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European Union

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## DECLASSIFICATION

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Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

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# RESTREINT UE



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## **REPORT**

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from : Council Secretariat  
dated : 7 October 2004  
to : Coreper/Council

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Subject : Draft Council Conclusions on EU-Iran Human Rights Dialogue

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1. The Council Working Party on Human Rights evaluated the EU Human Rights Dialogue with Iran in line with the EU Guidelines on Human Rights Dialogues (doc. 14469/01).
2. At its meeting on 7 October 2004 the Political and Security Committee endorsed the recommendations set out in the evaluation report and agreed to forward the draft Council conclusions on the EU-Iran Human Rights Dialogue for consideration by the Council.
3. Coreper is invited to recommend that the Council
  - considers whether or not to adopt the attached draft conclusions at its meeting on 11/12 October 2004 in the light of its discussion on overall relations with Iran;
  - in any event, clarifies the issue of EU co-sponsorship of a resolution on Iran at the 59th session of the UN General Assembly (bracketed in para. 10 of the draft Council conclusions).

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## DRAFT COUNCIL CONCLUSIONS ON THE EU-IRAN HUMAN RIGHTS DIALOGUE

1. The Council recalled its previous conclusions on the subject (21 October 2002, 18 March 2003, 21 July 2003 and 13 October 2003), and welcomed the evaluation of the EU-Iran dialogue on Human Rights. This evaluation was prepared in accordance with the EU Guidelines on Human Rights dialogues and includes the fourth round of the dialogue, which took place on 14 and 15 June 2004 in Tehran.
2. The Council recalled the commitment expressed by the Government of Iran to strengthen respect for human rights in the country and to promote the rule of law.
3. The Council remains deeply concerned that despite this commitment, serious violations of human rights are continuing to occur in Iran.
4. The evaluation clearly establishes that with regard to the issues that this Council has designated as its priorities, although there seemed to be hopeful signs at some point, little overall progress has been achieved since the start of the dialogue in December 2002. These key areas of concern, which have been used as benchmarks to appraise the human rights situation in Iran and to measure the results of the dialogue, relate to Iran's co-operation with human rights mechanisms and implementation of their recommendations, ratification and implementation of key conventions; unhindered access for international observers and international NGOs; civil rights and political freedoms; reform of the judicial system; prevention and eradication of torture; criminal punishment; discrimination and the prison system.

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5. The evaluation concluded that while Iran has extended a standing invitation for visits by UN Special Human Rights mechanisms and several such visits actually took place, little progress has been made on implementing the recommendations arising from them. With regard to the other priority issues, however, there has either been very little or no progress on the ground.
6. The Council noted that the situation with regard to the exercise of key civil rights and political freedoms such as freedom of expression, has deteriorated since the Parliamentary elections of February this year. The Council, bearing in mind its longstanding and firm position against the use of the death penalty, also expressed its concern about the recently increased number of reports about executions being carried out in apparent absence of respect for internationally recognised safeguards, and about the executions of juvenile offenders. It regretted that despite some recent legislative improvements numerous discriminatory practices continue against women as well as against persons belonging to religious minorities, both recognised and not recognised by Iran.
7. The Council reaffirmed that the human rights dialogue with Iran remains one of the means by which the EU can make a contribution to improving the human rights situation. While welcoming the efforts that Iran has so far put into its dialogue with the European Union, it reiterated that this dialogue is an effective instrument in human rights policy only if sufficient progress is achieved on the ground, both in the short and the long term. The dialogue itself should be able to make a positive contribution to EU-Iran relations in this regard. The EU remains committed to pursue the human rights dialogue, while however annually reviewing its modalities with the aim of improving its effectiveness in key areas of concern. Taking into account the outcome of the evaluation, the Council supported the need to attain a renewed commitment from the Iranian authorities to improve respect for human rights and promote the rule of law in the country and also supported the need to adjust the modalities of the dialogue with a view to enhancing its effectiveness.

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8. The Council wishes to discuss with Iran a number of practical recommendations aimed at enhancing the effectiveness of the dialogue, such as early agreement on themes and regular dates before each UN Commission on Human Rights and UN General Assembly, a more thorough preparation for both the round table meetings and the government-only meetings, and more transparency towards the public. This dialogue has generated great expectations within the civil society in Iran. The EU and Iran should do their best to meet these expectations.
9. The Council expressed its intention that an EU troika mission shall discuss the contents of these Council Conclusions with the Government of Iran shortly, and stressed the need to improve respect for human rights and promote the rule of law in the country, and discuss the way forward.
10. The Council further reaffirmed its position of principle that the dialogue remains without prejudice to the tabling of a resolution at the UN Commission on Human Rights or at the Third Committee of the UN General Assembly. It agreed that at the 59th session of the UN General Assembly, the EU will convey its deep concern at the serious violations of human rights in Iran [and co-sponsor a resolution on this issue].
11. The EU will return to the matter in the light of developments in the situation of human rights in Iran.

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