Thursday 17 February 2022

P9_TA(2022)0050

The death penalty in Iran

European Parliament resolution of 17 February 2022 on the death penalty in Iran (2022/2541(RSP))

(2022/C 342/21)

The European Parliament,

— having regard to its previous resolutions on Iran,

— having regard to the EU guidelines on the death penalty,

— having regard to the EU guidelines on human rights defenders,

— having regard to the EU Global Human Rights Sanctions Regime (EU Magnitsky Act),

— having regard to the statement of 30 January 2022 by the Spokesperson of the European External Action Service on the sentencing of Narges Mohammadi,

— having regard to the UN Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment of 1988,

— having regard to the statements by the Office of the UN High Commissioner for Human Rights of 18 March 2021 requesting the immediate release of Dr Ahmadreza Djalali and of 25 November 2020 calling on Iran to halt his execution,

— having regard to the opinion of the Working Group on Arbitrary Detention of the UN Human Rights Council adopted at its session of 20-24 November 2017 concerning Ahmadreza Djalali (Islamic Republic of Iran),

— having regard to the International Covenant on Civil and Political Rights of 1966,

— having regard to the Universal Declaration of Human Rights of 1948,

— having regard to the UN Convention on the Rights of the Child of 1989,

— having regard to Rules 144(5) and 132(4) of its Rules of Procedure,

A. whereas abolition of the death penalty worldwide is one of the main objectives of the EU's human rights policy;

B. whereas according to the UN, between 1 January and 1 December 2021 at least 275 people were executed in Iran, including at least two child offenders and 10 women; whereas Iran has the world's highest number of executions per capita; whereas the Iranian authorities have issued death sentences for protest-related charges and carried out executions against those who faced charges in connection to widespread protests, but have failed to conduct any transparent investigation into the serious allegations of the use of excessive and lethal force by security officers against protestors; whereas prisoners in Iran are often subjected to torture, leading to concerns that death penalty punishments are being handed to prisoners based on false confessions for crimes they did not commit;

C. whereas Iran imposes and carries out the death penalty against minors in contravention to its obligations under the UN Convention on the Rights of the Child; whereas between 2009 and September 2020 at least 67 executions of juvenile offenders were reported; whereas 85 juvenile offenders were on death row in Iran in January 2022;

D. whereas the death penalty is disproportionally applied to ethnic and religious minorities, notably the Baluch, Kurds, Arabs and Baha'is; whereas the penal code criminalises homosexuality and the death penalty is used to target LGBTIQ persons; whereas women are subject to capital punishment as a result of the discriminatory nature of several laws that directly concern them;

E. whereas according to Reporters Without Borders, following the execution of Rouhollah Zam on 12 December 2020, Iran has executed more journalists than any other country; whereas Iran is still one the world's most repressive countries for journalists and the harassment of journalists and media outlets is relentless;

F. whereas the Swedish-Iranian national Dr Ahmadreza Djalali, a scholar at Vrije Universiteit Brussel and the University of Eastern Piedmont, was sentenced to death on spurious espionage charges in October 2017 following a grossly unfair trial based on a confession extracted under torture; whereas he is being held periodically in solitary confinement in Evin Prison;

G. whereas numerous cases of inhumane and degrading conditions have been reported, particularly in Evin Prison, as well as a lack of adequate access to medical care during detention, in contravention of the UN Standard Minimum Rules for the Treatment of Prisoners;

H. whereas other EU nationals are being arbitrarily detained in Iran; whereas Iran does not recognise dual nationality, thereby limiting the access that foreign embassies have to their dual nationals held in the country;

I. whereas Mohammad Javad, a boxing champion, was sentenced to death in January 2022 after being charged with 'spreading corruption on Earth'; whereas Navid Afkari, a wrestler who stated that he had been tortured into making a false confession, was executed in September 2020; whereas their sentences are directly related to their peaceful exercise of their rights to freedom of expression and assembly;

J. whereas the convictions of Mohammad Javad and Navid Afkari are part of an intensified crackdown on athletes in Iran;

K. whereas Narges Mohammadi, a Per Anger Prize laureate at the forefront of the campaign against the death penalty in Iran, was recently sentenced to a further eight years in prison and 70 lashes;

L. whereas Nasrin Sotoudeh, a renowned human rights lawyer who, among other endeavours, campaigned for a gradual end to the death penalty and worked extensively with young prisoners sentenced to death for crimes they committed when they were under 18, was sentenced to 33 years and six months in prison in March 2019; whereas Nasrin Sotoudeh was awarded the 2012 Sakharov Prize for Freedom of Thought by the European Parliament in recognition of her outstanding work in the defence of human rights;

M. whereas the large-scale enforced disappearances and summary executions of political dissidents which took place in 1988 have to date not been the subject of any investigation and no one has been held accountable for them;

N. whereas the EU has adopted restrictive measures towards Iran since 2011 in response to violations of human rights, including asset freezes and visa bans for individuals and entities responsible for grave human rights violations, and a ban on exports to Iran of equipment that could be used for internal repression or to monitor telecommunications; whereas these measures are updated regularly and have been extended until 13 April 2022;

O. whereas since Ebrahim Raisi took office as president in August 2021, there has been a significant rise in the number of executions, including of women;

P. whereas, according to reports, every year 400 to 500 women are brutally murdered in Iran in so-called 'honour killings'; whereas under the Iranian Penal Code 'honour killings' are permitted under certain circumstances without penalty; whereas women and men often face no justice in crimes committed against them in the name of 'honour'; whereas on 5 February 2022, Mona Heydari was beheaded by her husband who then paraded the streets with her severed head in the south-western city of Ahvaz; whereas in May 2020, Romina Ashrafi, aged 13, was beheaded by her own father with a sickle while she was asleep;

Thursday 17 February 2022

Q. whereas the US State Department outlined that Iran remains the world's largest state sponsor of terrorism in recent years, providing political, financial, operational and logistical support to a variety of groups listed in both the EU terror list and US list of foreign terrorist organisations;

1. Reiterates its strong opposition to the death penalty in all circumstances; calls on the Government of Iran to introduce an immediate moratorium on the use of the death penalty as a step towards abolishing and to commute all death sentences;

2. Calls on the authorities of the Islamic Republic of Iran to urgently amend Article 91 of the Islamic Penal Code of Iran to explicitly prohibit the use of the death penalty for crimes committed by persons below 18 years of age, in all circumstances and without any discretion for judges to impose the death penalty or life imprisonment without the possibility of release;

3. Expresses its deepest condolences to the families, friends and colleagues of all innocent victims;

4. Underlines the need to ensure a safe and enabling environment where it is possible to defend and promote human rights without fear of reprisal, punishment or intimidation; strongly supports the aspirations of the Iranian people who want to live in a free, stable, inclusive and democratic country that respects its national and international commitments on human rights and fundamental freedoms;

5. Urges the Iranian authorities to immediately drop all charges against Dr Ahmadreza Djalali, and to release and compensate him and stop threatening his family in Iran and Sweden;

6. Reiterates its call on the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy and the EU Member States to do their utmost to prevent Dr Ahmadreza Djalali's execution;

7. Urges the Iranian authorities to cooperate without further ado with the embassies of the Member States in Tehran in establishing a comprehensive list of EU-Iranian dual nationals currently being detained in Iranian prisons;

8. Calls on all 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; calls for all charges against all arbitrarily detained EU nationals to be promptly dropped;

9. Calls on the Iranian authorities to release all political prisoners, including human rights defenders, in particular the prominent human rights defender Narges Mohammadi, the political journalist Mehdi Mahmoudian, who was recently sentenced to an additional seven months in prison in connection to his work against the death penalty, and the Sakharov Prize laureate Nasrin Sotoudeh;

10. Deplores the systematic use of torture in Iranian prisons and calls for the immediate cessation of all forms of torture and ill-treatment of all detainees; condemns the practice of denying access to phone calls and family visits for detainees; expresses grave concerns over detainees' inability to access legal representation during interrogations;

11. Strongly condemns the steadily deteriorating human rights situation in Iran, especially for persons belonging to ethnic and religious minorities, based on systemic political, economic, social and cultural discrimination; deplores the alarming escalation in the use of the death penalty against protesters, dissidents, human rights defenders and members of minority groups;

12. Calls on the Iranian authorities to address all forms of discrimination against persons belonging to ethnic and religious minorities, including the Baluch, Kurds, Arabs, Baha'is, Christians and LGBTIQ persons, and to immediately and unconditionally release all those imprisoned for exercising their right to freedom of religion or belief or sexual orientation;

13. Condemns, in the strongest possible terms, the application of the death penalty for same-sex relations, which are still illegal in Iran;

14. Calls on the Iranian authorities to immediately repeal the 'Youthful Population and Protection of the Family' law and to ensure access to public sexual and reproductive health services, including safe, legal, free and high-quality abortion services in all circumstances; recalls that denying women abortions constitutes a form of gender-based violence and may amount to torture or cruel, inhuman and degrading treatment; strongly condemns the threats by the Iranian authorities to impose the death penalty for abortion and calls on the Iranian authorities, in particular, to repeal this provision without delay; calls on the EU and the Member States to cooperate with the UN in closely monitoring the new 'Youthful Population and Protection of the Family' law, its impact on maternal deaths, and any developments concerning the application of the death penalty for abortion;

15. Highlights that citizens of Iran, through citizen-led initiatives, are consistently calling for the abolition of the death penalty and for an end to its use against human rights defenders and its disproportionate use against minorities; supports Iranian civil society and its peaceful efforts in pursuit of human rights;

16. Calls on Iran to allow visits by and fully cooperate with all special procedures of the UN Human Rights Council, including the UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran;

17. Urges the EU to raise human rights violations in its bilateral relations with Iran; calls on the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy to ensure that the European External Action Service continues to raise human rights matters in the context of the EU-Iran High Level Dialogue; reaffirms that respect for human rights is a core component in the development of EU-Iran relations;

18. Welcomes the Council's adoption of the EU Global Human Rights Sanctions Regime (EU Magnitsky Act) as an important instrument for the EU to sanction violators of human rights; calls for targeted measures to be taken, using either the current EU human rights sanctions regime against Iran or the EU Global Human Rights Sanctions Regime (EU Magnitsky Act), against Iranian officials who have committed serious human rights violations, including executions and arbitrary detentions of dual and foreign nationals in Iran, and including judges who have sentenced journalists, human rights defenders, political dissidents and activists to death;

19. Considers that further targeted sanctions will be necessary if the Iranian authorities do not free Dr Ahmadreza Djalali, as the EU and its Member States are requesting;

20. Underlines the destabilising role of the Iranian regime across the wider region and denounces the fact that the Iranian regime is responsible for the deaths of numerous civilians in Syria, Yemen and Iraq;

21. 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 UN Secretary-General, the Supreme Leader and the President of the Islamic Republic of Iran and the Members of the Iranian Majles.