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MOTION FOR A RESOLUTION

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 115 of the Rules of Procedure

by Michael Gahler, Bernd Posselt and Charles Tannock

on behalf of the PPE-DE Group

on Iran

European Parliament resolution on Iran

The European Parliament,

- having regard to its previous resolutions on Iran, notably concerning human rights,
- having regard to the United Nations Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child to which Iran is a party,
- having regard to the EU-Iran Human Rights Dialogue that took place but in which Iran has ceased to participate and at which the Government of Iran expressed its commitment to strengthening respect for Human Rights and the Rule of Law,
- having regard to the EU's 8th Annual Report on Human Rights (2006) adopted by the Council 17 October 2006,
- having regard to the Council documents on Iran, notably the Council Conclusion of 11 April, 15 May and 17 July 2006, the Council declaration on Freedom of Expression dated 26 July 2006, the declaration of 5 May 2006 on Human Rights in Iran, the declaration of 24 August 2006 on the death of Akbar Mohammadi and imprisonment of Manucher Mohammadi and the declaration on Freedom of Press dated 5 October 2006,
- having regard to Rule 115(5) of its Rules of Procedure,

General situation

- A. whereas the situation in Iran regarding the exercise of civil rights and political freedoms has deteriorated in the last year, notably since the presidential elections of June 2005, despite several commitments by the Iranian authorities to promote universal values,

Political Prisoners

- B. concerned about the reports on increasing judicial harassment and imprisonment of human rights activists following unfair trials and concerned, moreover, about the reports on increasing torture of political prisoners, recalling that, in August and September 2006, two political prisoners were reported to have died under dubious circumstances within five weeks,
- C. concerned that the Centre for Defence of Human Rights (CDHR), co-founded by the 2003 Nobel peace laureate Shirin Ebadi and a provider of pro-bono legal defence to Zahra Kazemi, Akbar Ganji and Abdoulfatah Soltani, was declared an illegal organization by President Ahmadinejad in August 2006 and the Ministry of Interior threatened those who continued activity with prosecution,

Prosecution of Juvenile Offenders

- D. deeply concerned by the increasing reports regarding executions and death sentences against juvenile offenders, while noting that Iran accounts for the highest number of juvenile executions worldwide,

Minority Rights

- E. noting that Iran is a multi-ethnic state where “minorities” make up nearly half the population,
- F. whereas some minority rights are granted by the Iranian Constitution, such as the right to one's own language, but at the same time such rights cannot be exercised in practise; whereas minority groups have held demonstrations to exercise such rights in the past months, leading to large scale imprisonment of participants,
- G. whereas the Azeris, the largest ethnic minority in Iran, were openly offended by cartoons depicting them as an ethnical minority grouping by a state owned daily newspaper in May 2006, whereas other minorities continue to be discriminated against and harassed due to their religious or ethnic background, such as the Kurds and the inhabitants of the area around Ahwaz city, the provincial capital of the ethnic Arab-dominated Khuzestan province, who are, for example, being displaced from their villages according to statements by Miloon Kothari, UN Special Rapporteur on Adequate Housing,

Freedom of Religion

- H. whereas apart from Islam, only Zoroastrianism, Christianity and Judaism are recognised as religions by law so that members of other religions are not granted the right to exercise their religion, whereas the Baha'is, notably, cannot exercise their religion and are moreover consequently deprived of all civil rights (e.g. owning property, higher education),

Freedom of Press

- I. particularly concerned about the increasing reports regarding arbitrary arrests of and threats against journalists, cyber journalists and web loggers,
- J. whereas, according to reports, the Iranian authorities are increasingly filtering internet sites and blocking access to several dozen online publications and political, social and cultural web logs, noting that, with the repression of the free use of internet, the Iranian authorities are cracking down on the Iranian public's only means of access to uncensored information,
- K. whereas it is necessary to provide diverse ways and means to transmit news into Iran without the possibility of censorship,

Rights of Women

- L. whereas Iran is still not a party to the Convention on the Elimination of All Forms of Discrimination against Women,
- M. whereas demonstrations for legal reforms to end discrimination against women on the International Women Day in March 2006 and later in June 2006, were broken up and participants were arrested, although they were subsequently released,

Violation of Other Rights

- N. whereas, in September 2006, President Mahmoud Ahmadinejad openly called for the purge of liberal and secular academics in the universities and whereas in the past months several student activists voicing their opinion for more democracy have been imprisoned, notably Manoucher Mohammadi, or barred from entrance to university,
- O. whereas persons are still imprisoned and at times executed for sexual offences inter alia for adult consensual sexual activity amongst non-married couples and homosexuals,
- P. noting that Iran accounts for the second highest number of executions worldwide, highly

concerned, moreover, that people are still being condemned to death by stoning despite the moratorium on stoning imposed in December 2002, notably women for crimes of sexual misconduct,

- Q. recalling the announcement made by the Head of the Judiciary of the Islamic Republic of Iran in April 2004 banning torture and the subsequent reform of legislation by the Iranian Parliament approved by the Guardian Council in May 2004,
- R. whereas, in December 2006, there will be elections for the "Assembly of Experts", a pillar of the clerical establishment, choosing and supervising the work of the supreme leader, as well as Council elections, whereas, for the Council elections, it has been reported that in the electoral districts of Rey and Shemirant nominees have been refused registration and for the Assembly election the reformists have threatened with election boycott if all nominees are not admitted,

Violation of International Obligations

- S. deeply concerned at Iran's lack of cooperation with regard to the EU-Iran Human Rights Dialogue and also concerned that there are no signs of the enforcement of Iran's commitment within that dialogue to strengthen respect for human rights and the rule of law in Iran,
- T. whereas EU relations with Iran have been based on a threefold approach, characterised by negotiations on a trade and cooperation agreement, political dialogue and a human rights dialogue, and whereas the political dialogue has been suspended because of the current Iranian position on its nuclear programme,

General situation

- 1) Calls on Iran to grant all persons the right to exercise civil rights and political freedoms and hopes that the Iranian authorities will fulfil their commitments to promote universal values, to which Iran is also obliged by international conventions that it has ratified;

Political Prisoners

- 2) Calls on the Iranian authorities to launch immediate investigations into the alleged torture and ill-treatment of all political prisoners and to provide aid unconditionally to those that are in poor health and require medical assistance;
- 3) Further calls on the Iranian authorities to cease the harassment and arrest of persons in non-governmental organisations that are dedicated to the promotion of civil rights and political freedoms; reminds Iran that all organisations have the right to promote and to strive for the protection and realisation of human rights and fundamental freedoms according to the UN Declaration on Human Rights;

Prosecution of Juvenile Offenders

- 4) Calls on the Iranian authorities to order an immediate halt to all executions of juvenile offenders and to prevent any further application of the death penalty, especially against minors;
- 5) Strongly condemns the death sentences passed against and execution of juvenile offenders

and minors and calls on the Iranian authorities to respect internationally recognised legal safeguards with regard to minors such as the UN Convention on the Rights of the Child, which provides that capital punishment shall not be imposed for offences committed by persons below 18 years of age at the time of the offence, and therefore demands that the legal age of majority in Iran be changed to 18 years;

Minority Rights

- 6) Calls on the authorities to respect internationally recognised legal safeguards with regard to persons belonging to religious minorities, officially recognised or otherwise; condemns the current mistreatment of minority rights and demands for minorities to be able to practise all rights granted by the Iranian Constitution and international legislation; moreover, calls upon Iran to cease any open and covert forms of discrimination against minorities;

Freedom of Press

- 7) Calls on the Iranian authorities to release all prisoners prosecuted or sentenced for press and opinion-related offences;
- 8) Condemns the arrests and imprisonment of cyber journalists and web loggers and the parallel censorship of several online publications, web logs and internet sites, as it is the most uncensored source of news available to the Iranian people;
- 9) Also condemns the wave of arbitrary arrests of journalists as well as the severe restrictions imposed on and especially the closure of media in Iran and therefore calls on the Iranian authorities to fulfil their obligations under the International Covenant on Civil and Political Rights, and notably to allow the free expression of opinion in all forms of media;

9a) Deeply regrets the fact that the media is abused in order to propagate anti-Zionist demands of the President at the conference "The World without Zionism" in October 2005 and also regrets the participation of journalists in the provocative cartoon competition on the Holocaust;
- 10) Calls on the Iranian Parliament to adapt the Iranian Press Law and the Penal Code to the International Covenant on Civil and Political Rights, and notably to repeal all criminal provisions dealing with the peaceful expression of opinions, including in the press;
- 11) Calls on the European Commission and the Council to fund European ways and means to transmit information into Iran in order to ensure that people are given the opportunity for uncensored information;

Freedom of Religion

- 12) Demands that no person be subject to discrimination on the grounds of his religious belief; notably calls for the ban on practising the Baha'i faith to be lifted;

Rights of Women

- 13) Urges Iran to sign the Convention on the Elimination of All Forms of Discrimination against Women, and condemns the increasing arrests and punishment of women fighting for their rights or on grounds of 'improper veiling';

Violation of Other Rights

- 14) Strongly condemns the open call by President Ahmadinejad to purge liberal and secular academics in the universities and calls upon all those expelled to be allowed to return and to teach according to the elementary rights of academic freedom;

- 15) Calls upon the release of student activist Manoucher Mohammadi and requests that students should not be barred from higher education on the grounds of their peaceful political activities;
- 16) Demands that adult consensual sexual activity by non-married couples should not lead to prosecution and that people should not be imprisoned or executed on the grounds of their sexual orientation;
- 17) Calls on the Iranian authorities to implement their publicly declared moratorium on stoning and moreover demands that the Islamic Penal Code of Iran be reformed in order to abolish stoning; further calls on the Iranian authorities to cease all forms of torture;
- 18) Is deeply concerned that, for the upcoming elections, nominees have once again been unable to register and that reformists will boycott the elections due to the undemocratic admission to electoral lists;

Violation of International Obligations

- 19) Calls on Iran to recommence the EU-Iran Human Rights Dialogue with the European Union and, further, calls on the Council and the Commission to closely monitor developments in Iran and also to raise specific cases of human rights abuses within the framework of the dialogue;
- 20) Calls on Iran to respect the United Nations Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights;

European Initiatives

- 21) Calls on the Commission to make effective use of the new instrument for Democracy and Human Rights in close co-operation with the European Parliament for democracy and respect for human rights in Iran;
- 22) Calls on the Council to examine the way in which Parliament may become involved in the regular updating of Council Common Position No 2001/931/CFSP of 27 December 2001 on the application of specific measures to combat terrorism, taking into account developments from 2001 onwards;
- 23) Instructs its President to forward this resolution to the Council, the Commission, the High Representative for the CFSP, the governments and parliaments of the Member States, the IAEA Director General, the UN Commission on Human Rights, the Head of the State Supreme Court of Iran and the Government and Parliament of the Islamic Republic of Iran.