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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 122 of the Rules of Procedure

on Iraq, in particular death penalty (notably the case of Tariq Aziz) and attacks against Christian communities

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on behalf of the ALDE Group

European Parliament resolution on Iraq, in particular death penalty (notably the case of Tariq Aziz) and attacks against Christian communities

The European Parliament,

having regard to its previous resolutions on the situation in Iraq,

- having regard to the Protocol n° 6 to the Convention for the protection of human rights and fundamental freedoms concerning the abolition of the death penalty of 28 April 1983,
- having regard to the second Optional Protocol to the to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty of 15 December 1989,
- having regard to its previous resolutions on the abolition of the death penalty in particular these adopted by the EP on 26 April 2007 on the need for an immediate moratorium on executions in those countries where the death penalty is still applied,
- having regard to the previous resolutions of the EP in particular those on minority rights and application of death penalty in China of 26 April 2009; on the death penalty in Nigeria of 20 November 2008; on executions in Libya of 17 June 2010; on the situation in the Korean Peninsula of 8 July 2010 and on Iran of 22 October 2009, 10 February 2010 and 8 September 2010,
- having regard to United Nations General Assembly Resolution 62/149 of 18 December 2007 calling for a moratorium on the use of the death penalty, and the United Nations General Assembly Resolution 63/168 calling on the implementation of the 2007 General Assembly resolution 62/149 adopted by the UNGA on 18 December 2008,
- having regard to UN Secretary General report on moratoriums on the use of the death penalty of 11 August 2010,
- having regard to the UN Secretary General report on the question of the death penalty of 16 July 2010,
- having regard to the speech of the High Representative/VP of the Commission delivered in the plenary of 16 June 2010 on the Human Rights policy recalling that the abolition on death penalty world wide was a priority for the EU,
- having regards to the declaration by EP President Jerzy Buzek of 19 October 2009 expressing a strong appeal for the abolition of capital punishment,
- having regard to the final declaration adopted by the 4th World Congress against the Death Penalty, held in Geneva from 24 to 26 February 2010, which calls for universal abolition of the death penalty,
- having regard to Article 2 of the Charter of Fundamental Rights of the European Union,

- having regard to the Council conclusions adopted on 16 November 2009 on freedom of religion or belief in which it underlines the strategic importance of this freedom and of countering religious intolerance,
 - having regard to the 1981 UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion and Belief,
 - having regard to the statements by the EU High Representative Catherine Ashton on Iraq, in particular the one of 1 November 2010 following the attack against worshipers at Our Lady of Salvation Church in Baghdad, Iraq,
 - having regard to Rule 122 of its Rules of Procedure,
- A. whereas on October 26, 2010 the Iraqi High Tribunal condemned and sentenced to death Iraqi former deputy premier Tariq Aziz, aged 74;
 - B. whereas if the appeal against the sentence is turned down, the death sentence would likely be carried out within 30 days;
 - C. whereas in the previous trial he was sentenced to 22 years in prison in solitary confinement and that the sentence was in fact a life sentence because of ill health of Tariq Aziz, who has suffered in prison several strokes and health problems in the lung and underwent surgery following a blood clot in the brain;
 - D. whereas Iraq's president, Jalal Talabani, stated he will not sign the execution order for Tariq Aziz; whereas under the Iraqi constitution, the president should ratify death sentences, but there are mechanisms for the execution to be carried out through parliament;
 - E. whereas the condemnation to death of Tariq Aziz will do little to improve the atmosphere of violence in Iraq and that Iraq is in dire need of national reconciliation;
 - F. whereas the European Union is strongly committed to working towards the abolition of the death penalty everywhere and is striving to achieve universal acceptance of this principle,
 - G. whereas the death penalty is the ultimate cruel and inhuman and degrading punishment, which violates the right to life as declared in the Universal Declaration of Human Rights, and is an act of torture unacceptable to states respecting human rights,
 - H. whereas on 22 November 2010 two Iraqi Christians were killed in Mosul; whereas on 10 November a series of bomb and mortar attacks targeting Christian areas has killed at least five people in the Iraqi capital, Baghdad; whereas the attacks come days after Islamist militants seized a Catholic cathedral and more than 40 were killed;
 - I. whereas the safety and rights of all minorities, including religious groups, must be respected and protected in all societies;
 - J. whereas the European Union has repeatedly expressed its commitment to freedom of thought, freedom of conscience and freedom of religion and has stressed that governments have a duty to guarantee these freedoms,

1. Reiterates its long-standing opposition to the death penalty in all cases and under all circumstances, including for war crimes, crimes against humanity and genocide, and emphasises once again that abolition of the death penalty contributes to the enhancement of human dignity and the progressive development of human rights;
2. Condemns, therefore, the decision of the Iraqi Court to sentence Tariq Aziz to death; underlines, however, the importance of holding accountable those who violate human rights, including (former) politicians, in the framework of the rule of law and due process;
3. Urges the Iraqi authorities to reconsider their decision and not to carry out the death sentence pronounced by the Iraqi Court; believes that this will contribute to national reconciliation, peace and justice, and stabilization of the situation in Iraq; welcomes the announced intention of Iraq's President Jalal Talabani not to sign the execution order;
4. Encourages the Iraqi government to sign and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights and to sign Protocol 13m to the Convention on Human Rights and Fundamental Freedoms, concerning the abolition of the death penalty in all circumstances and calls for an immediate moratorium on executions;
5. Recalls that the full abolition of the death penalty remains one of the main objectives of the EU Human Rights policy;
6. Strongly condemns the attacks on religious communities in Iraq and urges the Iraqi Government to do more to protect civilians in an effort to prevent a deadly upsurge in sectarian violence;
7. Reaffirms its full support for the population of Iraq and calls on all Iraqi political entities to work together against the threat of violence and terrorism; emphasises that the right of all religious groups to gather and worship freely must be protected;
8. Deplores the deliberate targeting of locations where civilians congregate, including places of worship, voices its deep condolences to the families of the victims, and expresses confidence that the Iraqi people will remain steadfast in their continued rejection of efforts by extremists to spark sectarian tension;
9. Stresses that no terrorist act can reverse a path towards peace, national unity, democracy and reconstruction in Iraq, which is supported by the people and the government of Iraq and the international community;
10. Instructs its President to forward this resolution to the High Representative, the Council, the Commission, the governments and parliaments of the EU Member States, the UN Secretary-General, and the President of the UN General Assembly and the governments of the UN Member States.