Resolution on the human rights situation in Iran, in particular the cases of Sakineh Mohammadi Ashtiani and Zahra Bahrami

2010/2846(RSP) - 08/09/2010 - Text adopted by Parliament, single reading

The European Parliament adopted by 658 votes to 1, with 22 abstentions, a resolution on the human rights situation in Iran, in particular the cases of Sakineh Mohammadi Ashtiani and Zahra Bahrami.

The text adopted in plenary was tabled as a joint resolution by the EPP, S&D, ALDE, Greens/ALE, ECR, GUE/NGL and EFD groups.

It begins by paying tribute to the courage of all those Iranian men and women, who are fighting for the defence of fundamental freedoms, respect for their human rights and democratic principles, who actively protest against stoning and other forms of cruel punishment and who wish to live in a society free from repression and intimidation. Members **strongly condemn the sentencing to death by stoning** of Sakineh Mohammadi Ashtiani, and take the view that, regardless of the facts, a sentence of death by stoning can never be justified or accepted. They recall that in 2006 Sakineh Mohammadi Ashtiani, who was accused of having had two extramarital sexual relationships after the death of her husband, was sentenced to 99 lashes, which were administered the same year. She was also charged with complicity in the murder of her husband and then acquitted, before being charged with adultery during her marriage and sentenced to be stoned. This stoning, which was to have been carried out on 9 July 2010, was suspended by the Iranian authorities 'for humanitarian reasons', in response to international pressure, and is in clear violation of Iran's obligations under the ICCPR. Parliament urges the Iranian authorities to set aside the sentences imposed on Sakineh Mohammadi Ashtiani and to initiate a comprehensive review of her case. It also expresses its grave consternation that Iran continues to be one of the very few countries, together with Afghanistan, Somalia, Saudi Arabia, Sudan and Nigeria, which still practise stoning, and it calls on the Iranian Parliament to pass legislation outlawing the cruel and inhumane practice of stoning.

It goes on to insist strongly that the Iranian Government reconsider Dutch national Zahra Bahrami's case, immediately grant her access to a lawyer and consular assistance, release her or grant her due process. Members note that Zahra Bahrami, who had travelled to Iran to visit her family, was arrested after the Ashura protests on 27 December 2009 and forced to make televised confessions admitting to the charges against her. Neither international human rights organisations nor the Dutch authorities have been granted access to Zahra Bahrami. Parliament calls on Baroness Ashton, the Vice-President of the Commission /High Representative of the Union for Foreign Affairs and Security Policy, to raise the issue of Zahra Bahrami's detention with the Iranian authorities.

Furthermore, it calls on the Government of Iran to halt the execution of Ebrahim Hamidi, an 18-year-old charged with sodomy, and calls on the Islamic Republic of Iran finally to abolish the death penalty for crimes committed before the age of 18 and amend its legislation to bring it into line with the international human rights conventions that Iran has ratified, including the Convention on the Rights of the Child and the ICCPR. It urges the Iranian authorities to decriminalise "adultery" and homosexuality.

Members state their concern for the defence lawyer in both cases, Mohammad Mostafaei, who was forced to flee the country. They note that more and more human rights lawyers, including Mohammed Ali Dadkah, Mohammad Oliyifard and Mohammad Seifzadeh, and even eminent persons such as Nobel Peace Prize winner Shirin Ebadi are facing state persecution in the form of extraordinary tax claims and threats against their lives and their families. Parliament also cites the increasing number of cases where peaceful

civil rights defenders are being charged with 'moharabeh' (enmity with God), the persecution of religious and ethnic minorities in Iran, the harassment of the opposition politicians, and it notes that people who have been accused of committing crimes have been linked with the political opposition in Iran, and members of the political opposition have been linked with the perpetration of crimes by Iran's judiciary, the aim being to equate political opposition with criminal behaviour.

Parliament calls on the Commission and Council to **devise additional measures in the context of the European Instrument for Democracy and Human Rights** in order actively to protect Iranian human rights defenders, and encourages the Member States to support the European Shelter City Programme. It calls for the existing list of individuals and organisations subject to the **EU travel ban and the freezing of assets to be extended** to include those who are responsible for violations of human rights, repression and curtailment of freedom in Iran.

Parliament also reiterates its opposition to the death penalty and calls on the Iranian authorities to **institute a moratorium on executions pending the abolition of the death penalty**. It calls for the tabling at the next session of the UN General Assembly of a resolution requesting all countries which retain the death penalty to make available to the UN Secretary-General, and to the public, all information on capital punishment and executions, so as to overcome State secrecy concerning the death penalty, which is a factor in a great number of executions.

Lastly, Members call for the re-establishment of a UN mandate for a Special Rapporteur to investigate human rights abuses and encourage accountability for those perpetrating human rights violations in Iran.