

# EUROPEAN PARLIAMENT

2004



2009

---

*Session document*

22.4.2009

B6-0250/2009

## **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 André Brie, Erik Meijer

on behalf of the GUE/NGL Group

on the situation of the residents of Camp Ashraf

**European Parliament resolution on on the situation of the residents of Camp Ashraf**

*The European Parliament,*

- having regard to the Hague and the Fourth Geneva Conventions;
  - having regard to Rule 115 of its Rules of Procedure,
- A. whereas in accordance with article 7 of the Fourth Geneva Convention residents of Camp Ashraf have to be considered as refugees enjoying protection under international law; whereas PMOI members living in the camp Ashraf have been disarmed and have been designated as “protected persons” under Article 27 of the Fourth Geneva Convention;
- B. whereas the Iraqi government is stepping up efforts to pressure the 3,500 people living in the camp Ashraf to leave the country; whereas following several statements by both Iranian and Iraqi officials that the PMOI should be expelled from Iraq and Camp Ashraf should be closed the Iraqi security forces have surrounded the Camp to prevent people from entering or exiting;
- C. whereas in a letter dated 15 October 2008 to the Minister of Foreign Affairs of Iraq the United Nations High Commissioner for Human Rights urged the Government of Iraq to protect Ashraf residents from forcible deportation, expulsion or repatriation in violation of the non-refoulement principle, and to refrain from any action that would endanger their life or security;
1. considers that those living in Camp Ashraf and other Iranian nationals who currently reside in Iraq having left Iran for political reasons would be at grave risk of torture or other serious human rights violations if they were to be returned involuntarily to Iran;
  2. emphasises that before any final decision to remove an individual to his/her country of origin, there should be an independent, individual assessment of the potential risk of serious human rights violations, including the death penalty and torture; insists that no person should be returned, either directly or via a third country, to a situation where they would be at risk of torture or other serious human rights abuses;
  3. calls on the Iraqi government to respect the legal status of the people living in camp Ashraf as protected persons under the Fourth Geneva Convention, to protect Camp Ashraf residents and other Iranian nationals from forcible deportation, expulsion or repatriation in violation of the non-refoulement principle, and to refrain from any action that would endanger their life or security;
  4. insists that the humanitarian needs of the camp's residents, including access to food and medical care, be met by those protecting the camp;
  5. urges the Iraqis to work together with UNHCR, and others as appropriate, to find a satisfactory long-term solution to the situation of residents of Camp Ashraf;

instructs its President to forward this resolution to the Council, the government and Parliament of Iraq, the UN Secretary-General and the UNHCR.