities to halt all acts of intimidation and reprisals against human rights defenders for communicating with EU and UN officials;
17. Calls on the EEAS and EU Member States to fully support the laureates of the Sakharov Prize through their diplomatic and consular representations and by establishing an internal interinstitutional task force in support of Sakharov Prize laureates who are at risk; is of the view that support for laureates at risk should be enhanced on the part of EU delegations;
18. Requests that the EEAS strengthen its capabilities to counter Iranian interference and disinformation on European soil; urges the Iranian authorities to lift their censorship of online services and content and to desist from using Internet shutdowns that are incompatible with international human rights;
19. Calls on the EU and its Member States to address the particular vulnerability of women human rights defenders through adequate protection measures that shield them from the specific and gendered risks they are exposed to;
20. 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 the Islamic Republic of Iran is allowed to enter the country;

21. Instructs its President to forward this resolution to the Council, the Commission, the European External Action Service, 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 Supreme Leader of the Islamic Republic of Iran, the President of the Islamic Republic of Iran, and the Members of the Iranian Majlis.