

EUROPEAN PARLIAMENT

2004



2009

Session document

12.3.2008

B6-0112/2008 }
B6-0115/2008 }
B6-0116/2008 }
B6-0118/2008 }
B6-0123/2008 }
B6-0125/2008 } RC1

JOINT MOTION FOR A RESOLUTION

pursuant to Rule 115(5) of the Rules of Procedure, by

- Nickolay Mladenov, Thomas Mann, Guido Podestà, Nicole Fontaine, Eija-Riitta Korhola and Ivo Belet, on behalf of the PPE-DE Group
- Pasqualina Napoletano, Ana Maria Gomes, Robert Evans, Elena Valenciano Martínez-Orozco and Emilio Menéndez del Valle, on behalf of the PSE Group
- Jules Maaten, Marco Cappato, Marios Matsakis and Marielle De Sarnez, on behalf of the ALDE Group
- Adam Bielan, Ewa Tomaszewska and Konrad Szymański, on behalf of the UEN Group
- Angelika Beer, Joost Lagendijk and Hélène Flautre, on behalf of the Verts/ALE Group
- Francis Wurtz and André Brie, on behalf of the GUE/NGL Group

replacing the motions by the following groups:

- Verts/ALE (B6-0112/2008)
- PPE-DE (B6-0115/2008)
- UEN (B6-0116/2008)
- PSE (B6-0118/2008)
- GUE/NGL (B6-0123/2008)
- ALDE (B6-0125/2008)

on the case of the Afghan journalist Perwiz Kambakhsh

RC\713930EN.doc

PE401.126v01-00}
PE401.129v01-00}
PE401.130v01-00}
PE401.132v01-00}
PE401.137v01-00}
PE401.139v01-00} RC1

EN

EN

European Parliament resolution on the case of the Afghan journalist Perwiz Kambakhsh

The European Parliament,

- having regard to its previous resolutions on Afghanistan,
 - having regard to the Afghan Constitution adopted in 2004,
 - having regard to the United Nations General Assembly Resolution of 18 December 2007 calling for a worldwide moratorium on the death penalty,
 - having regard to the United Nations Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights,
 - having regard to Rule 115(5) of its Rules of Procedure,
- A. whereas on 22 January 2008 a regional court in the northern Afghan province of Balkh sentenced to death the 23-year-old Afghan journalist Perwiz Kambakhsh for circulating an article about women's rights in Islam which he had downloaded from the internet; whereas the judges ruled that the article constituted 'blasphemy' and sentenced Mr Kambakhsh to death in accordance with Islamic Sharia law,
- B. whereas Perwiz Kambakhsh was denied legal representation and sentenced without a proper hearing; whereas he was allegedly beaten and threatened with execution until he signed a confession,
- C. whereas on 6 February 2008, a delegation from the Afghanistan Independent Journalists' Association (AIJA) met with President Hamid Karzai in Kabul, providing him with details of this case and asking him to intervene on Mr Kambakhsh's behalf,
- D. whereas Article 34 of Afghanistan's Constitution clearly defends the right to freedom of expression, in line with the Universal Declaration of Human Rights, and states that 'freedom of expression shall be inviolable; every Afghan shall have the right to express thoughts through speech, writing, illustrations as well as other means in accordance with provisions of this Constitution',
- E. whereas journalists in Afghanistan, especially women, are increasingly faced with intimidation, death threats, abduction and violence,
- F. whereas the death sentence against Perwiz Kambakhsh comes despite the UN General Assembly's adoption of a resolution on 18 December 2007 calling for a worldwide moratorium on the use of the death penalty and at a time when a total of 135 countries have abolished the death penalty in law or in practice,

1. Reaffirms its unconditional opposition to the death penalty and its commitment to respect for the rule of law;
2. Condemns the arrest of Perwiz Kambakhsh and the decision by the primary court of Balkh province to sentence him to death on charges of blasphemy; calls for Mr Kambakhsh to be released;
3. Urgently calls on the Afghan authorities to show their commitment to human and democratic rights by doing everything in their power to prevent his execution and to secure a review of his case; calls on President Karzai, if the court of appeal upholds the death sentence, to exercise his power to pardon Mr Kambakhsh;
4. Recalls the assurances concerning the safety of Perwiz Kambakhsh which President Hamid Karzai gave to a delegation from the Afghanistan Independent Journalists' Association on 6 February 2008;
5. Expresses its solidarity with all those fighting for independent journalism in Afghanistan;
6. Calls on the President and Parliament of Afghanistan to take appropriate steps to speed up the development of a functional penal and judicial system based on international standards and best practices; welcomes the announcement by the EU External Relations Commissioner at the Rome conference on 'The rule of law in Afghanistan' in July 2007 of immediate financial support to help Afghanistan strengthen the rule of law and reform its judiciary;
7. Calls on the Afghan Government to fully respect the United Nations Universal Declaration of Human Rights and to ensure that freedom of expression is fully guaranteed and upheld for all citizens in Afghanistan;
8. Instructs its President to forward this resolution to the Council, the Commission and the governments and parliaments of the EU Member States and of the Islamic Republic of Afghanistan.