

## Motion

**by the Members of Parliament Omid Nouripour, Margarete Bause, Claudia Roth, Kai Gehring, Dr. Franziska Brantner, Agnieszka Brugger, Uwe Kekeritz, Katja Keul, Dr. Tobias Lindner, Cem Özdemir, Manuel Sarrazin, Dr. Frithjof Schmidt, Jürgen Trittin, Ottmar von Holtz and the Alliance 90 / Greens Parliamentary Group**

### **Iran - Condemn human rights violations and consistently demand obligations under international law**

The Bundestag is requested to adopt the following motion:

I. The German Bundestag notes:

Iran is a member of the United Nations, has voted for the Universal Declaration of Human Rights and is a signatory to the International Covenant on Civil and Political Rights and other international human rights treaties. In violation of these and other international obligations, human and civil rights are systematically disregarded and violated in Iran.

Freedom of opinion, association and assembly are massively restricted by the authorities. Internet sites and social media are blocked, and critical media operations are closed. Initiatives for more women's rights are nipped in the bud. For example, the authorities take bitter action against activists who campaign against the discriminatory obligation to wear a headscarf - sometimes with decades of prison sentences or lashes. In addition, the authorities take extremely harsh action against human rights lawyers and prosecute them for their peaceful human rights work. In March 2019, the lawyer and winner of the European Parliament's Sakharov Human Rights Prize, Nasrin Sotoudeh, was sentenced to 33 years and six months in prison and to 148 lashes (<https://www.zeit.de/2019/13/nasrin-sotoudeh-anwaeltin-iran-inhaftierung>). According to reports, her life is increasingly in danger (<https://de.euronews.com/2020/08/30/anwaltin-nasrin-sotoudeh-nach-20-tagen-hungerstreik-in-iran-in-lebensgefahr>). This is the second time in less than six months that Sotoudeh has gone on hunger strike to protest against the mistreatment of Iranian political prisoners who are at great risk from the Covid 19 pandemic, which is also raging in the country's prisons. While the Iranian judiciary released more than 100,000 inmates from prison in early April, at least temporarily, political prisoners continue to be held in inhumane conditions. By keeping political prisoners in overcrowded and unsanitary prisons where they are denied medical care and are not separated from sick prisoners, the Iranian authorities leave them defenseless against a Covid-19 infection with possible life-threatening consequences.

Members of ethnic and religious minorities such as Kurds, Baha'is, Christians, Sufis and Sunnis often face numerous discriminations and persecution in Iran

(<https://www.dw.com/de/neue-schikane-gegen-religi%C3%B6se-minderheiten-im-iran/a-52266528>). With 300 000 followers, the Baha'is are the largest religious minority in Iran. For decades they have been arbitrarily imprisoned, harassed and defamed. Baha'is have no legal protection as a minority because their faith is not recognized in the constitution (<https://iran-hrm.com/index.php/2020/07/21/iran-appeals-court-upholds-31-year-total-sentence-for-bahais/>). Under the shadow of the Covid19 pandemic, Iranian authorities have targeted numerous Baha'is for criminal prosecution in recent months. 26 of them were charged and convicted (<https://iranjournal.org/news/iran-bahai-2>).

Due to discriminatory laws in Iran, homosexuals and other sexual minorities (LGBTIQ) are regularly exposed to harassment, violence and even death (<https://www.hrw.org/news/2010/12/15/iran-discrimination-and-violence-against-sexual-minorities>).

Even environmental and nature conservation activists are not safe from repression and arbitrariness. In January 2018 the Islamic Revolutionary Guards arrested nine environmental activists. One of the detainees, university professor Kavous Seyed-Emami, died after two weeks in custody under unknown circumstances. Two of the activists, Morad Tahbaz and Niloufar Bayani, were sentenced to 10 years in prison. Houman Jokar and Taher Ghadirian each received eight years imprisonment for alleged "collaboration with the enemy government of America. Three other activists-Sam Rajabi, Sepideh Kashan Doust and Amirhossein Khaleghi Hamidi-have each been sentenced to six years in prison. The eighth activist, Abdolreza Kouhpayeh, was sentenced to four years in an Iranian prison (<https://www.rferl.org/a/iran-sentences-eight-environmental-activists-for-allegedly-spying-for-u-s/30441439.html>).

Peaceful protest is in most cases suppressed and crushed. Countless cases of disappearances have been documented but are not dealt with. Journalists, government critics, human rights defenders and civil society activists are arbitrarily arrested and sentenced without fair trial. Dual nationals such as Fariba Abdelkhah, Kamran Ghaderi or Nazanin Zaghari-Ratcliffe, as well as Western researchers such as Kylie Moore-Gilbert, are repeatedly treated as political hostages and are used as a means of exerting pressure in the conflict with the Western world.

At the end of July, the German-Iranian Jamshid Shahrmahd, who lives in the USA, was kidnapped from Dubai by the Iranian secret service according to statements by his family and forced into Iranian custody under torture (<https://en.radiofarda.com/a/daughter-of-man-abducted-by-iran-intelligence-says-there-is-no-news-about-him/30774030.html>). As recently as last October, a Paris-based dissident, Ruhollah Zam, was lured to Iraq and arrested there. An Islamic Revolutionary Court sentenced Zam to death in late June last year.

Often political prisoners in custody suffer torture and ill-treatment and are denied necessary medical treatment (<https://www.hrw.org/world-report/2019/country-chapters/iran>). The Iranian judicial authorities have dramatically increased the price of peaceful dissent and sentenced dozens of human rights defenders and activists to decades of imprisonment. Serious abuses by the security and intelligence agencies in the nationwide protests of November 2019 are still being covered up today, as are the numerous deaths in the protests (<https://www.reuters.com/article/us-iran-protests-specialreport/special-report-irans-leader-ordered-crackdown-on-unrest-do-whatever-it-takes-to-end-it-idUSKBN1YR0QR>) and the thousands of unlawful arrests and convictions.

According to a comprehensive report by Amnesty International, a total of about 7000 men, women and children were arrested, tortured and mistreated within a few days. As a result, dubious "confessions" about participation in demonstrations, membership in opposition groups, and contacts with foreign governments and media were forced. Among the torture techniques used were waterboarding, electric shocks, spraying of genitals with pepper spray, beatings, sexual violence and mock executions (<https://www.amnesty.org/en/latest/news/2020/09/iran-detainees-flogged-sexually-abused-and-given-electric-shocks-in-gruesome-post-protest-crackdown-new-report/>).

Since February 2020, a number of young men have also been sentenced to death on charges of taking part in violent clashes during the protests (<https://www.dw.com/de/iran-internationale-kampagne-gegen-todesstrafe/a-54204619>). In early September 2020, the wrestler Navid Afkari was sentenced to death on charges of stabbing a security officer to death during protests in the summer of 2018. On September 12, 2020, the sentence was carried out, unannounced and despite international protest. Afkari was denied any semblance of due process and a fair trial. There is evidence that he did not commit the crime he is accused of, and his plea that his confession was coerced under torture has never been investigated by the Iranian judiciary. The death penalty is a cruel and inhuman punishment that violates the fundamental rights of every human being to life and dignity. In fact, Iran leads the world's grim list of countries that execute juvenile offenders ([https://amnesty-todesstrafe.de/wp-content/uploads/325/reader\\_iran\\_jugendliche.pdf](https://amnesty-todesstrafe.de/wp-content/uploads/325/reader_iran_jugendliche.pdf)).

Furthermore, Afghan children and young people are sent to their deaths through their forced recruitment as soldiers in the war in Syria (<https://www.hrw.org/news/2017/10/01/iran-afghan-children-recruited-fight-syria>). In addition, the Iranian government violates the human rights of Afghan refugees in various ways. These include forced deportation, denial of the right to education, forced labor, lack of access to medical care, denial of freedom of movement, forced family separation, regular physical abuse and maltreatment in detention and deportation centers (<http://refugeeresearchonline.org/irans-mistreatment-of-afghans-human-rights-violations-of-refugees-and-asylum-seekers/>).

The Iranian population is also suffering from the Trump Administration's so-called "maximum pressure" campaign since the United States' one-sided withdrawal from the Joint Comprehensive Plan of Action and the intensification of the US sanctions regime. In addition to corruption and mismanagement, it is dramatically aggravating the economic situation of Iranians. An investigation by the human rights organization Human Rights Watch in October 2019 found, for example, that Iran is hardly in a position to finance humanitarian imports, including medicines. (<https://www.hrw.org/de/news/2019/10/29/iran-sanktionen-gesundheit>). In addition, there is growing fear among the population of a military confrontation with the United States. The people of Iran feel that they are under pressure in both domestic and foreign policy.

## II. The German Bundestag calls on the Federal Government

1. to urge the Iranian government to uphold the rule of law, human rights and international humanitarian law in order to guarantee the security of the Iranian population;

2. to publicly and categorically condemn the repression of human and civil rights in Iran;
3. to call on the Iranian government to release all political prisoners immediately and unconditionally and to revoke the sentences against them;
4. to insist that the Iranian government comply with its international obligations under the International Covenant on Civil and Political Rights, including in particular freedom of expression and freedom of the press;
5. to support the efforts of Iranian civil society to promote the guarantee of basic and human rights, which are the basis for the emergence of a freely elected, open and democratic political system;
6. to help the Iranian people to produce, access and exchange information freely and safely on the Internet and other communication outlets;
7. call on the Iranian government to eliminate discrimination and persecution against human rights defenders, religious and ethnic minorities, women, LGBTIQ and opposition members, and to bring cases of police violence and allegations of crimes against humanity to justice, so that victims are compensated and perpetrators are convicted in order to combat impunity;
8. work together with international partners to investigate and prosecute human rights violations by senior officials of the Iranian government, regardless of where and when such violations occurred;
9. to advocate for fair trials under the rule of law for all inmates and for the immediate and unconditional release of all political prisoners and human rights defenders, and for their humane and medically appropriate treatment during their detention, especially during the ongoing Covid-19 pandemic;
10. campaign for the formation of a high-ranking international delegation to hold direct talks with the Iranian government to demand the release of human rights activists such as Nasrin Sotoudeh and the reversal of the sentences imposed on them;
11. within the framework of the EU, to extend targeted and individual visa and asset freezes of leading government officials and individuals responsible for human rights violations;
12. establish a formal human rights dialogue within the EU framework with specific and tangible conditions and benchmarks, as well as rapidly advance informal human rights consultations;
13. to publicly call upon the Iranian government to immediately stop the human rights violations against Afghan women and men living in Iran and the forced recruitment of children and youths as soldiers in the Syrian war by the Revolutionary Guards and to offer them a perspective for their future in Iran;
14. call on the Iranian government to advance the ratification of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict by the Iranian Parliament;
15. to make additional funds available through the United Nations High Commissioner for Refugees (UNHCR) for the protection and care of refugees from neighboring countries like Afghanistan;

16. in accordance with UN Resolution 1325 and its follow-up resolutions, advocate that special measures be taken to protect women and girls from gender-based violence, especially rape and other forms of sexual abuse;
17. call on the Iranian government to cooperate with the UN High Commissioner for Human Rights, to grant the High Commissioner for Human Rights access to Iran, hence to confront the serious human rights crisis and impunity;
18. to call on the Iranian government to cooperate with the UN Special Rapporteur on Iran and to allow him to enter Iran accordingly;
19. lobby the Iranian government to ensure that inhumane punishments such as flogging are no longer used and to insist that detentions and imprisonment comply with the UN's minimum principles for the treatment of prisoners (Nelson Mandela rules);
20. urge the Iranian government to amend Article 48 of the Iranian Code of Criminal Procedure so that all defendants have the right to be represented by an attorney of their choice and have access to a fair trial in accordance with the UN Covenant on Civil and Political Rights;
21. to compel the German embassy to engage in regular proactive networking with human rights defenders on the ground, for example by offering shelters and exchange rooms, by conducting trial observations in court proceedings against human rights defenders, by supporting the collection of evidence on the persecution of human rights defenders on the ground to combat impunity, and by educating about participation rights;
22. to issue humanitarian visas more frequently and swiftly for urgently threatened human rights defenders;
23. to instruct the German embassy to protest in all cases when the death penalty is imposed and to visit the individuals concerns in prisons in order to document their cases and make them public;
24. advocate an immediate ban on the death penalty, especially for minors, and point out that this practice violates the UN Convention on the Rights of the Child ratified by Iran;
25. to pursue a coherent German and European policy in foreign, trade and economic affairs, based on the principles of rule of law and human rights.

Berlin, 16 September 2020

**Katrin Göring-Eckardt, Dr. Anton Hofreiter und parliamentary group**