



EUROPEAN PARLIAMENT

2009 - 2014

Plenary sitting

15.11.2011

B7-0604/2011

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

Marietje Schaake, Alexander Graf Lambsdorff, Louis Michel, Edward McMillan-Scott, Ramon Tremosa i Balcells, Marielle De Sarnez, Robert Rochefort, Sonia Alfano, Leonidas Donskis, Sarah Ludford, Kristiina Ojuland, Ivo Vajgl, Johannes Cornelis van Baalen, Frédérique Ries, Izaskun Bilbao Barandica
on behalf of the ALDE Group

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, in particular those of 7 September 2010 and 20 January 2011,
- having regard to the UN Human Rights Council resolution 16/9, establishing a mandate of a Special Rapporteur on the situation of human rights in Iran,
- having regard to the appointment by the President of the UN Human Rights Council of Mr. Ahmed Shaheed on 17 June 2011,
- having regard to the statements made by its President of 1 March 2011 on the arrest of opposition leaders Mir-Hossein Mousavi and Mehdi Karroubi, and of 4 April 2011 on the Iranian verdict on Baha'i leaders,
- having regard to the announcement of 28 August 2011 by Tehran prosecutor Abbas Jafari Dolatabadi of the intention to pardon 100 political prisoners accused of various crimes, including participation in the 2009 protests,
- having regard to the Report of the UN Secretary General of 15 September 2011 to the 66th session of the UN General Assembly on the situation of human rights in the Islamic Republic of Iran,
- having regard to the report by the Iran Human Rights Documentation Center of 10 June 2011 on the use of rape as a method of torture by Iranian prison authorities,
- having regard to the statements by the HR/VP of 15 and 26 September 2011, on the detention of human rights lawyer Nasrin Sotoudeh and the arrest of six independent film-makers, and of 18 October 2011 on the sentences on filmmaker Jafar Panahi and actress Marziyeh Vafamehr,
- having regard to the interim report of 23 September 2011 by the Special Rapporteur to the 66th session of UN General Assembly on the situation of human rights in Iran,
- having regard to concluding observations of 4 November 2011 of the United Nations Human Rights Committee regarding Iran's record of upholding civil and political rights,
- having regard to the death of journalist and social activist Reza Hoda Saber on 12 June 2011, after reportedly being denied access to medical care and suffering a heart attack following a hunger strike at Evin prison,

- having regard to the case of opposition leaders Mir-Hossein Mousavi and Mehdi Karroubi, as well as their wives Zahra Rahnavard and Fatemeh Karroubi, placed under house arrest and isolation without formal charges brought, since February 2011,
 - having regard to the case of political activist and Secretary-General of the Iran Democratic Front, Heshmatollah Tabarzadi, who was arrested on 27 December 2009, reportedly solitarily confined and tortured, and sentenced to nine years' imprisonment in October 2010,
 - having regard to the case of Iranian human rights lawyer Nasrin Sotoudeh, sentenced to 11 years in jail and banned from practising law and travelling for 20 years after completion of the jail sentence,
 - having regard to the case of Iranian pastor Youssef Nardakhani, sentenced to death on apostasy charges, currently facing new charges of Zionism,
 - having regard to United Nations General Assembly Resolutions 62/149 of 18 December 2007 and 63/168 of 18 December 2008 on a moratorium on the use of the death penalty,
 - having regard to the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Elimination of All Forms of Racial Discrimination, and the Convention on the Rights of the Child, to all of which Iran is a party,
 - having regard to Rule 122(5) of its Rules of Procedure,
- A. whereas the current human rights situation in Iran presents an ongoing pattern of systematic violations of fundamental rights, in particular freedom of expression, assembly, association, religion, equal rights for women, the protection of minorities and LGBT rights;
 - B. whereas the most urgent issues concern accumulations of deficits in relation to the administration of justice, practices that amount to torture, cruel or degrading treatment of detainees, the imposition of the death penalty without proper judicial safeguards, the status of women, the persecution of religious and ethnic minorities, the lack of civil and political rights, in particular the harassment and intimidation of human rights defenders, lawyers and civil society actors;
 - C. whereas the Iranian authorities to date have failed to meet the UN obligations and refused to cooperate with the Special Rapporteur; whereas the interim report has described a "pattern of systemic violations" and an "intensified" campaign of abuses; whereas the reports expresses alarm over the growing use of the death penalty for minor crimes, against minors and without due process;
 - D. whereas the relatives of Iranians in prison or under trial are also being arrested, questioned and harassed, also outside Iran and within the EU; whereas thousands of Iranians have fled their country and found refuge in Turkey;

- E. whereas Mir-Hossein Mousavi and his wife, Zahra Rahnavard, have been under house arrest since 14 February 2011 without formal charges brought, and under very poor conditions at their home in Tehran, have been denied any contact with the outside world, and deprived of control over their health care, access to publications, and privacy;
- F. whereas Mehdi Karroubi and his wife, Fatemeh Karroubi, have been under house arrest, without formal charges brought, under comparable poor conditions; whereas Mr Karroubi's family on 8 November 2011 announced that he was brought to a more "appropriate" location for his detention,
- G. whereas on 15 September 2011 political activist and Ph.D. student Somayeh Tohidlou received 50 lashes after completing a one year prison sentence at Evin Prison; whereas Ms Tohidlou has already completed a 70-days prison sentence; whereas both prison sentences and the 50 lashes were related to blogging and other internet activities;
- H. whereas on 30 September 2011 five Iranian documentary film-makers have been arrested for collaborating with BBC Persian TV, which aired a documentary about Ayatollah Ali Khamenei on 17 September 2011, involvement in a documentary on the after the; whereas the Iranian authorities are blocking the broadcasting of the widely viewed TV network;
- I. whereas on 17 October 2011 during an appeal a six-year prison sentence and a 20-year ban from directing and making films and giving interviews to international media, handed down on Iranian filmmaker Jafar Panahi was confirmed;
- J. whereas on 9 October 2011 student activist Payman Aref received 74 lashes before his release from prison, on the charge of insulting the Iranian President;
- K. whereas at least 42 lawyers have been arrested and prosecuted for their attempts to provide legal counsel to political and ideological defendants; whereas the charges brought against them include acting against national security; participating in illegal gatherings; insulting Ayatollah Ali Khamenei; and spreading propaganda against the regime;
- L. whereas the Iranian authorities have announced to be working on an internet, parallel to the regular world wide internet and eventually replacing the open internet, that conforms to Islamic principles, describing it as a 'halal' network; whereas the 'halal internet' would effectively give the Iranian authorities 100% control of all internet traffic and content, seriously violation the freedom of expression and access to information and communication networks;
- M. whereas it has been widely reported that EU (based) companies have been providing the Iranian authorities with technical assistance and custom made technologies, which have been used to track and trace (online) human rights defenders and activists and are instrumental in human rights violations;

- N. whereas the Iranian government refused to grant visa to five members of the Parliament's Delegation for relations with Iran, thereby effectively cancelling the planned visit of the Parliamentary delegation to Iran from 31 October to 4 November 2011; whereas the Chair of the delegation deeply regretted the cancellation of the visit by the Iranian authorities, as the delegation was ready to engage in a constructive dialogue with Iranian parliamentarians, government officials and representatives of civil society on issues such as the nuclear programme, human rights, drug related issues; energy and the environment; regional security and the upcoming parliamentary elections in Iran;
- O. Underlines the importance of free and fair elections, encourages the Iranian authorities to invite international election observers during the upcoming parliamentary elections;
1. Pays tribute to the courage of all Iranians who are fighting for the defence of fundamental freedoms, respect for their human rights and democratic principles, who wish to live in a society free from repression and intimidation;
 2. Expresses its concern at the continuing violations by the Iranian authorities of international standards of human rights which causes a widespread climate of fear;
 3. Stands ready to support additional sanctions for individuals responsible for human rights abuses; fully supports any action or involvement by the ICC to ensure accountability for those involved and responsible for the violation of human rights;
 4. Calls on the Government of the Islamic Republic of Iran to immediately and unconditionally release Nasrin Sotoudeh, Jafar Panahi, Youssef Nardakhani and all other prisoners of conscience;
 5. Strongly condemns the flogging of student activists Somayeh Tohidlou and Payman Aref and urges the Iranian authorities to refrain from lashing and the imposition and execution other cruel and inhumane punishments;
 6. Strongly condemns the ongoing detention of Mir-Hossein Mousavi and Mehdi Karroubi, as well as their wives, and urges the immediate lifting of the ongoing house arrest;
 7. Calls for the release of journalists, students and human right defenders imprisoned for the peaceful exercise of their human rights;
 8. Deeply deplores the lack of fairness and transparency of the judicial process and calls on the Iranian authorities to guarantee a fair and open procedure;
 9. Calls on the Iranian authorities to allow the Special Rapporteur immediate access to the country and to fully cooperate with his requests;
 10. Calls on the Iranian authorities to demonstrate that they are fully committed to cooperating with the international community in improving their human rights situation in Iran;

11. Condemns any Iranian involvement in human rights violations in Syria;
12. Expresses its concern at the use of (European) censorship, filtering and surveillance technologies to control and censor flows of information and communication, and to track down citizens, notably human rights defenders;
13. Emphasizes that free access to information and communication and uncensored access to the internet (internet freedom) are universal rights and indispensable for ensuring transparency and accountability;
14. Reiterates its opposition to the death penalty and calls on the Iranian authorities, in accordance with UN General Assembly Resolutions 62/149 and 63/138, to institute a moratorium on executions pending the abolition of the death penalty;
15. Calls on the EU Member States to provide safety for Iranian citizens who fled their country, such as through the Shelter City initiative;
16. Calls on EU Representatives and the Vice-President of the Commission/High Representative of the Union for Foreign Affairs to re-engage in a human rights dialogue with the Iranian authorities;
17. Urges the EEAS to focus on EU citizens in Iranian prisons and does everything possible to ensure their wellbeing and release;
18. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the Secretary-General of the United Nations, the President of the Iranian Supreme Court and the Government and Parliament of Iran.