

Resolution on Azerbaijan, in particular the case of Rafiq Tagi

2011/2945(RSP) - 15/12/2011 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution on Azerbaijan, in particular the case of Rafiq Tagi, a prominent Azerbaijani writer and journalist, who died in Baku on 23 November 2011 from the injuries he had sustained during a brutal knife attack four days earlier.

The resolution was tabled by the ECR, S&D, Greens/EFA, EPP, EFD and ALDE groups.

It notes 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 the Radio Azadlyq (Liberty) website on 10 November 2011, in which he criticised the current Iranian Government. A leading Iranian cleric, Grand Ayatollah Fazel Lankarani, issued the fatwa calling for Rafiq Tagi to be killed after Rafiq Tagi published the said article, and also called for Samir Sadagatoglu, the editor of the Sanat newspaper, to be killed. Members recall that Tagi wrote an article in the newspaper Sanat, in which he argued that Islamic values were preventing Azerbaijan's integration into European structures and stunting its democratic progress.

Parliament **strongly condemns the murder of Rafiq Tagi** and expresses its concern over the safety of Samir Sadagatoglu. It is **disappointed with the failure of the Azerbaijani authorities to clearly condemn the murder** of Rafiq Tagi and ensure public awareness of the investigation of the circumstances surrounding his death.

Welcoming the move by the Azerbaijani Government to set up a special working group to investigate the murder of Rafiq Tagi, Parliament calls on the Azerbaijan authorities to ensure that the investigation is thorough and effective, and that perpetrators are prosecuted and brought to justice in a trial which meets international fair trial standards. It calls on the Iranian authorities to offer all necessary cooperation to the Azerbaijani authorities during the investigation of the murder, and to ensure that Iranian clerics do not call for the murder of anyone, whether in Iran or in any other country.

It also calls on the Azerbaijani authorities to do their utmost to protect the life and safety of Samir Sadagatoglu.

Members urge the **Iranian authorities to remove the concept of 'deserving of death'** from the revised Penal Code currently under discussion in Iran's parliament. They note the concern expressed by the UN Human Rights Committee about Article 226 of the Iranian Penal Code, which states that committing murder will result in retaliation provided the murdered person did not deserve to die in accordance with Islamic law, with fatwas used to justify the fact that an individual 'deserves to die'. They are gravely concerned that the existence of fatwas calling for the killing of an individual could be used as a defence in Iranian courts by persons accused of murder, on the grounds that the victim 'deserved to die'. They urge the Iranian authorities to ensure that anyone suspected of inciting, planning, committing or aiding murder, whether the killing takes place in Iran or elsewhere, is brought to justice in a trial which fully meets international fair trial standards.

Members deplore the failure of the Azerbaijani authorities to grant a visa to the rapporteur on political prisoners of the Parliamentary Assembly of the Council of Europe. They call on the Government of Azerbaijan to allow the rapporteur to visit the country in order to investigate the situation of the alleged political prisoners.

Lastly, the Azerbaijani authorities are asked to show their genuine commitment to human rights and comply with their obligations under international law and in the context of Euronest, the Eastern Partnership or any future Association Agreement with the EU, in particular the protection of the right to life and to freedom of expression.