

Brussels, 15 November 2002

DRAFT MOTION FOR A RESOLUTION

with request for inclusion in the debate on topical and urgent subjects of major importance pursuant to Rule 50 of the Rules of Procedure

by .... on behalf of the ELDR Group

Bob van den Bos &

On Iran

Cecilia Malmström

***The European Parliament,***

- Having regard to its previous resolutions on Iran and most particularly to its resolution on the human rights dialogue with Iran adopted in October 2002;
- A. Whereas Dr Seyyed Hashem Aghajari, a history professor at Tehran's Tarbiat Modares University, was arrested on 8 August 2002 following a speech he gave on 19 June in Hamedan, Western Iran;
- B. Whereas his speech entitled "Islamic Protestatism" reportedly called for a "religious renewal of Shiite Islam" in which Muslims should not "blindly follow religious leaders";
- C. Whereas according to Iranian media reports, Dr Seyyed Hashem Aghajari, condemned for apostasy, was sentenced to 74 lashes, eight years imprisonment to be served in internal exile and death following a closed trial in Hamedan on 6 November 2002;
- D. Whereas the death sentence handed down by the judiciary has provoked widespread criticism in Iran and abroad and sparked several days of protests at university campus;
- E. Whereas, as reported by the Iranian State News Agency, (IRNA), President Mohammad Khatami described the verdict as "inappropriate" and expressed his hope that this issue will soon be resolved;
- F. Concerned by the fact that Dr Aghajari is in urgent need of medical attention to his right leg, amputated at the knee during the 1980-1988 Iran-Irak war, which is

*Cecilia Malmström*

CECILIA MALMSTRÖM

*[Signature]*

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apparently bruised and infected and whereas he is reportedly unable to stand up, walk or use the prison's hygiene facilities;

- G. Whereas Aghajari's lawyer, Saleh Nikbakht said his client refuses to appeal the sentence;
- H. Taking into account the fact that the question of the death sentence has become a centre of contention between hard-liners who control the police, the judiciary and other powerful bodies and reformers calling for the loosening of social political restrictions in Iran's Islamic regime;
1. Urges the death sentence and all other penalties passed on Dr Seyyed Hashem Aghajari be suspended immediately or commuted on appeal;
  2. Urges the supreme leader, Ayatollah Ali Khamenir to commute the death sentence passed in line with Article 6 of the International covenant on Civil and Political Rights (ICC PR) to which Iran is a state party;
  3. Urges the judicial authorities to implement a moratorium on the use of the death penalty which is cruel, inhuman and degrading punishment prohibited under Article 7 of the ICC PR with a view to its eventual abolition;
  4. Calls on the authorities to allow Dr Seyyed Hashem Aghajari to receive appropriate medical assistance and treatment;
  5. Calls for Dr Seyyed Hashem Aghajari's conviction to be overturned and that, if he is charged with recognisably criminal offences, to be tried accordingly to internationally accepted standards for a free and fair trial;
  6. Notes with interest the readiness expressed by Iran to discuss all human rights issues, including individual cases as stated by the human rights explanatory experts mission who visited Tehran in October 2002;
  7. Calls therefore on the Council and the Commission to closely follow the case of Dr Aghajari and underlines once more that any future trade and cooperation agreement with Iran must contain an human rights clause based on the corresponding article in the Cotonou Agreement;
  8. Recalls that no agreement with Iran can enter into force without the approval of the EP;
  9. Instructs its President to forward this resolution to the Council, the Commission and the government and the Parliament of the Islamic Republic of Iran.

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