

Thursday 28 October 2004

6. Underlines the responsibility of a state in control of territory to provide warnings, and take measures to protect the civilian population, including through the education of children, and provide special information on assisting victims of ERW;
  7. Requests the Member States immediately to take measures to ensure that anti-vehicle mines which are likely to be detonated by the presence, proximity or contact of a person must be destroyed in accordance with the provisions of the Ottawa Convention;
  8. Calls on all Member States which have used cluster munitions to provide assistance to the populations affected; calls also on the Commission to increase financial assistance to communities and individuals affected by unexploded cluster munitions through all available instruments;
  9. Calls on the relevant committees closely to monitor and participate in CCW meetings, to report on Member State initiatives on cluster munitions and related weapons, and to report on other international measures concerning such weapons;
  10. Instructs its President to forward this resolution to the Council, the Commission, the High Representative for CFSP, the governments and parliaments of the Member States, the Secretary-General of the UN, the President of the USA and the US Congress.
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**P6\_TA(2004)0049**

## **Iran**

### **European Parliament resolution on Iran**

*The European Parliament,*

- having regard to its previous resolutions on Iran and its decision of 10 March 2004<sup>(1)</sup> to set up an interparliamentary delegation with Iran,
  - having regard to the report submitted by the Special Rapporteur on the right to freedom of opinion and expression, Ambeyi Ligabo, to the UN Commission on Human Rights on 12 January 2004,
  - having regard to the EU-Iran dialogue on human rights and most particularly the fourth round of the dialogue, which took place on 14 and 15 June 2004 in Tehran, where the Government of Iran expressed its commitment to strengthening respect for human rights and the rule of law,
  - having regard to the EU Guidelines on human rights dialogues,
  - having regard to the statement made by the Council Presidency on Iran of 18 July 2004,
  - subscribing to the conclusions of the General Affairs and External Relations Council of 11 October 2004<sup>(2)</sup>,
  - having regard to the International Covenant on Civil and Political Rights and the UN Convention on the Rights of the Child, to which Iran is a State Party,
  - having regard to the fact that Iran is still not a party to the Convention on the Elimination of All Forms of Discrimination against Women and that the new parliament has rejected draft legislation on gender equality,
  - having regard to Rule 115(5) of its Rules of Procedure,
- A. whereas the situation in Iran with regard to the exercise of key civil rights and political freedoms has deteriorated since the parliamentary elections of February 2004 despite commitments on the part of the Government of Iran to promoting these universal values,

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<sup>(1)</sup> Texts Adopted, P5\_TA(2004)0166.

<sup>(2)</sup> 12770/04.

Thursday 28 October 2004

- B. concerned by multiplying reports about executions being carried out with apparent disregard for internationally recognised safeguards, including executions of juvenile offenders,
  - C. concerned that in recent months crackdowns on the freedom of the press have multiplied in Iran,
  - D. noting that, according to the UN Special Rapporteur, a year ago the number of publications closed down and people arrested, prosecuted and sentenced for the peaceful expression of their opinions had already increased considerably,
  - E. noting reports that the National Security Council and the office of the public prosecutor are increasingly intervening directly with the press to influence the content of the reported news, and that in the provinces journalists have been forced to report in a certain way under threat of imprisonment,
  - F. particularly concerned by recent arrests of on-line journalists, eight of whom — Omid Memarian, Masoud Ghoreyshi, Javad Gholam Tamayomi, Reza Vatanikhah, Mehdi Derayati, Hanif Mazrooi, Shahram Rafihzadeh and Rozbeh Mir Ebrahimi — remain imprisoned,
  - G. concerned at reports that, in violation of Iranian and international law, the charges against them have still not been revealed, their place of detention continues to be unknown and they have been refused access to lawyers and family members,
  - H. whereas, according to reports, the Iranian authorities are increasingly filtering internet sites and blocking access to several dozen online publications and political, social and cultural weblogs; and whereas, with the repression of free use of the internet, the Iranian authorities are cracking down on the Iranian public's only remaining means of access to uncensored information,
  - I. recalling the continued imprisonment of other journalists for the mere exercise of their right to freedom of expression, notably Akbar Ganji, Hassan Youssefi Eshkevari, Hossein Ghazian, Abbas Abdi, Reza Alidjani, Taghi Rahmani, Hoda Rezazadeh-Saber, Iraj Jamshidi and Ensalfali Hedayat,
  - J. whereas Zahra Kazemi, a Canadian-Iranian freelance photographer, was arrested on 23 June 2003 while taking photographs outside Tehran's Evin Prison, and died on 10 July 2003 of a brain haemorrhage resulting from beatings,
  - K. whereas a travel ban was imposed on journalist and human rights activist Emadeddin Baghi, preventing him from leaving Iran to attend human rights meetings in Europe, Canada and the United States, where he was scheduled to receive an award recognising his courage in fighting injustice,
  - L. underlining the findings of the UN Special Rapporteur Ambeyi Ligabo to the effect that the Iranian Press Law and Penal Code does not conform to the permissible restrictions listed in Article 19(3) of the International Covenant on Civil and Political Rights (ICCPR),
  - M. appalled at the public hanging of the 16-year-old Ateqeh Rajabi two months ago and deeply concerned at reports that 25 minors have been sentenced to death this past year alone,
  - N. welcoming the clarification from the Iranian authorities concerning the case of thirteen-year-old Zhila Izadi, allegedly sentenced to death by stoning, and the sentencing of her fifteen-year-old brother to 150 lashes that both have been unconditionally released without their case being pursued further,
- 1. Strongly condemns the execution of Ateqeh Rajabi and all other death sentences and executions of child offenders in Iran;
  - 2. Calls on the Iranian authorities immediately to halt all stoning penalties and to prevent any further application of the death penalty to minors; reiterates its general opposition to the death penalty and hopes that judicial reform in Iran will bring this inhuman practice to an end;

**Thursday 28 October 2004**

3. Calls on the Iranian authorities to give evidence that they are willing to implement their publicly declared moratorium on stoning;
  4. Condemns the recent arbitrary arrests of journalists, and calls on the authorities to release all prisoners prosecuted or sentenced for press- and opinion-related offences;
  5. Condemns the travel ban imposed on journalist and human rights activist Emadeddin Baghi, as on many other Iranian citizens, and urges the Iranian authorities to lift the ban immediately;
  6. Calls on the Iranian Parliament to adapt the Iranian Press Law and the Penal Code to the International Covenant on Civil and Political Rights, and notably to repeal all criminal provisions dealing with the peaceful expression of opinions, including in the press;
  7. Notes that the Special Rapporteur on the right to freedom of opinion and expression, the Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on torture of the United Nations Commission on Human Rights have stated that the proceedings in the case against the Iranian intelligence officer acquitted on 24 July 2004, who was accused of the alleged killing of Kazemi, did not meet international standards of a fair trial because key evidence was ignored by the court;
  8. Calls on the Supreme Court of the Islamic Republic of Iran to take note of the statement of the Special Rapporteur on the right to freedom of opinion and expression, the Special Rapporteur on the independence of judges and lawyers and the Special Rapporteur on torture of the United Nations Commission on Human Rights and to ensure open and fair trials;
  9. Urges the Iranian authorities to respect the provisions of the International Covenant on Civil and Political Rights and the UN Convention on the Rights of the Child, which provide that capital punishment shall not be imposed for offences committed by persons below 18 years of age at the time of the commission of the offence;
  10. Calls on the Iranian authorities to stop the practice of arresting family members of journalists and reformers;
  11. Demands that the Presidency of the Council and the Member States' diplomatic representatives in Iran urgently undertake concerted action with regard to the abovementioned concerns, in particular the immediate release of the journalists;
  12. Calls on the Council to present a resolution on behalf of the EU on the deteriorating human rights situation in Iran for the next session of the United Nations General Assembly;
  13. Expresses its hope that the creation of the Interparliamentary Delegation with Iran will enable the European Parliament to engage in constructive discussions with the Iranian Madjlis and Iranian civil society on human rights and other issues of common concern;
  14. Calls on the Council and the Commission to monitor developments in Iran closely and to raise their serious concerns about human rights abuses in the framework of the EU-Iran human rights dialogue;
  15. Instructs its President to forward this resolution to the Council and the Commission, the High Representative for CFSP, the governments and parliaments of the EU Member States, the UN Commission on Human Rights, the head of the Supreme Court of the Islamic Republic of Iran and the Government and Parliament of the Islamic Republic of Iran.
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