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*Plenary sitting*

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**B9-0107/2022**

15.2.2022

## **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 death penalty in Iran  
(2022/2541(RSP))

**Pedro Marques, Andrea Cozzolino, Jytte Guteland**  
on behalf of the S&D Group

**B9-0107/2022**

**European Parliament resolution on the death penalty in Iran  
(2022/2541(RSP))**

*The European Parliament,*

- having regard to its previous resolutions, in particular those of 7 July 2021 on the case of Ahmadreza Djalali in Iran, 17 December 2020 on Iran, in particular the case of 2012 Sakharov Prize Laureate Nasrin Sotoudeh, of 19 September 2019 on Iran, notably the situation of women's rights defenders and imprisoned EU dual nationals,
  - having regard to the EU guidelines on the death penalty, on torture and other cruel treatment, on freedom of expression online and offline and on human rights defenders,
  - having regard to the International Covenant on Civil and Political Rights of 1966, to which Iran is a party, and the safeguards against torture and arbitrary detention laid down in the Iranian Constitution,
  - having regard to the Universal Declaration of Human Rights of 1948,
  - having regard to Rules 144(5) and 132(4) of its Rules of Procedure,
- A. Whereas despite the 2017 amendment in the country' drug trafficking law, Iran remains one of the leading executioners in the world, with the penal code prescribing the capital punishment for several non-violent crimes and vaguely defined national security charges;
- B. Whereas trials for charges that result in defendants facing the death penalty routinely fall short of international fair trial standards, and judicial authorities and judges disregard allegations of torture during interrogations that are raised by the defendants;
- C. Whereas despite amendments in the country's penal code, Iran continues to execute individuals for crimes they allegedly committed as children in violations of country's human rights obligations;
- D. Whereas authorities prosecute human rights defenders who campaign for abolishing the death penalty or raise awareness about the unfair trial processes of those on death row;
- E. Whereas authorities have issued death sentenced 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 serious allegations of use of excessive and lethal force by security officers against protestors;

- F. Whereas the Islamic Republic of Iran continues to use the death penalty against people who were under the age of 18 at the time of the crime, in violation of its obligations under the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child; whereas the absolute prohibition against the use of the death penalty against child offenders is also recognized as a peremptory norm of customary international law, which means it is accepted and recognized by the international community of states as a norm which is binding on all states and from which no derogation is permitted;
- G. whereas Swedish-Iranian national Dr Ahmadreza Djalali, who specialises in emergency medicine and is a scholar at Belgium's Vrije Universiteit Brussel and Italy's Università del Piemonte Orientale, was arrested on 24 April 2016 by the Iranian security forces; whereas he was sentenced to death on espionage charges in October 2017 following a grossly unfair trial based on a confession extracted under torture; whereas the sentence was upheld by Iran's Supreme Court on 17 June 2018;
1. Calls on the Iranian government to immediately halt all executions and enact a moratorium on death penalty, with a view to eventually abolishing it; pending that, urges the government to at least refrain from handing death penalty sentences to children and juvenile offenders, and to refrain from executing anyone sentenced to death for non-violent or vaguely defined crimes;
  2. Calls on Iranian authorities to immediately and unconditionally release all unjustly jailed human rights defenders, including those who have been imprisoned in connection to their activism against the death penalty, and in particular prominent human rights defender Narges Mohammadi who has more than 6 years unjustly behind bars and Mehdi Mahmoudian who has recently been sentenced to additional 7 months in prison in connection to his work against the death penalty;
  3. Reiterates its call on Iran to immediately drop all charges against the Swedish-Iranian academic Dr Ahmadreza Djalali, and to halt his execution to pardon and release him immediately and unconditionally, and to allow him to return to his family in Sweden; firmly condemns his torture, arbitrary detention and death sentence on unsubstantiated charges as documented in the 2017 opinion of the Office of the UN High Commissioner for Human Rights's Working Group on Arbitrary Detention; urges Iran, pending the above, to immediately grant him regular contact with his family and lawyer, to guarantee his safety and provide him with urgent and adequate medical care; calls on Iran to stop threatening his family in Sweden and Iran;
  4. Condemns in the strongest possible terms the recent execution of two men charged with sodomy. Homosexuality is still illegal in Iran, and is considered one of the most repressive places in the world for LGBTI+ persons.

5. (new) Calls to promptly drop all charges against all arbitrarily detained EU nationals, including German nationals Nahid Taghavi and Jamshid Sharmahd, French nationals Benjamin Brière and Fariba Adelkhah, the latter of whom remains under a travel ban, and Austrian nationals Kamran Ghaderi and Massud Mossaheb;
6. Calls on Iran to also release political prisoners, including human rights defenders, as they have been arbitrarily detained solely for exercising their fundamental rights to the freedoms of expression, belief, association, publication, peaceful assembly and media freedom; calls on Iran to properly investigate the officials responsible for serious human rights violations, including the use of excessive and lethal force on protesters; denounces the systematic use of prolonged solitary confinement in violation of Iran's international obligations;
7. Calls on the authorities of the Islamic Republic of Iran to urgently amend Article 91 of the Penal Code 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;
8. Reiterates its strong opposition to the death penalty in all circumstances and stresses that no moral, legal or religious justification may be used; calls on Iran to introduce an immediate moratorium on the use of the death penalty as a step towards abolition;
9. 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;
10. 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 Iran's Majlis.