



EUROPEAN PARLIAMENT

2009 - 2014

Plenary sitting

13.12.2011

B7-0706/2011

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 Azerbaijan, notably the case of Rafiq Tagi

Elmar Brok, Mario Mauro, Cristian Dan Preda, Roberta Angelilli, Bernd Posselt, Tunne Kelam, Monica Luisa Macovei, Sari Essayah, Eija-Riitta Korhola, Zuzana Roithová, Sergio Paolo Francesco Silvestris, Eduard Kukan, Giovanni La Via, Róza Gräfin von Thun und Hohenstein
on behalf of the PPE Group

European Parliament resolution on Azerbaijan, notably the case of Rafiq Tagi

The European Parliament,

- having regard to its previous resolutions on Azerbaijan, notably those concerning human rights and in particular that of 12 May 2011,
- having regard to the Statement by the spokesperson of the EU High Representative Catherine Ashton of 12 October 2011,
- having regard to the conclusions of the EU-Azerbaijan Cooperation Council Twelfth meeting in Brussels of 25 November 2011,
- having regard to Rule 122(5) of its Rules of Procedure,
 - A. whereas Azerbaijan is actively participating in the ENP and EaP and is committed to respecting democracy, human rights and the rule of law, which are core values of those two initiatives;
 - B. whereas Rafiq Tagi, a prominent Azerbaijani writer and journalist, died in Baku on 23 November 2011 from the injuries he sustained during the brutal knife attack four days earlier;
 - C. whereas Rafiq Tagi had reportedly been receiving death threats in the weeks prior to the attack, believed to be in retaliation for an article amongst others published on *Radio Azadlyq's* (Liberty) website on 10 November 2011, in which he criticised the current Iranian government;
 - D. whereas a leading Iranian cleric, Grand Ayatollah Fazel Lankarani issued the fatwa calling for Rafiq Tagi to be killed after Rafiq Tagi published the article the newspaper *Sanat*, in which he argued that Islamic values were preventing Azerbaijan's integration into European structures and stunting its democratic progress;
 - E. whereas the Iranian authorities never condemned this fatwa, which appear to be an incitement to murder, nor have they clarified that anyone suspected of inciting, planning, carrying out or aiding attacks on Rafiq Tagi should be brought to justice;
 - F. whereas the UN Human Rights Committee, which oversees the implementation of the International Covenant on Civil and Political Rights (ICCPR) to which Iran is a state party, recently expressed concern about the Article 226 of the Iranian Penal Code, which says that "committing murder will result in retaliation provided the murdered person did not deserve to die in accordance with Islamic Jurisprudence"; whereas fatwa's are used to justify that an individual "deserves to die";
 - G. whereas the EU attaches great importance to human rights and these issues are among the core European values to which Azerbaijan has subscribed in the framework of its

membership of the Council of Europe, the OSCE, the ENP Action Plan, and the Joint Declaration on the Prague Eastern Partnership Summit;

- H. whereas the respect of the rule of law, the freedom of speech and human rights are fundamental principles of the EU, and lie at the heart of the political dialogue between the EU and Azerbaijan;
- I. whereas Azerbaijan will take up a non-permanent seat in the United Nations Security Council (UNSC) for the period of 2012 - 2013, and has committed itself to uphold the values as expressed in UN human rights charter;
1. Calls on the Azerbaijani authorities to continue their efforts to strengthen democracy and rule of law as well as to respect its international commitments related to democracy and human rights;
 2. Strongly condemns the murder of Rafig Tagi and is disappointed with the failure of the Azerbaijani authorities to clearly condemn the murder of Rafig Tagi so far and provide broader coverage of the investigation of the circumstances surrounding his death to the public;
 2. Reminds that the ICCPR provides for freedom of opinion and expression, including criticism of religions and belief; stresses that the right to free speech is fundamental to a free and democratic society as well as to the protection and promotion of other rights; calls on the Azerbaijani authorities to refrain from using the articles of the criminal law to stifle free debate on religion;
 3. Calls on the Iranian authorities to ensure that a concept of "deserving of death" cannot be used as a justification for murder; and that anyone suspected of inciting, planning, committing or aiding a murder, whether the killing takes place in Iran or elsewhere, is brought to justice in a trial which fully meets international fair trial standards;
 4. Welcomes the Azerbaijani government's opening of a criminal investigation and calls on the Azerbaijan authorities to ensure it is thorough and effective, and that perpetrators are prosecuted and brought to justice in a trial which meets international fair trial standards;
 5. Calls on the Iranian authorities to provide all necessary cooperation to the Azerbaijani authorities during the investigation;
 6. Instructs its President to forward this resolution to the Vice-President of the Commission/the High Representative for Foreign Affairs and Security Policy, the EEAS, the Council, the Commission', the governments and parliaments of the Republic of Azerbaijan and the Islamic Republic of Iran and the UN Human Rights Council.