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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 Pasqualina Napoletano, Hannes Swoboda, Christa Prets

on behalf of the PSE Group

on Iran: the case of Shirin Ebadi

European Parliament resolution on Iran: the case of Shirin Ebadi

The European Parliament,

- having regard to its previous resolutions on Iran, notably those concerning human rights,
- having regard to the 3rd inter-parliamentary meeting between the European Parliament and the Majlis (Parliament) of the Islamic Republic of Iran , held in Brussels on 4 and 5 November 2008 and the report thereon,
- having regard to the Declaration of 22 December 2008 by the Presidency on behalf of the European Union on the closure by Iranian police of the Human Rights Defenders Centre (HRDC) led by the lawyer and 2003 Nobel Prize Laureate Shirin Ebadi,
- having regard to the statement of 3 January 2009 by the UN Secretary General on harassment and persecution against Mrs. Shirin Ebadi and her safety and security,
- having regard to the resolutions of the General Assembly of the United Nations, and, in particular, resolution 63/191 of 18 December, 2008, on the situation of human rights in the Islamic Republic of Iran,
- having regard to the United Nations Declaration on Human Rights Defenders adopted on 9 December 1998,
- having regard to Rule 115(5) of its Rules of Procedure,

A. whereas the general human rights situation in Iran has continued to deteriorate since 2005 in all areas and aspects,

B. whereas on 21 December 2008 Iranian officials prevented a planned celebration of the 60th anniversary of the Universal Declaration of Human Rights and forced the closure of the Defenders of Human Rights Center (DHRC), which Mrs. Shirin Ebadi helped found,

C. whereas on 29 December 2008 officials identifying themselves as tax inspectors arrived at Mrs. Ebadi's private law office in Tehran and removed documents and computers despite her protests that the material contained protected lawyer-client information,

D. whereas on 1 January 2009 a mob of about 150 people demonstrated outside her home chanting slogans against Mrs. Ebadi and tore down the sign on her law office, which is in the same building, and marked the building with graffiti,

E. whereas there is increasing evidence that the Iranian authorities' persecution of Ebadi has intensified because of her contact with UN human rights officials and their use of information provided by her center in a UN report on the situation of human rights in Iran,

F. whereas the government and the authorities of Iran have an affirmative obligation to protect human rights advocates; the United Nations Declaration on Human Rights Defenders, which the UN General Assembly adopted by consensus in 1998, declares that states "shall take all necessary measures to ensure the protection by the competent authorities of [human rights defenders] against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary actions" as a consequence of their legitimate effort to promote human rights,

1. Condemns in the strongest terms Iran's closure of Nobel Prize Laureat Shirin Ebadi's office and points out that the raid by Iranian security forces in the Tehran 'Defenders of Human Rights Center' (DHRC) is a broader attempt to silence Iran's human rights community;

2. Expresses its serious concern that the continuing persecution, threats and attacks against Mrs. Ebadi not only endanger her safety and security, but also put all Iranian civil society activists and human right defenders in peril;

3. Underlines that the closing of the 'Defenders of Human Rights Center (DHRC) is not an attack on Mrs Shirin Ebadi and human rights defenders in Iran, but an attack on the entire international human rights community of which she is an influential and leading member.

4. Calls on the Iranian government to take all necessary steps to ensure Ebadi's safety and her ability to continue her human rights work

5. Calls on the Iranian authorities to uphold their international human rights commitments, and more specifically the right of peaceful assembly enshrined by the International Covenant on Civil and Political Rights Iran signed and ratified by Iran; also calls on Iran to authorise the re-opening of the Human Rights Defenders Centre and to grant it the legal status it has sought for many years.

6. Reiterates its concern regarding the persecution and imprisonment of citizens in Iran who engage in the defence of human rights and who campaign against death penalty, frequently being charged with so-called activities against national security; also calls on Iran to end the harassment, intimidation, and persecution of political opponents and human right defenders, including by releasing persons imprisoned arbitrary or on the basis of their political views and to end impunity for human rights violation;

7. Calls upon the Council and the Commission to closely monitor developments in Iran and also to raise concrete cases of human rights abuses as the basic condition for progress in EU-Iran economic and trade relations;

8. Calls on the Presidency of the Council and the Member States' diplomatic representatives in Iran urgently to undertake concerted action with regard to the abovementioned concerns;

9. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, 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.

