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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 Iran - recent cases of human rights violations

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European Parliament resolution on Iran - recent cases of human rights violations

The European Parliament,

- having regard to its previous resolutions on Iran, notably those concerning human rights and, in particular, those of February 2010 and January 2011,
- having regard to the UN Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, to all of which Iran is a party,
- having regard to Rule 122(5) of its Rules of Procedure,

A. whereas the multi-faceted human rights crisis is gripping Iran, including the persecution and prosecution of civil society actors, political activists, journalists, students, artists, lawyers, and environmental activists; as well as the routine denial of freedom of assembly, women's rights, the rights of religious and ethnic minorities, and the skyrocketing rates of executions;

B. whereas recent deaths of two human rights defenders, Haleh Sahabi and Hoda Saber, for which the officials were responsible, illustrate the existential threats to jailed human rights defenders and dissidents in Iran;

C. whereas Iran has rejected the possibility of a constructive process of information exchange and dialogue on human rights with the international community by refusing to cooperate with the United Nations Special Rapporteur on the Situation of Human Rights in Iran, Ahmed Shaheed; whereas he has received no response to his requests, while several prominent political figures have denounced his mission

D. whereas the number of death sentences pronounced and carried out is extremely high, and increasing; whereas the definition of offences for which the death penalty is applied is wide-ranging and often vague; whereas there is a continued use of public executions as a method of execution;

E. whereas in 2010 at least 300 secret executions were reported, as well as at least 146 such executions in 2011 carried out at Vakilabad prison in the city of Mashad in absence of due process; whereas the Iranian authorities have been silent on these secret executions;

F. whereas the opposition leaders Mir Hossein Mousavi and Mehdi Karroubi have been under an extra-judicial confinement since 14 February 2011; whereas they are held illegally under "house arrest" since the authorities violently suppressed demonstrations in sympathy with the "Arab Spring,"; whereas these leaders, along with their politically active spouses, have for periods of time been forcibly disappeared in unknown locations and cut off from all contact with friends and family, a situation in which they have been at severe risk of torture;

G. whereas there has not been a full, impartial and independent investigation into allegations

of killings, torture and other ill-treatment during and following the 12 June 2009 presidential elections, and that responsible high level officials have not been held accountable;

H. whereas there are reports of the widespread use of torture and cruel, inhuman or degrading treatment in detention facilities, particularly of those accused of national security-related crimes or tried in Revolutionary Courts, some of which have resulted in the death of the detainee; whereas coerced confessions have often been used as the primary evidence to obtain convictions in court;

I. whereas there is a continued imposition of corporal punishment by judicial and administrative authorities, in particular amputations and flogging for a range of crimes, including theft, enmity against God (mohareb) and certain sexual acts;

J. whereas a prominent human rights activist Abdolfattah Soltani was arrested in September on charges of anti-government activities and has since been held in Tehran's notorious Evin prison;

K. whereas the 6-year prison sentence, confirmed after appeal, was imposed on the prominent Iranian filmmaker Jafar Panahi; whereas the sentence of one year's imprisonment and 90 lashes was given to prominent actress Marziyeh Vafamehr, following her part in a film referring to the difficult conditions in which artists operate in Iran; whereas on 17 September 2011 Iranian authorities detained six independent documentary filmmakers Mohsen Shahrnazdar, Hadi Afarideh, Katayoun Shahabi, Naser Safarian, Shahnam Bazdar and Mojtaba Mir Tahmaseb accusing them of working for BBC Persian and engaging in espionage on behalf of the news service;

L. whereas there is a continuing discrimination against members of the Christian minority, including arrests based on charges of proselytizing as well as a ban on conducting Christian services in the Farsi language; whereas the individuals who have converted from Islam have been arrested, and the article 225 of the draft Penal Code aims at making the death penalty mandatory for convicted male apostates (art.18); whereas a Protestant pastor, Youcef Nadarkhani, has been sentenced to death for apostasy having refused to renounce his faith

M. whereas members of the Baha'i community continue to be denied their right to freedom of religion or belief; whereas they continue to be subjected to a range of violations of their rights, including arbitrary detention, imprisonment, confiscation and destruction of property, denial of employment and government benefits and denial of access to higher education;

N. whereas Sunni Muslims continue to face discrimination in law and in practice, and are prevented from fully exercising their right to freedom to manifest their religion;

O. whereas the members of the lesbian, gay, bisexual, and transgender community face harassment, persecution, cruel punishment and even the death penalty; whereas these persons face discrimination on the basis of their sexual orientation, including with respect to access to employment, housing, education and health care, as well as social exclusion within the community;

1. Strongly condemns the ongoing massive violations of human rights in Iran, including the persecution of civil society actors, political activists, journalists, students, artists, lawyers, and

environmental activists, as well as the routine denial of freedom of assembly, women's rights, the rights of religious and ethnic minorities, the imposition the death penalty in absence of proper judicial safeguards and skyrocketing rates of executions, continuing practices that amount to torture, cruel, or degrading treatment of the detained and corporal punishments, such as amputations, floggings and stoning;

2. Urges the Iranian government to immediately allow access to the UN appointed Special Rapporteur Ahmed Shaheed to address Iran's ongoing human rights crisis; notes that Iran's complete lack of cooperation with the Special Rapporteur's mandate and the government's continued refusal to allow him access to the country is an indication that it has no intention of taking meaningful steps to improve the human rights situation.

3. calls upon Iranian authorities to release all individuals listed in the report of the UN Special Rapporteur on Human Rights in Iran Ahmed Shaheed, including political leaders Mir-Hossein Mousavi and Mehdi Karroubi, human rights lawyers Nasrin Sotoudeh and Abdolfattah Soltani, student activists Bahareh Hedayat and Abdollah Momeni, Pastor Yousef Nadarkhani, filmmaker Jafar Panahi and all the other individuals listed in the report;

4. Calls to urgently establish a full, impartial and independent investigation into allegations of killings, torture and other ill-treatment during and following the 12 June 2009 presidential elections, and prosecute those officials found responsible;

5. Calls on the Iranian authorities to immediately release and put an end to the persecution – whether by detention or other forms of harassment - of the members of Iran's artistic community; notes that such treatment is incompatible with the international human rights principles that Iran has freely signed up to; reminds that the right to freedom of expression through art and writing is enshrined in Article 19 of the International Covenant on Civil and Political Rights, which Iran has signed;

6. Calls on Iran to take steps to ensure full respect for the right to freedom of religion or belief, including ensuring that legislation and practices fully conform to article 18 of the International Covenant on Civil and Political Rights; this also entails that the right of everyone to change his or her religion, if he or she so chooses, is unconditionally and fully guaranteed;

7. Calls on Iran to take immediate steps to ensure that members of the Baha'i community are protected against discrimination in every field, that violations of their rights are immediately investigated, that those found responsible are prosecuted and that they are provided with effective remedies;

8. Calls to amend the Penal Code to abolish the imposition of corporal punishment by judicial and administrative authorities; reminds that the use of corporal punishment - which amounts to torture - is incompatible with article 7 of the International Covenant on Civil and Political Rights;

9. Calls on Iranian authorities to repeal or amend all legislation, which provides for or could result in the discrimination, prosecution and punishment of people because of their sexual orientation or gender identity; they should ensure that anyone held solely on account of freely and mutually agreed sexual activities or sexual orientation should be released immediately

and unconditionally;

10. Instructs its President to forward this resolution to the Council, the Commission, the Majles, the Government and the Office of the Supreme Leader of the Islamic Republic of Iran.