BLOOD-SOAKED SECRETS

WHY IRAN'S 1988 PRISON MASSACRES ARE ONGOING CRIMES AGAINST HUMANITY

AMNESTY INTERNATIONAL

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GLOSSARY

BASIC PRINCIPLES	Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law
BAGI	Taking up arms against the state
FATWA	Religious ruling or decree issued by an Islamic jurist
FADAYIAN	Organization of Iranian People's Fada'i Guerrillas
HAKEM-E SHAR'	Shari'a judges appointed by Supreme Leader Rouhollah Khomeini after the 1979 revolution
ICCPR	International Covenant on Civil and Political Rights
KDPI	Kurdish Democratic Party of Iran
MOHAREBEH	Enmity against God
MOHAREB	An individual accused of "waging war on God"
MOLHED	Atheist, heretic
MONAFEQIN	Pejorative epithet for members and supporters of the People's Mojahedin Organization of Iran (PMOI)
NEFAQ	Hypocrisy, pejorative reference to the PMOI
NLA	National Liberation Army of the PMOI
PMOI	People's Mojahedin Organization of Iran
SAVAK	National Intelligence and Security Organization (pre-1979)
SHENASNAMEH	National identity booklet
UN	United Nations
UN SPECIAL REPRESENTATIVE	UN Special Representative on the situation of human rights in Iran
UPDATED SET OF PRINCIPLES TO COMBAT IMPUNITY	Updated Set of Principles for the Protection and Promotion of Human Rights through Action to Combat Impunity

1. EXECUTIVE SUMMARY

> **"More than a quarter of a century has passed since we began the quest for… truth regarding the fate of our loved ones."**
>
> Mothers and Families of Khavaran, speaking in 2014.

In late July 1988, thousands of political dissidents held in prisons across Iran were forcibly disappeared suddenly. They were mostly young men and women, some just teenagers, unjustly imprisoned because of their political opinions and non-violent political activities. Prisons were put on lockdown across the country and the authorities suspended family visits without giving any reasons. For months, nothing was heard.

Gradually, terrifying rumours began to circulate about mass secret executions and the dumping of bodies in unmarked mass graves. Families' worst fears were confirmed from late October 1988 onwards when prison visits resumed and authorities informed many families that their loved ones had been executed. However, over the last 30 years, the authorities have cruelly denied them not only a body to mourn over, but also the truth about when, how and why their loved ones were killed, what happened to them in their last moments and where their remains are hidden.

The authorities have treated the killings as state secrets. Three times in the past three decades, the wall of secrecy has been cracked and each time the authorities have responded with reprisals and accused those who have leaked records related to the preparation, planning and co-ordinated implementation of the mass killings of "disclosing state secrets" and "threatening national security". In 1989, letters raising concerns about the executions that were addressed to Supreme Leader Rouhollah Khomeini from his deputy, Hossein Ali Montazeri, were leaked. In 2000, a copy of the secret fatwa by which, in July 1988, Rouhollah Khomeini ordered the mass killings was published. In 2016, an audio recording of a high-level official meeting that took place in August 1988 between Hossein Ali Montazeri and the officials responsible for the mass killings in Tehran was posted online.

Building on the sustained campaigning and documentation efforts by survivors, family members of victims and human rights defenders over the last 30 years, Amnesty International has set out to prise open these cracks even further and reveal more of the blood-soaked secrets the authorities have tried to keep with a view to seizing the opportunity of the current renewed debate about these crimes and advance the struggle for truth, justice and reparation.

Amnesty International's focus on one of the most heinous chapters of state violence in Iran's recent history is further prompted by the ongoing official campaign to repress the commemorative efforts of survivors, families and human rights defenders, demonize the victims and distort the facts about the extrajudicial execution of political dissidents in the 1980s. It is all the more relevant as many of those alleged to have been involved in the 1988 enforced disappearances and extrajudicial executions hold or have held positions of power in Iran. They benefit from a continuing atmosphere of secrecy and impunity in the country.

Amnesty International's research, conducted from September 2017 to November 2018, analysed the testimonies of 41 survivors, 53 family members of victims, 11 former prisoners, and 10 other witnesses from 28 cities across Iran, obtained either directly or through Justice for Iran, an Iranian human rights organization; examined written materials, including testimonies and memoirs, prepared by survivors, independent researchers and other Iranian human rights organizations; and reviewed media reports and

statements issued by Iranian authorities and UN bodies, as well as the organization's own archives. It analysed the audio recording of the meeting in 1988 where members of the "death commission" in Tehran are heard discussing the killings. It obtained and verified death certificates, profile pictures and images of gravestones of dozens of execution victims and crosschecked and consolidated lists and databases containing thousands of names.

On 19 October 2018, Amnesty International sent the Iranian authorities a summary of its findings and requested related information and clarifications, but has so far received no response. The organization is denied access to the country.

Amnesty International's research leaves the organization in no doubt that, during the course of several weeks between late July and early September 1988, thousands of political dissidents were systematically subjected to enforced disappearance in Iranian detention facilities across the country and extrajudicially executed pursuant to an order issued by the Supreme Leader of Iran and implemented across prisons in the country. Many of those killed were subjected to torture and other cruel, inhuman and degrading treatment or punishment in the process.

The extrajudicial executions were followed by the authorities' refusal to officially acknowledge the killings; fully disclose the fate of the victims, including the causes and circumstances of the killings; identify the remains; and ensure that they are returned to the families. The systematic concealment of the fate of the victims and location of their remains has also involved not providing families with death certificates and responding to families' requests for death certificates by issuing ones that are in many cases inaccurate, misleading or incomplete about the causes, circumstances and dates of the death and cite "natural" causes or simply "death" as the cause of death or provide no cause.

Such conduct by the authorities amounts to the crime of enforced disappearance under international law. According to the UN Working Group on Enforced or Involuntary Disappearances, the commission of an extrajudicial execution in detention falls within the definition of enforced disappearance if it is followed by the refusal of state officials to disclose the fate or whereabouts of the victim or to acknowledge that the act has been perpetrated at all.

These ongoing enforced disappearances and the continuing uncertainty concerning the fate of their loved ones and the location of their remains have caused anguish to the families.

Their pain is compounded by several additional factors: the ongoing bans that they face on conducting mourning rituals and commemorations; the deliberate desecration and destruction of sites where their loved ones are believed to be buried in mass graves; the knowledge that those who ordered and carried out the executions continue to get away with their crimes; and the persistent threats, harassment, intimidation and attacks that they face for daring to demand truth and justice.

These cruel practices, which have caused great suffering and harm to victims' families for decades, including serious injury to their mental and physical health, violate the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment.

Given the widespread and systematic manner in which the authorities have committed enforced disappearances, extrajudicial executions, torture and other cruel, inhuman and degrading treatment or punishment, as well as other serious human rights violations against political dissidents and their families, Amnesty International considers that they amount to crimes against humanity, including of murder, extermination, enforced disappearance, torture, persecution and other inhumane acts.

The crimes of enforced disappearance continue until the Iranian state fully discloses the truth about the fate of the individuals concerned and the location of their remains.

International law obligates Iran to investigate these crimes under international law and, where sufficient admissible evidence exists, to prosecute those suspected of responsibility before civilian courts in fair trials. It also has an obligation under international human rights law to provide victims with effective remedies, including truth, justice and full reparation. This includes, among other things, returning the bodies to their families, and indisputably identifying the remains, including through DNA analysis.

EXTRAJUDICIAL KILLINGS

In late July 1988, prisons were put on lockdown across Iran. The authorities suspended family visits without giving any reasons, stopped providing newspapers to prisoners, and removed television sets and radios from prison cells. This happened shortly after the end of the Iran-Iraq war and an armed incursion that the People's Mojahedin Organization of Iran (PMOI), an outlawed opposition group, launched into Iran from their base in Iraq. Three days later, on 28 July, Iran's Supreme Leader, Rouhollah Khomeini, used the armed

incursion as a pretext to issue a secret fatwa (religious order) ordering the execution of all prisoners who remained "steadfast" in their support for the PMOI.

The fatwa ordered that, in each province, a three-man committee be established, comprising a Shari'a judge, the prosecutor general or his assistant prosecutor, and a representative from the ministry of intelligence. It specifically ordered that the committee for Tehran should include Hossein Ali Nayyeri as the responsible Shari'a judge and Morteza Eshraghi as the prosecutor general of Tehran. For the representative of the ministry of intelligence, the fatwa did not identify any individual by name. However, a leaked letter from August 1988 that Deputy Supreme Leader Hossein Ali Montazeri wrote to members of the Tehran "death commission" stated that Mostafa Pour Mohammadi represented the ministry of intelligence for the committee in Tehran.

Following the Supreme Leader's fatwa, the Iranian authorities embarked on co-ordinated extrajudicial killings intended to eliminate political opposition. The fatwa had instructed the authorities to proceed with "revolutionary rage and rancour against the enemies of Islam" and not to "show any doubt or concerns" in condemning prisoners to death.

Across the country, on an almost daily basis, groups of prisoners were collected from their cells and brought before "death commissions" involving judicial, prosecution, intelligence and prison officials.

The "death commissions" bore no resemblance to a court and their proceedings were summary and arbitrary in the extreme. They operated outside any existing legislation and were not concerned with establishing the guilt or innocence of defendants in relation to any internationally recognized criminal offence. There was no possibility of appeal at any point during the process. The prisoners were asked if they were prepared to express repentance for their past political beliefs and activities and denounce their political groups in writing. In some cases, they were also asked if they were prepared to execute or inflict harm on fellow dissidents.

Many prisoners did not realize that their answers to these questions could make the difference between life and death. Some thought they were appearing before a pardon committee. Prisoners were not informed that they were condemned to death until shortly before their executions; sometimes they only learned about their impending fate when they were given a pen and piece of paper and told to write down their last wishes. Even then, they did not know when and how they would die until they were lined up before a firing squad or nooses were put around their necks.

Across the country, the victims were primarily supporters of the PMOI, both men and women.

In Tehran province, hundreds of men affiliated with leftist opposition groups were also executed. Their interrogations appeared more like a religious inquisition. They were asked: Are you a Muslim? Do you pray? Did your father pray and read the Qur'an? Those who identified as non-believers and said their fathers prayed were condemned to death for deserting Islam. Others were spared the death penalty but were ordered to be flogged until they agreed to pray. Leftist women were asked similar questions. In their case, the "incorrect" answer led to five lashes every prayer time (that is, 25 lashes a day) until they agreed to pray regularly.

In Kurdistan and West Azerbaijan provinces, the waves of enforced disappearances and extrajudicial killings also targeted hundreds of prisoners affiliated with the Kurdish opposition groups Komala and the Kurdish Democratic Party of Iran (KDPI).

EXAMPLES OF QUESTIONS ASKED BY 'DEATH COMMISSIONS' TO DETERMINE THE FATE OF PRISONERS

- Are you prepared to denounce the PMOI and its leadership?
- Are you prepared to express "repentance" about your political opinions and activities?
- Do you declare loyalty to the Islamic Republic?
- Are you willing to walk through an active minefield to assist the army of the Islamic Republic?
- Are you willing to join the armed forces of the Islamic Republic and fight against the PMOI?
- Will you spy on former comrades and "co-operate" with intelligence officials?
- Are you willing to participate in firing squads?
- Are you willing to hang a member of the PMOI?
- Are you a Muslim?
- Do you pray?
- Do you read the Qur'an?
- Did your father pray and read the Qur'an?

Most of the prisoners killed were serving lengthy prison terms imposed because of their political opinions and peaceful activities such as distributing opposition newspapers and leaflets, taking part in demonstrations, collecting donations for prisoners' families or associating with those who were politically active. Others had been held for years without trial or had completed their sentences and were due to be released. Some had served their sentences but were told they would not be released until they were "sufficiently repentant". In all of these cases, the families knew where they were and had been able to visit them until late July 1988.

Another group of those killed had been released several years earlier but were then rearrested in the weeks leading up to or shortly after the PMOI's armed incursion on 25 July 1988. Many were forcibly disappeared immediately after their arrest and the authorities refused to provide any information on their fate and whereabouts.

To date, the exact number of those killed is unknown but minimum estimates put the death toll at around 5,000. The real number could be higher, especially because little is still known about the names and details of those who were rearrested in 1988 and extrajudicially executed in secret soon after arrest.

Many survivors believe that the mass executions of 1988 were planned long before the armed incursion of the PMOI on 25 July 1988. For example, they note that since late 1987:

- a clear pattern of interrogations and classification procedures applying to imprisoned political dissidents had emerged;
- prisoners faced unexpected interrogations that focused on their political opinions;
- prison officials and interrogators repeatedly threatened prisoners that they would be "dealt with" and that the prisons would be "cleansed"; and
- some prisoners were transferred without explanation from detention facilities near their home city to elsewhere.

Further evidence of the planned nature of the mass executions emerged in 2016 when Ahmad Montazeri, the son of former Deputy Supreme Leader Hossein Ali Montazeri released an audio recording of a high-level official meeting on 15 August 1988, in which Hossein Ali Montazeri protested against the ongoing killings of prisoners. The recording includes members of the "death commission" in Tehran discussing and defending the mass executions in Evin and Gohardasht prisons in Tehran province, including the arbitrary criteria used to determine who would be executed, and the secret and rushed nature of the proceedings. Hossein Ali Montazeri is heard telling members of the "death commission" that the ministry of intelligence was using the PMOI's armed incursion as a pretext to carry out mass killings that had been under consideration for several years.

CONCEALING THE FATE

In July-September 1988, when rumours began to circulate about the mass executions, desperate families went to prison gates and government offices in search of information, only to be met by silence and abuse. Sometimes they were falsely told that the prisoner had been transferred, so the families embarked on wasted journeys to distant prisons.

From late October 1988 onwards, authorities informed many families that their loved ones had been executed. However, the notification was generally cruel and sudden and included no information about the reasons and circumstances of the killings. Most families were just summoned to prisons or a government office, handed a bag which an official said contained the personal belongings of their dead relative, and were ordered not to hold a memorial ceremony. Some families were not even given these last mementos. Some were told that their loved ones had been executed and then told they were alive. Some were never told anything and only learned the truth about the execution of their loved one months or years later from former prisoners or informal government contacts.

Thirty years on, a burning sense of anguish, uncertainty and injustice continues to haunt the victims' families. Some, particularly elderly mothers, are still in disbelief that their relative is dead or say that their loved ones have remained for them somewhere between life and death. Families are still searching for the truth about when, how and why their loved ones were killed, what happened to them in their last moments and where their remains are hidden. They are denied accurate death certificates stating the place, date and cause of death for each victim, as well as the right to have professional exhumations of the individual and mass graves that are suspected or known to contain the victims' remains.

HIDING THE BODIES

The Iranian authorities did not return the bodies of any of the victims to families. They also refused to tell most families where the bodies were buried.

Amnesty International knows of only five cities – Ahvaz, Ardabil, Ilam, Mashhad and Rudsar – where the authorities ultimately told some families verbally that their loved ones were buried in mass graves and revealed their locations. However, publicly and officially, the authorities have never acknowledged these mass grave sites, which have been subjected to desecration and destruction.

According to information obtained by Amnesty International, in at least seven other cities – Bandar Anzali, Esfahan, Hamedan, Masjed Soleiman, Shiraz, Semnan and Tehran – the authorities gave a few families the location of individual graves and allowed them to install headstones, but many fear that the authorities may have deceived them and that some of these graves may be empty.

In the case of Tehran, which had the largest number of victims in the country, these concerns are reinforced by Amnesty International's finding that over 99% of individual gravestones in the Behest Zahra cemetery which bear the names and personal details of individuals who are recorded as being among the victims of the mass killings of 1988 are not registered in the cemetery's online burial registers. Amnesty International obtained the pictures of 336 such gravestones and found that only three of them were registered in the cemetery's online burial registers.

Amnesty International has also learned that, in at least two cases, two separate graves in different lots of the cemetery have been attributed to the same victim. The authorities have neither offered any explanation for this, nor allowed exhumations to establish the truth, to Amnesty International's knowledge. Amnesty International also received information from an individual in contact with a family in Iran who discovered in 2017 that the ground beneath the headstone that they had thought for decades contained the remains of their loved one was empty and contained no bones or other remains. The family learned this after they gained permission to bury a recently deceased relative in the same plot.

In the rest of the country, families have either remained in the dark about the whereabouts of their loved one's remains or learnt about their burial in suspected or known mass grave sites through informal contact with prison guards and officials, cemetery workers or locals.

Thirty years on, the Iranian authorities have yet to acknowledge the existence of any mass graves in the country, let alone allow families to request exhumations and search for bodies. In most cases they have kept the location of victims' remains a secret and have destroyed suspected or known mass grave sites by bulldozing, pouring concrete, and constructing new burial plots, buildings or roads over them.

The authorities have also beaten and detained those who have tried to lay flowers at mass grave sites, forced families to sign undertakings that they will not hold commemorations, and destroyed headstones, flowers or other memorials placed there by the families.

As part of their efforts to conceal the location of the remains, and by extension the scale of the killings, the Iranian authorities have excluded the names of the overwhelming majority of the victims from publicly available burial registers.

DENIALS AND MISINFORMATION

For three decades, the Iranian authorities have denied and promoted misinformation about the killings both at home and internationally.

Domestically, the authorities have concocted different stories to disguise, distort and "justify" the killings. In particular, some have presented the executions as a just and lawful response to a small group of violent individuals who had somehow colluded with the PMOI from inside prison to support and join its armed incursion on 25 July 1988. Those promoting this narrative fail to explain how thousands of prisoners from across the country could have communicated and co-ordinated from inside Iran's high-security prisons with an armed group outside the country. Moreover, the testimonies of survivors all confirm that these vague accusations of rebellion and secret collusion were not the focus of the interrogations they faced between July and September 1988 and no information was ever given to them that they were facing renewed prosecution and sentencing on fresh charges.

Other official narratives have deceptively claimed that the executed prisoners had long been on death row for serious crimes involving killing and other violence and that the summary proceedings before their execution in 1988 focused on whether they were adequately "repentant" and therefore qualified for pardon or commutation of their sentence.

All the stories have downplayed the scale of the killings by representing the death toll as "low" or "insignificant".

On the international stage, from late 1988, the authorities flatly denied the killings, dismissing the reports as "nothing but propaganda". For example, on 29 November 1988, Iran's permanent representative to the UN in New York, Mohammad Jafar Mahallati, denied the mass executions in a meeting with the UN Special Representative on the situation of human rights in Iran, and claimed that "many killings had in fact occurred on the battlefield, in the context of the war, following the invasion of the Islamic Republic of Iran by [the PMOI]".

On 8 December 1988, the UN General Assembly adopted a resolution on the situation of human rights in Iran, which expressed grave concern about a renewed wave of executions in Iran in July-September 1988 targeting prisoners for their political convictions. Several days later, on 13 December, Amnesty International issued a briefing stating that "the evidence for mass executions was now indisputable" and that "the true total could run into thousands". It raised its concerns with the Iranian authorities, including through embassy visits around the world, but met with denials.

On 26 January 1989, the UN Special Representative on the situation of human rights in Iran challenged Iran's "global denial" of the wave of executions. He submitted to the authorities a list of 1,084 names, asking for information on their fate and whereabouts and noted that "there were in all probability several thousand victims".

On 26 June 1989, the UN Special Representative received a letter from Deputy Foreign Minister Mohammad Hossein Lavasani which claimed that "140 out of the total list of persons alleged to have been executed in Tehran are forgeries and virtually non-existent individuals". The letter did not comment on the fate of the remaining 944 people listed, saying that Iran "cannot, and will not, hold itself committed to answering allegations originated from certain terrorist groups and war-time traitors."

Amnesty International extracted the names of the individuals whom the Iranian authorities claimed did not exist from the annex of the January 1989 report of the UN Special Representative (which totalled 141 rather than 140) and found that 116 of the names appear in at least one of the two lists of execution victims prepared by the Committee for the Defence of Human Rights in Iran and the PMOI. Amnesty International obtained photographs of 13 of them.

Amnesty International also obtained the pictures of individual gravestones for eight people who were declared as "non-existent" by the Iranian authorities. The Iranian authorities have themselves identified these graves as the victims' place of burial.

On 2 November 1989, the UN Special Representative spoke of the mass prisoner killings of July-September 1988 no longer as an allegation but as a verified fact. Despite this, the UN failed to take appropriate action. Not only was there no condemnation from or investigation authorized by the then UN Commission on

Human Rights and no referral by the UN General Assembly to the Security Council, the General Assembly did not even follow up on its resolution of 8 December 1988.

This emboldened the authorities to persist in their disavowals of the truth. In a reply submitted in October 1990 concerning 3,620 cases of executions mentioned in the reports of the UN Special Representative between January 1988 to February 1990, the Iranian authorities did not even acknowledge one single execution carried out in 1988. They claimed that "the names of 2,109 persons allegedly executed cannot be recognized." For the remaining 1,511, they provided vague comments that included claiming the reported execution victims were alive and studying or working, had "sought shelter in foreign countries", were "held as prisoners of war in Iraq" or were dead due to "natural causes" or on the battlefield.

In a subsequent reply in January 1991, which concerned the fate and whereabouts of an additional 346 individuals, including 47 who were recorded as executed in 1988, the Iranian authorities again refused to acknowledge any of the 1988 executions. For 23 of the cases from 1988, the UN Special Representative recorded "no government reply" and, for the remainder of the 1988 cases, he noted similar official responses to those listed above.

Amnesty International's research shows that 36 of the 47 reported execution cases that the authorities denied are recorded in one or more of the following sources: the database of such victims produced by the Abdorrahman Boroumand Center, and the lists of victims of the mass killings of July-September 1988 compiled by the Committee for the Defence of Human Rights in Iran, on the one hand, and by the PMOI on the other hand. These include victims whom the authorities declared had been released, were studying in universities, were studying abroad or had escaped to foreign countries. Amnesty International obtained photographs of 11 of them. It also interviewed a sibling of four execution victims whose executions were denied by the authorities: two of them the authorities claimed were studying at university, one of them they claimed had been released and the last one they claimed was studying abroad. Amnesty International also identified the case of a victim about whom the authorities provided no comment to the UN even though they told her family in Iran that she had been executed and directed them to a location where her body was found in an unmarked mass grave along with the bodies of several other women and men.

Given the gravity of the crimes committed in 1988, the Iranian authorities should not have been able to shield themselves from scrutiny by unconvincing blanket denials and mere intransigence. Sadly, that is what happened.

CRISIS OF IMPUNITY

A culture of impunity for state-commissioned human rights violations dominates in Iran. In the case of the enforced disappearances and extrajudicial executions of 1988, most families have no confidence in the justice system. Those that have been brave enough to pursue justice have faced inaction and reprisals.

SENIOR OFFICIALS LINKED TO 'DEATH COMMISSIONS'

For the last 30 years, many of those alleged to have been involved in the 1988 enforced disappearances and extrajudicial executions have held positions of power in Iran. The Shari'a judges, prosecutors general and assistant prosecutors, and ministry of intelligence representatives who participated in the "death commissions" have held and in some cases continue to hold senior positions in the judiciary or the government. For example, Amnesty International has identified and analysed evidence and reports that the following officials participated in "death commissions":

- Alireza Avaei, Iran's current minister of justice, was the prosecutor general of Dezful in Khuzestan province and was tasked with participating in the "death commission" in that city.
- Hossein Ali Nayyeri, who acted as the Shari'a judge in the Tehran "death commission", was promoted to the position of the deputy head of Iran's Supreme Court in 1989 and remained in this post until September 2013. Today, he is head of the Supreme Disciplinary Court for Judges.
- Ebrahim Raisi, who was the deputy prosecutor general of Tehran in 1988 and a member of the Tehran "death commission", was the prosecutor general of Tehran between 1989 and 1994, the first deputy head of the judiciary from 2004 to 2014 and the country's prosecutor general from 2014 to 2016. He ran for the presidency in 2017. In a lecture on 1 May 2018, referring to media reports about his role in the 1988 mass killings, he did not dispute his presence in the meeting with Hossein Ali Montazeri, but noted that "during the period [in question], I was not the head of the court… The head of the court issues sentences whereas the prosecutor represents the people". At the same time, using the word "confrontation" in apparent reference to the mass killings, he regarded them as "one of the proud achievements of the system" and praised Rouhollah Khomeini as a "national hero".
- Mostafa Pour Mohammadi, who was the representative of the ministry of intelligence in the "death commission" in Tehran, was the minister of justice between 2013 and 2017. On 28 August 2016, referring to media reports about the mass prisoner killings and his involvement in them, Mostafa Pour Mohammadi said: "We are proud to have carried out God's commandment concerning the [PMOI]… I am at peace and have not lost any sleep all these years because I acted in accordance with law and Islam."
- Mohammad Hossein Ahmadi, who was the Shari'a judge of Khuzestan province in 1988 and a member of the Khuzestan "death commission", is currently a member of the Assembly of Experts, a constitutional body that has the power to appoint or dismiss Iran's Supreme Leader. For nearly a decade in the 2000s, he was also the head of the body in charge of selecting and appointing judges across the country.

The participation of these and other suspects in senior roles of the government and judiciary understandably undermines the families' confidence in national mechanisms that should provide them with justice and effective remedies.

The crisis of impunity in Iran has become ever more severe since 2016, when the audio recording of the August 1988 meeting of Hossein Ali Montazeri with members of the Tehran "death commission" was released. The audio recording gave rise to an unprecedented wave of publicity around the mass prisoner killings of 1988. In response, the authorities have launched an intensive campaign of disinformation and victim-blaming and issued numerous statements glorifying the perpetrators of the mass killings as "national heroes", likening any criticism of the atrocities to support for "terrorism", and threatening reprisals against anyone seeking to shed light on the mass prisoner killings.

For example, on 15 August 2016, the head of the judiciary, Sadegh Larijani, stated that, by releasing the audio recording, "some have provided the Western media with a subterfuge". He threatened that "the judiciary will act forcefully as always and any disturbance in public opinion with respect to these security issues will for sure lead to judicial investigation and prosecution".

On 13 August 2016, just several days after Hossein Ali Montazeri's son, Ahmad Montazeri, released the audio recording, he was summoned for interrogation by the Special Court for the Clergy and accused of "acting against national security" through "revealing state secrets".

In November 2016, he was sentenced to 21 years' imprisonment after the Special Court for the Clergy convicted him of "spreading propaganda against the system", "forming or running a group composed of more than two people… with the purpose of disrupting national security" and "deliberately and knowingly

providing unauthorized individuals with access to or information about plans, secrets, documents and decisions regarding the state's domestic or foreign policies… in a manner amounting to espionage." The sentence was subsequently reduced to six years and suspended.

TIME FOR ACTION

The enforced disappearance and extrajudicial killing of thousands of prisoners in 1988 have serious repercussions to this day. Victims and their families are anguished at the lack of justice, truth and reparation. Impunity for these crimes has become ingrained into the country's institutional framework, and former and current senior officials have vested interests in concealing and denying the killings.

The authorities have for decades suppressed freedoms of belief, expression, association and peaceful assembly; conducted unfair and predominantly secret trials; committed widespread torture; executed hundreds of people every year; and kept thousands more on death row.

Today, Iran is in the grip of a multifaceted crisis that is rooted in a confluence of severe political, economic, environmental and human rights problems. Protests against poverty, inflation, corruption and political authoritarianism have been on the rise, and intensified expressions of anger and dissatisfaction against the establishment abound on social media. In response, the Iranian authorities have been widening the net of repression. Hundreds of human rights defenders, lawyers, women's rights activists, trade unionists, journalists, students, political activists, environmental activists, and religious and ethnic minorities have been targeted for harassment, interrogation, arbitrary arrests and detention, and prosecution. Many are languishing in jail.

Crimes against humanity are so serious that they are of concern not only to the victims and their families, the survivors and the state in question, but also humanity as a whole. Accountability for such crimes is essential, not only to ensure truth and justice for victims and their families, but also to provide a vital safeguard against the recurrence of such crimes.

Three decades on, the authorities that at all levels committed these crimes under international law are continuing to conceal, condone and even celebrate them today. As a result, there is no immediate domestic possibility for victims to access justice, truth and reparation in Iran and independent, impartial and effective international mechanism(s) to address impunity must be pursued.

RECOMMENDATIONS

In line with these findings, Amnesty International is calling on the Iranian authorities to, among things, take the following actions:

- Publicly acknowledge that thousands of imprisoned political dissidents were subjected to enforced disappearances and extrajudicial executions in prisons across Iran in July-September 1988 and make public all available information and records regarding the number of those killed; their identities; the location, cause and circumstances of their disappearance and extrajudicial execution; and the location of their remains.
- Establish a competent, independent and impartial truth commission, commission of inquiry or other appropriate mechanism to establish fully the truth regarding the mass enforced disappearances and extrajudicial executions of July-September 1988, and facilitate the return of the remains of deceased victims to family members.
- Protect survivors, the families of victims and others seeking truth, justice and reparations on behalf of the victims of the mass enforced disappearances and extrajudicial executions of July-September 1988 against threats, harassment, intimidation, arbitrary arrests and detentions, and other reprisal by state authorities or other actors.
- Ensure that prompt, thorough, independent and impartial criminal investigations are conducted into all allegations of enforced disappearances, extrajudicial executions, torture and crimes against humanity related to the mass killings carried out in July-September 1988. Where sufficient admissible evidence exists, prosecute those suspected of criminal responsibility before civilian courts in proceedings that conform to international fair trial standards and do not involve seeking or imposing the death penalty.

Amnesty International is also calling on UN political bodies and the international community as a whole to:

- Establish an independent, impartial and effective international mechanism(s) to address impunity for the crimes against humanity and other crimes under international law committed including by:

documenting and investigating the crimes, including the extrajudicial executions carried out in 1988, as well as the ongoing enforced disappearance of the victims and the torture and other ill-treatment of victims' families; gathering and preserving evidence; and identifying effective pathways to justice, truth and reparation with a view to ensuring that, where sufficient evidence exists, those suspected of responsibility are prosecuted in fair trials without seeking or imposing the death penalty, including before national courts of states exercising universal jurisdiction, and survivors and victims' families are provided with effective remedies including truth and reparation.

2. METHODOLOGY

2.1 FRAMEWORK AND SCOPE

This report focuses on one of the most heinous chapters of state violence in Iran's recent history on the occasion of its 30th anniversary: the enforced disappearance and extrajudicial execution of thousands of imprisoned political dissidents over several weeks between late July and early September 1988.

While it may appear that these crimes belong to a distant past, they have serious repercussions to this day. The Iranian authorities are still concealing the fate of the victims and the location of their remains and refuse to acknowledge that mass executions were carried out at all. This means that the enforced disappearance of thousands of political dissidents continues today (see chapter 9). Survivors, families of the victims and others seeking truth and justice on behalf of the victims continue to be ill-treated and face reprisals. The ongoing state denial and systematic intimidation, harassment and abuse of those seeking justice, has further compounded and perpetuated the torturous pain and suffering of the families brought about by the extrajudicial execution of their loved ones.

Amnesty International's focus on these crimes is further warranted by the official misinformation campaign launched in Iran in recent years to suppress reporting of leaked official records that have shed further light on the secret and extrajudicial nature of the executions; counter the commemorative efforts of survivors, families and human rights defenders; dehumanize and demonize the victims; glorify the purge of political opposition in the 1980s; minimize the scale of the mass killings; and distort their causes and circumstances.

The mass enforced disappearances and extrajudicial executions perpetrated in 1988 were the culmination of a decade of gross and systematic human rights violations following the 1979 revolution.

Amnesty International is also concerned by allegations of human rights abuses by some opposition groups, including assassinations and other unlawful killings by the People's Mojahedin Organization of Iran (PMOI) and the use of children as combatants by Komala and the Kurdish Democratic Party of Iran (KDPI), two Kurdish armed opposition groups.

These violations and abuses are beyond the scope of this report. However, Amnesty International emphasizes that they all merit independent and in-depth investigations and, where sufficient admissible evidence exists, all those suspected of criminal responsibility must be prosecuted before civilian courts in proceedings that conform to international fair trial standards and do not involve seeking or imposing the death penalty.

2.2 RESEARCH METHODS

This report is based on research undertaken by Amnesty International from September 2017 to November 2018. It provides a comprehensive record of Amnesty International's documentation of the enforced disappearance and extrajudicial execution of thousands of political dissidents between late July and early September 1988 across Iran, building on reports, urgent actions and press releases that the organization published in the late 1980s and early 1990s.

The information gathered by Amnesty International provides a striking picture of the national scale and geographical spread of the mass enforced disappearances and extrajudicial executions, based on the first-hand testimonies of 41 men and women who were imprisoned in 20 cities across the country during the period July-September 1988 and survived the mass prisoner killings. Amnesty International refers to these

witnesses as survivors throughout the report. The organization also gathered the testimonies of 53 family members, 11 former prisoners and 10 other witnesses, collectively from 28 cities. By "former prisoners", Amnesty International refers to those who were released from prison before July 1988. In total, the cities covered by the research, where Amnesty International knows the mass enforced disappearances and extrajudicial executions of 1988 took place, are:

1. Ahvaz in Khuzestan province;
2. Arak in Arak province;
3. Ardabil in Ardabil province;
4. Babol in Mazandaran province;
5. Behbahan in Khuzestan province
6. Behshahr in Mazandaran province;
7. Bushehr in Bushehr province;
8. Dezful in Khuzestan province;
9. Esfahan in Esfahan province;
10. Ghaemshahr in Mazandaran province;
11. Gorgan in Golestan province;
12. Hamedan in Hamedan province;
13. Ilam in Ilam province;
14. Karaj in Alborz province (but in Tehran province in 1988);
15. Kerman in Kerman province;
16. Kermanshah in Kermanshah province;
17. Khorramabad in Lorestan province;
18. Lahijan in Gilan province;
19. Mashhad in Razavi Khorasan province;
20. Qazvin in Qazvin province;
21. Rasht in Gilan province;
22. Roudsar in Gilan province;
23. Sanandaj in Kurdistan province;
24. Saqqez in Kurdistan province;
25. Sari in Mazandaran province;
26. Semnan in Semnan province;
27. Shiraz in Fars province;
28. Tabriz in East Azerbaijan province;
29. Tehran in Tehran province;
30. Urumieh in West Azerbaijan province;
31. Zahedan in Sistan and Baluchestan province;
32. Zanjan in Zanjan province.

2.2.1 TESTIMONIES

Amnesty International's research analysed the testimonies of 41 survivors, 53 family members, 11 former prisoners and 10 other witnesses, obtained either directly or through Justice for Iran, an Iranian human rights organization that assisted Amnesty International during the research phase of the project.

The selection of the provinces and prisons on which Amnesty International chose to focus was informed by the results of a comprehensive review of written materials prepared to date by survivors, independent researchers and other Iranian human rights organizations. This research showed that the circumstances surrounding the mass prisoner killings in Evin prison in Tehran and Gohardasht prison in Karaj have been well-documented over the past three decades. As a result, Amnesty International focused its resources on obtaining first-hand testimonies from survivors and family members who were from other provinces across the country. This was essential to better understand and document:

- the scale and geographical spread of the mass prisoner killings;
- the categories of prisoners targeted across the country in terms of political affiliation, age and gender;
- the similarities and differences in the decision-making processes leading to the executions, including their secretive and extrajudicial nature; and

- the extent to which the authorities used unmarked individual and mass graves across the country to conceal the fate of victims and the location of their remains and eliminate the traces of their crimes.

The testimonies obtained from Justice for Iran were from 52 individuals: 22 survivors, 14 family members, seven former prisoners and nine other witnesses whom they interviewed between 2015 and 2018. Twenty-one of these interviews were conducted in person and video recorded; 26 were conducted by video or voice call and audio recorded; and five were conducted through written exchanges. The breakdown of the interviewees regarding the past political affiliations of themselves or their deceased relatives is as follows:

- 28 were connected with secular, leftist political groups;
- six had links with Kurdish opposition groups;
- 10 were connected with the PMOI;
- eight were not connected with any political group.

Amnesty International analysed all the interviews conducted by Justice for Iran and followed up with the witnesses directly when necessary to obtain further information. Informed consent was obtained from everyone whose name has been included in the report.

Amnesty International also undertook three field trips to Tirana, Albania, where a substantial number of survivors and family members are based. These trips took place in October and November 2017 and March 2018. Amnesty International was supported in these trips by Justice for Iran, which helped, among other things, with preparing a suggested list of witnesses from specific cities; and recording, filming and professionally transcribing and storing the interviews in a secure and orderly manner.

During these trips, which lasted four days on each occasion, Amnesty International interviewed 49 individuals, comprising 16 survivors, three former prisoners, 29 family members and one other witness. These individuals provided information about the circumstances of the mass prisoner killings in 23 provincial cities.

The survivors and family members interviewed in Tirana, Albania, all identified themselves as members of the PMOI. In approaching this community, Amnesty International followed established principles of independence, impartiality, transparency, objectivity, confidentiality, credibility, integrity, professionalism and consistency.[1] These require, among other things, that human rights investigators collect all relevant information from all relevant sources in an unbiased and impartial manner, objectively examine and analyse each piece of information they receive, irrespective of the source, and continue this process until they have completed a thorough and comprehensive inquiry and obtained a clear understanding of the situation under investigation.[2]

In addition to its field missions in Tirana, Amnesty International interviewed 10 family members and four survivors who were based in Europe and North America and shared their accounts of the mass killings from six cities in Iran. Two of these interviews were conducted in person and the rest were by video or voice call. In locating these individuals, Amnesty International was assisted by the group Bidaran.[3]

Amnesty International also used secure messaging applications to ask questions and receive information from witnesses based inside Iran. These individuals requested anonymity due to fear of reprisal. Accordingly, throughout the report, Amnesty International has only included the names of survivors and family members who were outside Iran and who gave their consent. The Iranian authorities systematically subject survivors, family members and others who speak out about the atrocities in the 1980s to serious human rights violations including arbitrary arrest and detention, torture and other ill-treatment and lengthy imprisonment. Given this context, the pool of first-hand witnesses residing in Iran was extremely limited. The majority of potential witnesses were afraid to speak to Amnesty International even on a confidential basis because they were concerned about the safety of themselves and their families and feared that their conduct might be monitored clandestinely by the Iranian authorities.

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[1] Office of the High Commissioner for Human Rights, *Commissions of inquiry and fact-finding missions on international human rights and humanitarian law: Guidance and practice*, 2015, www.ohchr.org/Documents/Publications/CoI_Guidance_and_Practice.pdf

[2] Office of the High Commissioner for Human Rights, *Commissions of inquiry and fact-finding missions on international human rights and humanitarian law: Guidance and practice*, 2015, www.ohchr.org/Documents/Publications/CoI_Guidance_and_Practice.pdf, pp. 33-35.

[3] Bidaran was established by a group of former prisoners, survivors, family members and human rights defenders who are committed to seeking truth, justice and reparation for the gross and systematic human rights violations committed by the Iranian authorities, particularly in the 1980s. For more information about the group, see www.bidaran.net/spip.php?article17

In assessing the reliability and credibility of the testimonies placed before it, Amnesty International took into account, among other considerations:

- the individual's political and personal interests, potential biases and past record of reliability (if known);
- their apparent capacity to correctly recall events, considering their age, experience of trauma and how far back the events occurred;
- the position that the witness said they had in relation to the subject of the information; and
- where and how the witness said they obtained the information.

Amnesty International additionally considered that all information had to be assessed for its validity by considering, among other factors:

- its relevance to the inquiry;
- its internal consistency and coherence; and
- its logicality and consistency with and corroboration by other information.

All interviewees were informed about the nature and purpose of the research and about how the information they provided would be used. Oral consent was obtained from each interviewee prior to the start of the interview, which was audio or video-recorded. No incentives were provided to interviewees in exchange for their accounts. Individuals were told that they could end the interview at any time. People were explicitly told they could choose not to answer specific questions if they did not want to do so.

Interviews were carried out individually and in private, with just the researchers and interviewee in the room, with the exception of four cases where, respectively, two brothers, a wife and her husband, a mother and her son, and an aunt and her niece wanted to be interviewed together.

All interviews were conducted in Persian.

2.2.2 DOCUMENTARY EVIDENCE

Amnesty International examined a vast of body of written materials in order to investigate what happened in Iran's prisons before, during and after the mass prisoner killings of July-September 1988; trace the development of official narratives denying and distorting the scale, causes and circumstances of the mass prisoner killings; and assess the extent and adequacy of the actions taken by the UN and international community to address the mass enforced disappearances and extrajudicial executions of 1988. These materials included:

- documents and correspondence stored in the archives of Amnesty International from 1988 to 1993;
- reports, testimonies, memoirs and other written materials prepared by survivors, independent researchers and Iranian human rights organizations;[4]

[4] The materials reviewed included: Iran Human Rights Documentation Centre, *Deadly Fatwa: Iran's 1988 Prison Massacre*, 2009, www.iranhrdc.org/english/publications/reports/3158-deadly-fatwa-iran-s-1988-prison-massacre.html; Abdorrahman Boroumand Center, *The Massacre of Political Prisoners in Iran, 1988, report of an inquiry conducted by Geoffrey Robertson QC*, 18 April 2011, www.iranrights.org/library/document/1380/the-massacre-of-political-prisoners-in-iran-1988-report-of-an-inquiry; Abdorrahman Boroumand Center, *The Massacre of Political Prisoners in Iran, 1988: An Addendum, Witness testimonies and official statements*, 10 December 2013, www.iranrights.org/library/document/2498/the-massacre-of-political-prisoners-in-iran-1988-an-addendum-witness-testimonies-and-official-statements; Justice for Iran, *Unfinished Tales: Mothers and families of Khavaran, a three decade long search for truth and justice*, September 2015, justice4iran.org/persian/wp-content/uploads/2015/09/unfinishedtale.pdf. Amnesty International also reviewed the relevant articles and interviews available on the following websites which belong to the communities of survivors and family members who seek truth, justice and reparation for the gross human rights violations of the 1980s: *Bidaran*, www.bidaran.net/; *Prison's Dialogue* (*Goftogoohayeh Zendan)*, dialogt.de; and Iran Tribunal, www.irantribunal.com/index.php/en/
For the lists of some of the memoirs written by former prisoners and survivors of the mass prisoner killings of 1988 and other gross human rights violations of the 1980s, see Abdorrahman Boroumand Center, *Testimonies of victims and rights abusers: Prison Memoirs*, www.iranrights.org/library/collection/120/prison-memoirs; Monireh Baradaran, "Prison literature", womenpoliticalprisoners.files.wordpress.com/2013/02/daa9d8aad8a7d8a8.pdf; *Political prisoners: The art of resistance in the Middle East*, womenpoliticalprisoners.com/resources/books-in-english/

- the judgement of the Iran Tribunal, a non-binding international people's tribunal residing in The Hague, the Netherlands, concerning the violations of human rights and crimes committed by the Iranian authorities in the 1980s, which was issued on 5 February 2013;[5]
- reports of the UN Special Representative on the situation of human rights in Iran from 1988 to 1997 and the statements of the Iranian authorities to the UN recorded therein;
- resolutions of the UN General Assembly on the situation of human rights in Iran from 1988 to 1997;
- reports of the UN Working Group on Enforced or Involuntary Disappearances between 1988 and the present day;
- official orders and other correspondence published in the memoirs of then Deputy Supreme Leader Hossein Ali Montazeri;
- diary entries in the memoirs of then Speaker of Parliament Ali Akbar Hashemi Rafsanjani;
- official statements and articles published by the state-affiliated newspapers *Keyhan* and *Ettelaat* between July 1988 and March 1989; and
- official statements published by online state-affiliated media outlets in Iran including Fars News Agency, Raja News, Mehr News Agency, Tasnim News, Mashregh News and the Islamic Republic News Agency, particularly since 2016.

Several data sources that provide information on the names and personal details of those reportedly killed during the mass executions of July-September 1988 were checked and crosschecked throughout the research process for research and corroboration purposes. These included the following:

1. A list compiled by the Committee for the Defence of Human Rights in Iran, a human rights group outside Iran, which has recorded the names of 4,672 individuals killed during the mass prisoner killings in 1988 who were affiliated with the PMOI or leftist or other political opposition groups. This is a minimum number and does not include the hundreds of arrests that are believed to have taken place in the weeks leading to the armed incursion of the PMOI on 25 July 1988 or shortly after it.

2. Several lists compiled by a survivor from Gohardasht prison in Karaj, Iraj Mesdaghi, who has conducted decades of research on the mass prisoner killings of 1988, particularly in Evin prison in Tehran and Gohardasht prison in Karaj. The lists include one with the names of 380 individuals affiliated with leftist or other groups whom Iraj Mesdaghi has recorded as having been killed during the mass prisoner killings of July-September 1988 in Evin and Gohardasht prisons[6] and another with the names and personal details of 367 reported PMOI victims, and with the location details of individual graves in Behesht Zahra cemetery which the authorities have identified as their place of burial.[7]

3. A list created by the banned opposition group PMOI, which lost several thousand of its members and supporters during the mass prisoner killings of 1988, and entitled "Crimes Against Humanity". The lists records the full names of 4,969 individuals who the organization says were killed during the mass prisoner killings, as well as the names of their fathers. Some of the names on the list also appear on an online database on the PMOI's website, which includes, in many cases, photographs of the victim and, where it exists, their individual grave.

4. An online database entitled Omid Memorial, created by the Abdorrahman Boroumand Center, an independent human rights organization outside Iran which seeks to record every execution that has been carried out in Iran since 1979. The database collates lists produced by the PMOI, the UN Special Representative on the situation of human rights in Iran and other groups, and complements the content of these with information from family members of victims and former prisoners.

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[5] Iran Tribunal, An International People's Tribunal, *On the abuses and mass killings of political prisoners in Iran, 1981-1988, Findings of the Truth Commission*, 30 July 2012, www.irantribunal.com/images/PDF/Commission%20Report-Website.pdf; Iran Tribunal, An International People's Tribunal, *Judgement: Prosecutor v. Islamic Republic of Iran (a case concerning the gross violations of human rights and commission of crimes against humanity by the Islamic Republic of Iran)*, 5 February 2013, www.irantribunal.com/images/PDF/Iran%20Tribunal%20Judgment.pdf;

[6] This list is published in a book entitled *Dance of the Phoenixes and Song of the Ash (Raqs-e Qoqnus-ha Va Avaz Khakestar)*, 2011, pp. 323-328.

[7] This list is published in a book entitled *Dance of the Phoenixes and Song of the Ash (Raqs-e Qoqnus-ha Va Avaz Khakestar)*, 2011, pp. 155-163. The list contains 371 entries. However, in two cases – Sediqeh Ansi and Hossein Safaieezadeh – there are two entries for the same person because two separate graves in different lots of the cemetery have attributed to them. One entry concerns a woman, Rafat Kholdi, whom Iraj Mesdaghi says committed suicide in prison following the mass prisoner killings of 1988. Two other entries containing the names Hamid Haghighi and Mohammad Kadeli Haghighi are said to be referring to the same person.

Amnesty International also searched for the names of 4,672 execution victims recorded by the Committee for the Defence of Human Rights in Iran in the online burial registers of the Organization of Behesht Zahra in order to investigate whether and how far the authorities have excluded the name of victims from public burial records. The Organization of Behesht Zahra directly manages the Behesht Zahra cemetery in Tehran and also maintains an official database of individual graves. The mandate of the organization is silent about its registration of graves outside Tehran province. However, searches conducted in the database shows that, in addition to the records of graves in Behesht Zahra cemetery, it also includes the records of individual graves in various other cities across the country. For each registered grave, details recorded include the name of the deceased person, their date of birth and death and, in many cases, the name of their father.

Other documentary materials gathered and studied by Amnesty International included 10 death certificates obtained from the families of the execution victims. The organization analysed the date, place and cause of death recorded on each certificate to test whether and how the authorities have denied or distorted the truth about the fate of the victims, including the causes and circumstance of their killings.

2.2.3 AUDIOVISUAL EVIDENCE

In investigating the situation of unmarked mass graves containing the remains of the victims and the desecration and destruction that they have faced, Amnesty International analysed satellite imagery and video footage and photographs, obtained from Justice for Iran or directly from survivors, family members, former prisoners and informed locals. The source of the satellite imagery was Google Earth.

The audiovisual materials received by Amnesty International provided compelling visual evidence of the destructive actions taken by the authorities at suspected or known mass grave sites over the past three decades and enabled the organization to establish a timeline of events for several mass graves.

In total, Amnesty International obtained information on the presence of suspected or known mass grave sites in the vicinity of at least 18 cities across the country. In some cities such as Ahvaz, Karaj, Rasht, Tehran and Mashhad, more than one mass grave site was reported. This is not an exhaustive list and Amnesty International believes that the real number of mass graves scattered across the country which resulted from the mass secret extrajudicial executions of 1988 is far higher. Suspected or known mass grave sites were brought to the attention of Amnesty International in the following cities:

1. Ahvaz in Khuzestan province;
2. Ardebil in Ardebil province;
3. Dezful in Khuzestan province
4. Ghaemshahr in Mazandaran province;
5. Ilam in Ilam province;
6. Karaj in Alborz province (but in Tehran province in 1988);
7. Lahijan in Gilan province;
8. Mashhad in Razavi Khorasan province;
9. Masjed Soleiman in Khuzestan province;
10. Qorveh in Kurdistan province;
11. Rasht in Gilan province;
12. Roudsar in Mazandaran province;
13. Sanandaj in Kurdistan province;
14. Shiraz in Fars province;
15. Tabriz in East Azerbaijan province;
16. Tehran in Tehran province (in Khavaran and Behesht Zahra cemetery);
17. Urumieh in West Azerbaijan province;
18. Zanjan in Zanjan province.

In investigating the exclusion of victims from publicly available burial records, Amnesty International obtained the pictures of 382 individual gravestones that the organization was told were located in Behesht Zahra cemetery in Tehran and belonged to victims of the mass prisoner killings of 1988, and searched the names and other details inscribed on each grave in the online burial registers of the Organization of Behesht Zahra. The pictures came from two sources. Iraj Mesdaghi reproduced the pictures of 373 individual gravestones in his book *Dance of the Phoenixes and Song of the Ash*. Another survivor of the mass killings in Gohardasht prison, Mahmoud Royayee, provided Amnesty International with 190 pictures of gravestones, of which only five were not reproduced in Iraj Mesdaghi's book.

For corroboration purposes, Amnesty International searched the names inscribed on the gravestones in one or more of the following sources: the lists of victims complied by the Committee for the Defence of Human

Rights in Iran, on the one hand, and the PMOI, on the other, and the database of such victims produced by the Abdorrahman Boroumand Center. Based on this research, the organization excluded 42 of the pictures of the graves from the scope of its work as the names inscribed on them were not found in any of the three sources.

In investigating the secret and extrajudicial nature of proceedings that led to the execution of prisoners and tracing the denial and misinformation that Iranian authorities promoted about the killings in 1988, Amnesty International analysed an audio recording of a high-level official meeting that took place in August 1988 between then deputy Supreme Leader Hossein Ali Montazeri and the officials responsible for the mass killings in Tehran. The audio recording was published online by Hossein Ali Montazeri's son, Ahmad Montazeri, in August 2016. The organization also obtained and watched a video interview that Iran's then prime minister, Mir Hossein Mousavi, gave to the Austrian national public service broadcaster, ORF, in December 1988 about the mass killings.

2.2.4 COMMUNICATION WITH IRANIAN AUTHORITIES

Despite repeated requests by Amnesty International for access to Iran, the authorities have barred the organization from carrying out research in the country since 1979. Other independent human rights monitoring groups have faced similar obstacles.

Amnesty International sent a letter to the head of the judiciary, Ayatollah Sadegh Larijani, about the subject matter of this report on 19 October 2018, providing a summary of its findings and conclusions and inviting comments and clarifications. The letter asked a series of specific questions seeking information or clarification about a number of issues including: any investigations conducted by the Iranian authorities into the enforced disappearances and extrajudicial executions of 1988; the number of prisoners executed during the period July-September 1988; the measures, if any, taken by the authorities to disclose the fate of the victims, including the causes and circumstances of their killings; the measures, if any, taken by the authorities to address the failure to provide families with death certificates including accurate and complete information about the date, location and cause of death; the omission of the names of most victims from official burial records; and the steps, if any, taken by the authorities to officially and publicly disclose information on the location of all individual and mass graves containing the remains of the victims and to stop the destruction and damaging of these sites. Copies were also sent to the Permanent Mission of the Islamic Republic of Iran in Geneva and the Ambassador of the Islamic Republic of Iran to the United Kingdom.

On the same date, Amnesty International sent two separate letters to the National Organization for Civil Registration and the Organization of Behesht Zahra in Tehran, asking for information about issues related to death and burial records and registration systems in Iran.

At the time of publication on 4 December 2018, Amnesty International had received no response from the Iranian authorities.

2.3 ACKNOWLEDGEMENTS

Amnesty International would like to express its deep gratitude to all the survivors, family members of victims and former prisoners who agreed to recount their painful experiences and also connected the organization to other witnesses. Their sense of duty to truth and justice was admirable and inspiring.

Amnesty International is also indebted to the many survivors, family members and human rights defenders, both in Iran and exile, who have kept the flame of remembrance, truth and justice alight through their insightful memoirs, informative interviews, commemorative gatherings and brave demonstrations. They have shown great perseverance in the face of the prevailing impunity and recurring episodes of violence and trauma.

Special thanks go to Justice for Iran for sharing their time, expertise and resources with Amnesty International. By providing Amnesty International with the testimonies, photographs, video materials and satellite images that they had gathered over the years, they enabled the organization to reach a wider pool of witnesses and build a more national and geographically diverse picture. They also spared no effort in assisting Amnesty International with connecting it to witnesses and provided valuable input and technical support. Their support was also crucial for developing a detailed and comprehensive analysis of the situation of mass graves across the country.

Amnesty International also wishes to express its appreciation to Bidaran, a group which has published a vast body of literature on the gross human rights violations of the 1980s, including on the mass executions of 1988, and the struggle of survivors and families for truth, justice and reparation. With their support, Amnesty International was able to promptly connect with and interview several survivors whom the organization would not have been able to access otherwise. Amnesty International similarly acknowledges the generous support it has received from the Iran Research and Documentation Archives in Berlin, Germany (Archiv für Forschung und Dokumentation Iran – Berlin), which holds a wide collection of newspapers and magazines; Amnesty International conducted its historic newspaper research there in September 2018 and was given 24-hour access free of charge.

Amnesty International is also grateful to the Abdorrahman Boroumand Center for its remarkable database, Omid Memorial, and for its ongoing collaboration with Amnesty International to document cases of executions carried out by the Iranian authorities and record related statistics.

3. BACKGROUND

> **"Our objection is that criminals should not be tried. They should be killed."**
>
> Rouhollah Khomeini, Iran's first Supreme Leader after the 1979 Revolution[8]

3.1 PRE-REVOLUTION REPRESSION

For half a century, Amnesty International has been documenting serious human rights violations in Iran, both during the reign of the Shah and after the revolution of 1979 that led to the establishment of the Islamic Republic of Iran.

Under Mohammad Reza Shah, who ruled Iran from 1941 to 1979, the violations included severe restrictions on freedom of expression and association;[9] arbitrary arrest and detentions carried out by the National Intelligence and Security Organization (SAVAK);[10] systematic torture and other ill-treatment; and unfair trials before military tribunals leading to harsh prison sentences.[11] Those imprisoned included political dissidents adhering to Marxist or Islamist ideologies, dissident clerics, lawyers, writers, theatre directors, university teachers, student activists and members of ethnic minority groups seeking a degree of autonomy.[12] The death penalty was used against political opponents: between 1972 and 1976, Amnesty International reported the executions of more than 300 people following unfair trials before military tribunals.[13]

In the two years prior to the 1979 revolution, the Shah introduced a number of human rights reforms. These involved, among other things, a reduction in torture,[14] political imprisonment[15] and executions. Despite these reforms, political oppression and other social ills, including corruption, inefficiency and structural inequality, persisted and it was in this context that mass demonstrations erupted in September 1978. This was followed by nationwide industrial action and a general strike in December 1978, which brought the economy to a halt.

The Shah left the country on 16 January 1979. On 1 February, Rouhollah Khomeini returned to Iran from exile as the leader of the revolution and appointed a provisional government. In March 1979, Iran was declared an Islamic Republic following a referendum where people were asked to say yes or no to changing the monarchy to "an Islamic Republic, the constitution of which will be approved by the nation".

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[8] Amnesty International, *Law and Human Rights in the Islamic Republic of Iran* (Index: MDE 13/003/1980), p. 42.
[9] Amnesty International, *Briefing: Iran* (Index: MDE 13/001/1976), p. 10.
[10] SAVAK was formed in 1957 "for the purposes of security of the country and prevention of any kind of conspiracy detrimental to public interests". The head of SAVAK was appointed by the Shah and wielded almost unlimited power.
[11] Amnesty International, "Iran" in *Annual Report 1977* (Index: POL 10/006/1977), pp. 296-297; Amnesty International, *Briefing: Iran* (Index: MDE 13/001/1976).
[12] Amnesty International, *Briefing: Iran* (Index: MDE 13/001/1976), p. 6.
[13] Amnesty International, *Briefing: Iran* (Index: MDE 13/001/1976), p. 9.
[14] Amnesty International, *Annual Report 1978* (Index: POL 10/001/1978) p. 257; Amnesty International, *Annual Report 1979* (Index: POL 10/001/1979), p. 156.
[15] Amnesty International, *Annual Report 1978* (Index: POL 10/001/1978), p. 256. By the time of the Shah's departure in January 1979, most political dissidents known to Amnesty International had already been released. The few remaining were freed when Prime Minister Mehdi Bazarghan, appointed by Rouhollah Khomeini, took office early in February 1979. See Amnesty International, *Annual Report 1979* (Index: POL 10/001/1979), p. 156.

3.2 POST-REVOLUTION REPRESSION

> **"The revolutionary courts were born out of the anger of the Iranian people... There is no room in revolutionary courts for defence lawyers because they keep quoting laws to play for time, and this tries the patience of the people."**
>
> Shari'a judge Sadegh Khalkhali [16]

During the first post-revolution decade, the already dire situation of human rights degenerated into a full-blown human rights catastrophe. The new authorities arbitrarily imprisoned, systematically tortured and summarily executed thousands of political dissidents who had been involved in the revolution. This was done to consolidate their grip on power and brutally crush leaders, members and supporters of political organizations and groups which opposed theocracy and advocated alternative political visions for post-revolutionary Iran, including secular democracy, communism, socialism and, in the case of ethnic or national minorities, a degree of regional autonomy.[17] Baha'is and Jews were also among those executed, usually on spurious charges of espionage.[18]

The deadly crackdown started immediately after the overthrow of the Shah. On the order of Supreme Leader, Rouhollah Khomeini, Revolutionary Courts were set up in most cities across the country. These courts, which were presided over by Supreme Leader, appointed Shari'a judges (known in Persian as *hakem-e shar'*) were expected to deliver "revolutionary justice".[19] Fundamental fair trial guarantees, which Rouhollah Khomeini described as a reflection of the "Western sickness among us", were to be disregarded.[20]

In the following months, hundreds of individuals considered "anti-revolutionary" were arbitrarily arrested and summarily executed after flagrantly unfair "trials" that lasted only a few minutes and were so arbitrary and summary that they cannot be considered to constitute judicial proceedings.[21] The victims included individuals with real or perceived affiliation with the overthrown system; members of Kurdish, Turkmen and Ahwazi Arab minorities seeking a degree of autonomy; sex workers; and people accused of drugs-related offences and sexual "offences" such as adultery and sodomy.[22] Trials were often held on camera. Defendants were not given access to a lawyer. They were not informed of specific accusations against them. They were not provided with any opportunity to adequately defend themselves; often, the only defence facility offered to them was to write a defence speech for the court on a piece of paper to charges which were not often known until just before trial. There was generally no possibility of appeal and no effective presumption that defendants were innocent until proved guilty. Executions followed soon after death sentences had been passed.[23]

In August 1979, armed conflict broke out between the Revolutionary Guards (a parallel armed force to the army established after the 1979 revolution on Rouhollah Khomeini's order with the primary task of guarding the Islamic Republic) and armed Kurdish parties and groups seeking a degree of secular autonomy, particularly the Kurdish Democratic Party of Iran (KDPI) and the Marxist group, Komala.[24] This followed months of fruitless negotiations, popular unrest and deadly armed skirmishes in various Kurdish cities.[25]

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[16] Amnesty International, *Law and Human Rights in the Islamic Republic of Iran* (Index: MDE 13/003/1980), p. 52.
[17] Amnesty International, *Iran: Violations of human rights 1987-1990* (Index: MDE 13/021/1990), p. 5.
[18] Amnesty International, *Annual Report 1981* (Index: POL 10/0001/1981), p. 355.
[19] Amnesty International, *Law and Human Rights in the Islamic Republic of Iran* (Index: MDE 13/003/1980), p. 42.
[20] Amnesty International, *Law and Human Rights in the Islamic Republic of Iran* (Index: MDE 13/003/1980), p. 42.
[21] Amnesty International, "Amnesty International seeks to send mission to Iran in effort to stop executions (communiqué)" (Index: MDE 13/13/81).
[22] Amnesty International, *Annual Report 1980* (Index: POL 10/0003/1980), p. 329; Amnesty International, *Law and Human Rights in the Islamic Republic of Iran* (Index: MDE 13/003/1980).
[23] Amnesty International, *Law and Human Rights in the Islamic Republic of Iran* (Index: MDE 13/003/1980), pp. 40-43.
[24] Amnesty International, *Iran: Human rights abuses against the Kurdish minority* (Index: MDE 13/088/2008), p. 4.
[25] Iran Human Rights Documentation Centre, *The Islamic Republic's Executions of Kurds in 1979*, September 2011, www.iranhrdc.org/wp-content/uploads/reports_en/Haunted_Memories_266599093.pdf

On 17 August 1979, Rouhollah Khomeini issued a fatwa (religious order), ordering armed forces to advance "with canons and tanks" towards the Kurdish town of Paveh in Kermanshah province, western Iran, to defeat Kurdish fighters who had taken control of the city.[26] A brutal military crackdown was subsequently waged to crush Kurdish opposition groups and establish full control over the Kurdish regions. Scores of Kurdish villages and towns were destroyed, and around 10,000 Kurdish men, women and children were reported to have been killed.[27]

At the same time, Rouhollah Khomeini assigned Shari'a judge Sadegh Khalkhali to travel to various Kurdish cities and order the summary execution of the so-called "anti-revolutionary rebels".[28] Dozens of Kurdish people, including children, were subsequently executed by firing squad after summary trials before Sadegh Khalkhali, who convicted them of "corruption on earth" (*esfad-e fel arz*) and "enmity against God" (*moharebeh*) in connection with their real or perceived support of Kurdish opposition groups. Generally, the entire process of arrest, investigation, prosecution, sentencing and implementation was completed in a single day and sometimes in a matter of hours.[29] Families were not notified of the executions in advance. Many were led to believe that their loved ones would be released, only to discover that they had been executed. In many cases, families were forced to search through piles of corpses to identify their loved ones. Some were never able to recover the bodies of their relatives.[30]

In the capital, Tehran, the repression also hit the country's Bar Association, which was perceived by the authorities as a subversive institution. On 10 June 1980, the Council of the Islamic Revolution (which was established by Rouhollah Khomeini in January 1979 and operated as an executive and legislative body until its dissolution in July 1980) adopted the Law on Purging and Cleansing the Bar Association, which stipulated the establishment of a commission to carry out the purge. While the commission was never formed, its envisioned responsibilities were subsequently taken up by the Revolutionary Courts, which disbarred at least 141 lawyers based on vague political accusations that they supported "anti-revolutionary" ideologies and beliefs such as Baha'ism, Zionism, Communism and imperialism.[31]

The authorities arrested, tortured and imprisoned in 1980, four members of the Board of Directors of the Bar Association.[32] Most other members of the Board fled the country, and the activities of the Bar Association effectively ended for the next four years. The Bar Association re-opened in 1984 after Iran's Supreme Judicial Council[33] appointed a lawyer who had only two years of work experience and was a member of the Guardian Council (a 12-member body consisting of lawyers and Islamic jurists appointed by the Supreme Leader and the head of the judiciary to – amongst other things – supervise laws for the compliance with the Shari'a) as its Supervisor.[34]

Socio-political publications and political organizations and groups that had been involved in the revolution faced a rapidly shrinking space in which to operate. As early as August 1979, the prosecution authorities

ADD PHOTO

The execution scene of nine men at Sanandaj Airport in Kurdistan province on 27 August 1979. The photograph was taken by Jahangir Razmi and won a Pulitzer Prize in 1980. © Jahangir Razmi/Magnum Photos

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[26] *Keyhan*, "Imam: The army must advance towards Paveh with cannons and tank", 18 August 1979, pp. 1-2.
[27] Amnesty International, *Iran: Human rights abuses against the Kurdish minority* (Index: MDE 13/088/2008), p. 5.
[28] Amnesty International, *Law and Human Rights in the Islamic Republic of Iran* (Index: MDE 13/003/1980), pp. 191-19.
[29] Amnesty International, *Law and Human Rights in the Islamic Republic of Iran*, Appendix C (Index: MDE 13/003/1980), pp. 191-194; Iran Human Rights Documentation Centre, *The Islamic Republic's Executions of Kurds in 1979*, September 2011, www.iranhrdc.org/wp-content/uploads/reports_en/Haunted_Memories_266599093.pdf. See also *Time, 100Photos*, "Firing Squad in Iran, Jahangir Razmi", www.100photos.time.com/photos/jahangir-razmi-firing-squad-in-iran
[30] Iran Human Rights Documentation Centre, *The Islamic Republic's Executions of Kurds in 1979*, September 2011, www.iranhrdc.org/wp-content/uploads/reports_en/Haunted_Memories_266599093.pdf
[31] Mohammad H. Nayyeri, *Iranian Bar Associations: Struggle for Independence*, Iran Human Rights Documentation Centre, November 2012, p. 6, www.iranhrdc.org/wp-content/uploads/pdf_en/LegalCom/Iranian-Bar-Associations.pdf; Mohammad Mehdi Hassani, "The history of the independence of bar associations in Iran", 17 July 2012, www.bit.ly/2IEBGQf; *News Gooya*, "Oral history of the bar association from the beginning till now; an interview by Aida Ghajar with Abdolkarim Lahidji", 7 June 2012, www.news.gooya.com/politics/archives/2012/06/141978.php. See also *Ettelaat*, "The licence of 32 Baha'i lawyers was revoked", 5 September 1983, p. 13; *Jomhouri Islami*, "The Revolutionary Court of Markaz revoked the licences of 57 lawyers", 21 June 1983, p. 2; *Jomhouri Islami*, "The licences of 32 agents of international Zionism were revoked", 5 September 1983, p. 2.
[32] Amnesty International, *Annual Report 1983* (Index: POL 10/0001/1983), p. 306.
[33] Iran's Supreme Judicial Council was established in 1980 as the country's highest judicial authority. The Council consisted of the Head of the Supreme Court, the country's Prosecutor General and three judges. The Council was replaced by the head of the judiciary as the highest judicial authority in 1989 following a series of constitutional amendments. See Article 158 of the Constitution prior to its amendment in 1989, www.rc.majlis.ir/fa/content/iran_constitution
[34] Mohammad H. Nayyeri, *Iranian Bar Associations: Struggle for Independence*, Iran Human Rights Documentation Centre, November 2012, p. 6, www.iranhrdc.org/wp-content/uploads/pdf_en/LegalCom/Iranian-Bar-Associations.pdf; Mohammad Mehdi Hassani, "The history of the independence of bar associations in Iran", 17 July 2012, www.bit.ly/2IEBGQf; *News Gooya*, "Oral history of the bar association from the beginning till now; an interview by Aida Ghajar with Abdolkarim Lahidji", 7 June 2012, www.news.gooya.com/politics/archives/2012/06/141978.php

ordered the closure of 33 publications on the grounds that they contained "un-Islamic" content. These included both independent publications and the magazines of different political groups and organizations.[35]

On 8 April 1981, the country's chief prosecutor, Ali Ghodousi, declared all political meetings and gatherings held without a permit from the ministry of interior illegal and made the permission of the ministry of Islamic guidance mandatory for publishing newspapers and other print materials. The statement also ordered that all political groups who had used arms in the lead-up to the revolution immediately relinquish their weapons and warned that any group that failed to comply would be declared illegal.[36] This statement was issued in line with a resolution that had been secretly adopted by government officials and prosecution authorities following two high-level meetings on 29 and 31 January 1981. The resolution stated that "all the leaders and members of organizations [classified as actively hostile] shall be arrested, prosecuted and sentenced to the ultimate punishment [the death penalty] and even all the sympathizers who are arrested while selling newspapers, distributing pamphlets or engaging in another activity in favour of such groups shall be arrested and punished for the purpose of guidance."[37]

These moves set the stage for a widespread crackdown that was subsequently waged against various political opposition groups, including people who had not resorted to or advocated the use of violence and who were regarded as guilty merely by association.[38]

Officials working with Revolutionary Guards and provisional law enforcement forces known as Revolutionary Komitehs[39] arbitrarily arrested and detained hundreds of political dissidents affiliated with different opposition groups. Public outcries over torture in prisons increased.[40] Members of the Revolutionary Guards and Revolutionary Komitehs also increasingly carried out violent attacks on those selling and distributing dissident publications.[41]

The crackdown reached a horrific peak in late June 1981 after an opposition group, the People's Mojahedin Organization of Iran (PMOI), called for street protests all over Iran on 20 June 1981, which turned violent. Members of the Revolutionary Guards and Revolutionary Komitehs attacked the demonstrators. Scores of people were killed in street clashes and thousands were arrested during the protests and in the following days, weeks and months. Many of them were targeted merely for participating peacefully in the protests or possessing PMOI-written materials.[42]

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[35] See, for example, *Ettelaat*, "11 more publications are suspended", 21 August 1979, p. 10.
[36] The full text of the statement is available at Abolfazl Shakouri, "Parties as reflected in laws", *The institute of humanities and cultural studies*, pp. 507-508, www.ensani.ir/file/download/article/20100929094517-456.pdf
[37] The full text of the resolution is available at *Kar Magazine*, No. 112, 3 June 1981, p. 8, para. 6, www.iran-archive.com/sites/default/files/sanad/fadaiian_aghalliiat-kar_agh_112.pdf
Political organizations and groups that were classified as "actively hostile" included: the Kurdish Democratic Party of Iran (KDPI); Komala; the Organization of Struggle for the Emancipation of the Working Class (Peykar); the Minority faction of the Organization of Iranian People's Fada'i Guerrillas (Aqaliat); and the Iranian People's Fada'i Guerrillas (Ashraf Dehghani group). Political organizations and groups that were classified as "potentially hostile" included: the People's Mojahedin Organization of Iran (PMOI); the Organization of Working-Class Freedom Fighters (Razmandegan); the Organization of the Vanguard Fighters of the Oppressed (Arman-e Mostazafin); and the Organization of Revolutionary Workers in Iran (Rah-e Kargar). Political organizations and groups that were classified as "opposing the Islamic Republic system but not currently intent on overthrowing it through armed means" included: the Tudeh Party; the Majority faction of the Organization of Iranian People's Fada'i Guerrillas (Aksariat); the Labourers' Party of Iran (Ranjbaran); and the National Front of Iran (Jebhe-ye Melli).
[38] Amnesty International, *Annual Report 1981* (Index: POL 10/0001/1981), p. 357.
[39] Revolutionary Komitehs were composed of people with no previous experience of law enforcement. They assumed de facto jurisdiction over a local area, exercised security functions, ran their own detention centres, and saw their duties as "promoting the objectives of the Islamic revolution" and "familiarizing the population with their religious and ethical duties". Many people who were arrested by revolutionary forces were handed over to Komitehs for interrogation. For more information see Amnesty International, *Law and Human Rights in the Islamic Republic of Iran* (Index: MDE 13/003/1980).
[40] Amnesty International, *Annual Report 1981* (Index: POL 10/0001/1981), p. 356.
[41] Justice for Iran, *Crime and Impunity: Sexual Torture of Women in Islamic Republic Prisons*, 2012, p. 31, www.justice4iran.org/wp-content/uploads/2013/10/crime_and_impunity.pdf
[42] Amnesty International, *Annual Report 1982* (Index: POL 10/0004/1982), pp. 323-324.

Three days after the protests, Tehran's prosecutor announced that 400 people had been arrested and 25 executed.[43] The next day, the daily newspaper *Ettelaat* published the pictures of 12 young women who had been executed along with a statement from the prosecutor's office in Tehran that called on the women's families to present themselves to Evin prison to collect their bodies.

حملات نفوذی رزمندگان ایران
درخاک عراق گسترش یافت

هجوم افراد مسلح به دفتر مرکزی
جنبش مسلمانان مبارز

دعوت دادستانی انقلاب از
اولیاء دستگیر شدگان

اجساد تنها پس از ۶ ماه درجبهه آبادان جمع‌آوری شد

A copy of the official statement of the prosecutor's office published in Ettelaat *newspaper on 24 June 1981. The statement announced that "the sentences of the criminals who had been arrested in recent anti-revolutionary demonstrations had been issued and implemented" and called on their parents to present themselves to Evin prison with a copy of their children's national identity certificate and picture to collect the bodies. © Ettelaat*

In response, the PMOI leadership resorted to armed violence, including targeted assassinations. Many government officials were assassinated.[44] On 28 June 1981, a bomb exploded in the headquarters of the Islamic Republican Party, killing 74 senior officials including member of the supreme judicial council and head of the supreme court, Mohammad Beheshti, 10 ministers and deputy ministers, and 20 members of parliament.[45] Two months later, on 30 August, a bomb exploded in the office of Prime Minister Mohammad Javad Bahonar, killing him, President Mohammad-Ali Rajai and six other men.[46] In an interview in 1983 and in response to a question on whether the PMOI accepted responsibility for the attack carried out against the headquarters of the Islamic Republican Party, PMOI leader Masoud Rajavi was quoted as saying, "We have neither accepted responsibility nor denied it. However, we consider the attack a legitimate and necessary response from our tortured nation to the backward killers."[47]

In retaliation, the authorities unleashed a reign of terror, including a sharp rise in executions.[48] Between June and December 1981, several thousand people were executed either without trial or following flagrantly unfair "trials" that lasted only a few minutes and were so arbitrary and summary that they cannot be considered to constitute judicial proceedings.[49] Defendants were not informed of any specific accusations against them, were denied access to a lawyer, and were granted no possibility of appeal.[50] Some were blindfolded during their "trial."[51] The authorities often did not announce the executions in advance; families learned about the fate of their loved ones through newspapers and the radio.

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[43] Abdorrahman Boroumand Center, *The Massacre of Political Prisoners in Iran, 1988, report of an inquiry*, 18 April 2011, pp. 23-24, www.iranrights.org/library/document/1380/the-massacre-of-political-prisoners-in-iran-1988-report-of-an-inquiry
[44] Amnesty International, *Annual Report 1982* (Index: POL 10/0004/1982), p. 323.
[45] Sandra Mackey, *The Iranians: Persia, Islam and the soul of a nation* (Penguin, 1998), p. 304.
[46] Sandra Mackey, *The Iranians: Persia, Islam and the soul of a nation* (Penguin, 1998), p. 305.
[47] *Mojahed*, the Publication of the People's Mojahedin Organization of Iran, "The Interview of Herald Magazine Published in Pakistan with Mojahed Brother, Masoud Rajavi", Number 172, 6 October 1983, p.4.
[48] Amnesty International, *Annual Report 1982* (Index: POL 10/0004/1982), p. 323.
[49] Amnesty International, *Iran: Violations of human rights 1987-1990* (Index: MDE 13/021/1990), p. 31; Amnesty International, *Annual Report 1982* (Index: POL 10/0004/1982), p. 324.
[50] Amnesty International, *Annual Report 1982* (Index: POL 10/0004/1982), pp. 323-324.
[51] Special Representative of the Commission on Human Rights, *Interim report on the situation of human rights in the Islamic Republic of Iran*, 13 October 1988, UN Doc. A/43/705, para. 17, www.un.org/en/ga/search/view_doc.asp?symbol=A/43/705

Most of those killed were targeted for real or perceived affiliation with the PMOI. However, hundreds of individuals affiliated with Kurdish opposition groups and leftist and other political organizations were also among the victims.[52]

Among the thousands of individuals executed many had been involved in violent opposition to the Islamic Republic system. However, there were also many others who had never used or advocated violence. They had been primarily arrested because of peaceful political or religious activities such as distributing newspapers and leaflets, taking part in demonstrations, collecting funds for prisoners' families, or in some cases just because they were associated with people actively opposed to the system.[53]

Hundreds of those executed were children who had been caught up in the turmoil of the post-revolutionary period.[54] One of them was 13-year-old Fatemeh Mesbah, an apparent PMOI sympathizer, who was arrested in a demonstration in Tehran on 16 September 1981 and shot dead by a firing squad four days later.[55] On 20 September 1981, Assadollah Lajevardi, the prosecutor of Tehran, was reported to state, "Even if a 12-year-old is found participating in an armed demonstration, he will be shot. The age doesn't matter."[56]

Thousands were also sentenced to lengthy prison sentences after grossly unfair "trials" before Islamic Revolutionary Tribunals.[57] A substantial number of them were prisoners of conscience, imprisoned solely because of their non-violent political or religious activities.[58] In some cases, they were systematically tortured to recant their political ideology and announce their repentance on TV.[59] A large number of these prisoners remained in prison until the enforced disappearance and extrajudicial execution of thousands of prisoners in July-September 1988, which is the subject of this report.

From 1982 onwards, the net of repression widened to cover members and supporters of the communist Tudeh Party and the leftist Majority faction of the Organization of Iranian People's Fada'i Guerrillas (Aksariat), political organizations that had up until then largely supported the policies of the Islamic Republic.[60]

On 15 April 1982, the prosecution authorities raided the publishing house of the Tudeh Party and arrested several people.[61] On 6 February 1983, more than 50 leading Tudeh Party members were arrested and accused of espionage for the Soviet Union.[62] On 27 April 1983, a further 170 members and supporters of the party in Tehran and over 500 others in the provinces were arrested.[63] On 10 May 1983, Mohsen Rezai, the head of the Revolutionary Guards, reportedly said, "We are in no hurry to execute them, they still have much to confess, but by their confessions they have signed their own death warrants."[64] The same month, the authorities began broadcasting a series of televised "confessions" from some high-profile members of the Tudeh Party.[65]

In February 1984, it was officially announced that 10 leading members of the military wing of the Tudeh Party had been executed, and that 87 others had received prison sentences of between several months and life imprisonment. The charges of those executed were reported to include espionage, "misappropriation of arms and ammunition" and "storing them to confront the Islamic Government of Iran".[66] Dozens of people arrested in connection with their support for the Tudeh Party remained in prison until the enforced disappearance and extrajudicial execution of thousands of prisoners in July-September 1988. Some of them had vocally denied that they had spied for a foreign power and conspired to overthrow the Islamic Republic

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[52] Amnesty International, *Annual Report 1982* (Index: POL 10/0004/1982), pp. 323-324. The Abdorrahman Boroumand Center has documented the cases of at least 3,622 individuals who were executed between 20 June and 31 December 1981, including 279 who were under the age of 18 at the time of their execution.
[53] Amnesty International, *Iran: Violations of human rights 1987-1990* (Index: MDE 13/021/1990), p. 37;
[54] Amnesty International, *Annual Report 1982* (Index: POL 10/0004/1982), p. 324.
[55] Amnesty International, *Annual Report 1982* (Index: POL 10/0004/1982), p. 324.
[56] Amnesty International, *Annual Report 1982* (Index: POL 10/0004/1982), p. 324.
[57] Amnesty International, *Iran: Violations of human rights 1987-1990* (Index: MDE 13/021/1990), p. 31.
[58] Amnesty International, *Annual Report 1984* (Index: POL 10/0004/1984), p. 335.
[59] Amnesty International, *Iran: Violations of human rights 1987-1990* (Index: MDE 13/021/1990), p. 37.
[60] Ervand Abrahamian, *Tortured Confessions: Prisons and Public Recantations in Modern Iran* (University of California Press, 1999), p. 150; Peyman Vahabzadeh, "FADĀʾIĀN-E ḵALQ", *Encyclopædia Iranica,* 7 December 2015, www.iranicaonline.org/articles/fadaian-e-khalq
[61] Iraj Mesdaghi, "The ebbs and flows of the Tudeh party in the 1980s", BBC Persian, 23 February 2012, www.bbc.com/persian/iran/2012/02/120222_l10_mesdaghi_toudeh_party; Hossein Kavoshi, "The conduct and collapse of the Tudeh Party as narrated by the Islamic Revolution Documents Centre", *Tarikh Irani*, 14 March 2011, www.bit.ly/2AuFu3U
[62] Iraj Mesdaghi, "The ebbs and flows of the Tudeh party in the 1980s", BBC Persian, 23 February 2012, www.bbc.com/persian/iran/2012/02/120222_l10_mesdaghi_toudeh_party; Hossein Kavoshi, "The conduct and collapse of the Tudeh Party as narrated by the Islamic Revolution Documents Centre", *Tarikh Irani*, 14 March 2011, www.bit.ly/2AuFu3U
[63] Hossein Kavoshi, "The conduct and collapse of the Tudeh Party as narrated by the Islamic Revolution Documents Centre", 14 March 2011, www.bit.ly/2AuFu3U
[64] Amnesty International, *Annual Report 1984* (Index: POL 10/0004/1984), p. 334.
[65] Ervand Abrahamian, *Tortured Confessions: Prisons and Public Recantations in Modern Iran* (University of California Press, 1999), pp. 177-198.
[66] Amnesty International, *Annual Report 1985* (Index: POL 10/002/1985), p. 310.

system and said that they were subjected to torture and other ill-treatment to make video-recorded "confessions."[67]

Another wave of mass arrests took place in 1985 and 1986, targeting hundreds of members and supporters of the Majority faction of the Organization of Iranian People's Fada'i Guerrillas (Aksariat). Many of them remained in prison until the enforced disappearance and extrajudicial execution of thousands of prisoners in July-September 1988.[68]

The political situation in Iran remained highly repressive throughout the 1980s. The authorities outlawed any remaining political groups not affiliated with the state. Hundreds of individuals affiliated with various political opposition groups were executed every year after summary or arbitrary legal proceedings or, in some instances, after none.[69] Some were executed after being sentenced to relatively short terms of imprisonment when both the prisoner and the family had been led to believe that release was imminent. Families were generally not informed until after the executions.[70] Thousands more were imprisoned because of the peaceful exercise of their conscientiously held political or religious beliefs or simply because of their relationship with people who had been politically active.[71] In some cases relatives were imprisoned as hostages when a suspect could not be found.[72]

For political dissidents imprisoned in Iran during the 1980s, stress and uncertainty were constant pressures. Torture and other ill-treatment could occur at any time, including after arrest, during investigations and afterwards in prison. It was inflicted on individuals held for politically motivated reasons not only for extracting information about political activities, names and addresses of political dissidents and safe houses, but also to break their morale and force them to recant their beliefs and appear on television denouncing their political views.[73] Prisoners' attempts to organize group activities could also lead to torture and other ill-treatment. This applied not only to collective hunger strikes and other non-violent protests against prison conditions, but even to organizing a study group or physical exercise.[74]

Most former prisoners interviewed by Amnesty International, who were imprisoned for politically motivated reasons during the 1980s, have recounted being flogged on the back or the soles of the feet with cables sometimes for hours at a time. Prisoners have described how their legs would be swollen, and their clothing bloodstained, from the feet up to the thighs as a result of such beatings. Some were unable to walk at all when the beating ended and had to drag themselves back to their cells along the floor.[75] Other methods of torture included kicking, punching, suspension for long periods by the arms or wrists, burnings with cigarettes, irons and electricity, being made to stand without moving for hours or days at a time, being hosed with water, having the heads held under water, being deprived of food and water, and being kept blindfolded for hours or days at a time so that they became disoriented and blindfolded.[76] Various forms of sexual abuse, including rape of both men and women prisoners, were also reported to Amnesty International.[77] In many cases, physical torture was accompanied by mental torture including mock executions, threats to arrest or execute relatives, or being forced to watch the execution of other prisoners.[78]

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[67] Special Representative of the Commission on Human Rights, *Report on the situation of human rights in Iran*, 12 February 1990, UN Doc. E/CN.4/1990/24, para. 143, www.un.org/en/ga/search/view_doc.asp?symbol=E/CN.4/1990/24

[68] Ervand Abrahamian, *Tortured Confessions: Prisons and Public Recantations in Modern Iran* (University of California Press, 1999), pp. 209-228.

[69] Amnesty International, *Annual Report 1981* (Index: POL 10/0001/1981), p. 355; Amnesty International, *Annual Report 1982* (Index: POL 10/0004/1982), pp. 323-324; Amnesty International, *Annual Report 1983* (Index: POL 10/0001/1983), pp. 304-305; Amnesty International, *Annual Report 1984* (Index: POL 10/0004/1984), pp. 332-334; Amnesty International, *Annual Report 1985* (Index: POL 10/002/1985), pp. 309-310; Amnesty International, *Annual Report 1986* (Index: POL 10/0003/1986), pp. 327; Amnesty International, *Annual Report 1987* (Index: POL 10/0002/1987), p. 340.

[70] Amnesty International, *Annual Report 1985* (Index: POL 10/002/1985), pp. 309-310.

[71] Amnesty International, *Annual Report 1983* (Index: POL 10/0001/1983), pp. 309; Amnesty International, *Annual Report 1984* (Index: POL 10/0004/1984), pp. 332-335; Amnesty International, *Annual Report 1985* (Index: POL 10/002/1985), p. 310.

[72] Amnesty International, *Annual Report 1985* (Index: POL 10/002/1985), p. 310.

[73] Amnesty International, *Iran: File on Torture* (Newsletter, 31 March 1985), www.iranrights.org/library/document/105/iran-file-on-torture-1985; Amnesty International, *Annual Report 1987* (Index: POL 10/0002/1987), p. 343.

[74] Amnesty International, *Iran: Imprisonment, torture and execution of political opponents* (Index: MDE 13/001/92), p. 6.

[75] Amnesty International, *Iran: Imprisonment, torture and execution of political opponents* (Index: MDE 13/001/92), p. 6.

[76] Amnesty International, *Annual Report 1982* (Index: POL 10/0004/1982), p. 325; Amnesty International, *Annual Report 1983* (Index: POL 10/0001/1983), pp. 305-306; Amnesty International, *Annual Report 1984* (Index: POL 10/0004/1984), p. 334; Amnesty International, *Annual Report 1985* (Index: POL 10/002/1985), p. 311; *Annual Report 1986* (Index: POL 10/0003/1986), pp. 328-329; and Amnesty International, *Annual Report 1987* (Index: POL 10/0002/1987), pp. 342-343; Amnesty International, *Iran: File on Torture* (Newsletter, 31 March 1985), /www.iranrights.org/library/document/105/iran-file-on-torture-1985

[77] Amnesty International, *Iran: File on Torture* (Newsletter, 31 March 1985), www.iranrights.org/library/document/105/iran-file-on-torture-1985, Amnesty International, *Iran: Imprisonment, torture and execution of political opponents* (Index: MDE 13/001/92), p. 6.

[78] *Annual Report 1986* (Index: POL 10/0003/1986), pp. 328-329;

3.3 IRAN-IRAQ WAR

The war with Iraq was a dominant political factor in Iran throughout the 1980s. The conflict began in September 1980, and by 1987, both sides had suffered heavy casualties. On 20 July 1987 the UN Security Council adopted resolution 598 calling for a ceasefire, a withdrawal to internationally recognized borders, and the beginning of peace negotiations. A ceasefire came into effect in August 1988 but thousands of prisoners of war were still held by both countries in the 1990swithdrawal to internationally recognized borders, and the beginning of peace negotiations. A ceasefire came into effect in August 1988 but thousands of prisoners of war were still held by both countries in the 1990s.[79]

The state of war had a pervasive influence on Iranian society in the 1980s. The decade was marked by a lack of progress towards the establishment of institutions and procedures that could have provided citizens with safeguards of their fundamental human rights. The authorities also used the war to create a climate in which dissent was not tolerated. Any criticism of state policy, even in fields not directly related to the war, was portrayed as betrayal of the "martyrs" – the tens of thousands who died during the war.[80]

3.4 POLITICAL OPPOSITION GROUPS

During the 1979 revolution, the common goal of overthrowing the Shah united various political parties and movements, with each hoping that its ideology would prevail in post-revolutionary Iran. Most accepted that Rouhollah Khomeini was mobilizing the masses. A few years later, almost all found themselves targets of the system. Some of the key groups, which are referred to in the report and in the witness testimonies, are highlighted below.

3.4.1 PEOPLE'S MOJAHEDIN ORGANIZATION OF IRAN

The People's Mojahedin Organization of Iran (PMOI), also known as Mojahedin-e Khalq[81] (MEK) and Mojahedin-e Khalq Organization (MKO) was established in the 1960s as a political opposition group that advocated the overthrow of the Shah through guerrilla strategies. For its ideological framework, the organization drew both on Islamic principles and Marxism.[82]

The PMOI supported the 1979 revolution and initially accepted the leadership of Rouhollah Khomeini. However, its relations with the clerical authorities of the Islamic Republic deteriorated from late 1979 onwards after it boycotted the constitutional referendum of December 1979.[83] The group had tens of thousands of members and sympathizers during the 1980s, many of them high school and university students. In January 1980, Rouhollah Khomeini issued a fatwa stating that those who had not voted in favour of the Constitution were not qualified to run as presidential candidates.[84] This effectively forced the leader of the PMOI, Masoud Rajavi, to withdraw his candidacy for the first presidential elections of the Islamic Republic.[85]

The Iranian authorities increasingly resorted to pejorative terms such as *monafeqin* (hypocrites) and *nefaq* (hypocrisy and double dealing) to refer to the PMOI and mobilized their supporters to attack PMOI members and supporters during their demonstrations and when they distributed their publications, leading to the death of multiple PMOI supporters.

The crackdown reached an unprecedented scale following the mass demonstrations that the PMOI called for on 21 June 1981. In response, the PMOI announced armed struggle against the Islamic Republic and assassinated many senior officials. Notwithstanding this development, many sympathizers of the organization were not armed and did not participate in armed conflict (see section 3.2 above).

In mid-1981, the PMOI leadership fled the country to France, where they founded the National Council of Resistance, together with Iran's first post-revolutionary president, Abolhassan Bani-Sadr, who was

[79] "Iran frees last 'Iraqi prisoners'", BBC Persian, 5 May 2013, www.news.bbc.co.uk/1/hi/world/middle_east/3001751.stm
[80] Amnesty International, *Iran: Violations of human rights 1987-1990* (Index: MDE 13/021/1990), pp. 3-4.
[81] Khalq in Persian means the people.
[82] Nikki R. Keddie, *Roots of Revolution: An interpretive history of modern Iran* (Yale University Press, 1981), pp. 237-239; Ervand Abrahimian, *Radical Islam: The Iranian Mojahedin* (I.B. Tauris, 1989), p. 88.
[83] Ali Ansari, *Modern Iran since 1921: The Pahlavis and After* (Longman, 2003), p. 229.
[84] Mohammad Raja'i Nejad, *The timeline of the social and political life of Imam Khomeini*, p. 12, www.ensani.ir/storage/Files/20120514173415-9017-84.pdf
[85] BBC Persian, "June 1981 as narrated by Mojahedin", 20 June 2011, www.bbc.com/persian/iran/2011/06/110618_l10_30khordad60_mojahedin

impeached by parliament in June 1981. In early 1986, after the PMOI leaders were expelled from France, they based themselves in Iraq and organized an armed force called the National Liberation Army (NLA). During the Iran-Iraq war, the NLA launched several armed incursions into Iranian territory from Iraq. The last major offensive was on 25 July 1988, which was subsequently used by the authorities as a pretext to justify the mass killings of prisoners from late July to September 1988. The PMOI calls this armed incursion the Eternal Light (Forough-e Javidan) Operation, while the Iranian authorities generally refer to the incident as the Mersad Operation which was the name of the state's counter operation.

3.4.2 FADAIYAN

The Organization of Iranian People's Fada'i[86] Guerrillas, also known as Fadaiyan Khalq Organization (referred to hereafter as Fadaiyan), was founded in 1971 and adhered to a Marxist-Leninist ideology. In 1979 and 1980 there were several splits within the organization leading to the creations of multiple factions.

Fadaiyan played an active role in the 1979 revolution,[87] following which they grew into the country's largest leftist organization, with tens of thousands of members and supporters.[88] Fadaiyan boycotted the March 1979 referendum on the creation of the Islamic Republic.[89]

In April 1979, there was a split within the organization that led to a small group leaving and creating the Iranian People's Fada'i Guerrillas, known also as the Ashraf Dehghani group, named after one of its founding leaders.[90]

Some members broadly affiliated with Fadayian joined armed confrontations in March 1979 and February 1980 between the Revolutionary Guards and members of Iran's Turkmen minority in north-eastern Iran, with Fadaiyan supporting Turkmen demands for self-determination and a degree of regional autonomy.[91] In February 1980, four leading members of Turkmen political groups who sought self-determination and were Fadaiyan supporters, were executed without trial within hours of their arrest.[92]

In May 1981, Fadaiyan split further into the Majority (Aksariat) and Minority (Aqaliat) factions because of fundamental disagreements including over whether to engage in armed struggle and whether to support the Islamic Republic. The Majority faction eschewed armed struggle and moved towards support for the Islamic Republic.[93] The Minority faction remained vehemently opposed to the Islamic Republic and supported resorting to armed activities in the context of the demands of Kurdish groups in western Iran for a degree of regional autonomy.[94]

3.4.3 TUDEH PARTY

The Tudeh[95] Party was formed in 1941 by a group of Marxist intellectuals. During the Shah's reign, many of its members were imprisoned, tortured and executed.[96]

The Tudeh Party accepted the leadership of Rouhollah Khomeini and voted in favour of the Constitution in the December 1979 referendum. Its leadership also broadly endorsed the policies of the Islamic Republic.[97] The party remained relatively immune from political persecution until about 1982, when repression expanded to crush all political organizations not connected to the establishment (see section 3.2 above).

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[86] People prepared to sacrifice themselves in the context of political struggle.
[87] Peyman Vahabzadeh, "FADĀʾIĀN-E ḴALQ", *Encyclopædia Iranica,* 7 December 2015, www.iranicaonline.org/articles/fadaian-e-khalq
[88] Nozar Alaolmolki, "The New Iranian Left", *The Middle East Journal* 41/2, 1987, pp. 218-233.
[89] Peyman Vahabzadeh, "FADĀʾIĀN-E ḴALQ", *Encyclopædia Iranica,* 7 December 2015, www.iranicaonline.org/articles/fadaian-e-khalq
[90] Peyman Vahabzadeh, "FADĀʾIĀN-E ḴALQ", *Encyclopædia Iranica,* online edition, 7 December 2015, www.iranicaonline.org/articles/fadaian-e-khalq
[91] Peyman Vahabzadeh, "FADĀʾIĀN-E ḴALQ", *Encyclopædia Iranica,* 7 December 2015, www.iranicaonline.org/articles/fadaian-e-khalq; Alireza Asgharzadeh, *Iran and the challenge of diversity: Islamic fundamentalism, Aryanist racism and democratic struggles*, 2007, p. 20.
[92] Iraj Mesdaghi, "Khalkhali calls for a death sentence against himself", Radio Zamaneh, 13 August 2017, www.radiozamaneh.com/354152
[93] Peyman Vahabzadeh, "FADĀʾIĀN-E ḴALQ", *Encyclopædia Iranica,* online edition, 7 December 2015, www.iranicaonline.org/articles/fadaian-e-khalq
[94] Maziar Behrooz, *Rebels with a cause: The failure of the left in Iran* (I.B. Tauris, 2000), pp. 112-114.
[95] Tudeh Means the masses in Persian.
[96] Ervand Abrahamian, *Iran Between Two Revolutions* (Princeton University Press, 1982), pp. 281-326.
[97] Torāb Ḥaqšenās, "Communism iii. In Persian after 1953", *Encyclopædia Iranica*, 15 December 1992, www.iranicaonline.org/articles/communism-iii

3.4.4 KURDISH DEMOCRATIC PARTY OF IRAN

The Kurdish Democratic Party of Iran (KDPI), also known as the Democratic Party of Iranian Kurdistan, is the oldest Kurdish opposition group in Iran, founded in 1945. In 1946 it proclaimed its own Kurdish state, generally called the Republic of Mahabad after the site of its capital in north-western Iran. The administration collapsed after 11 months. The Iranian authorities then arrested and tried its leaders, executing many of them and banned the KDPI.

In March 1979, after years of clandestine operations, the KDPI officially announced the resumption of its political activities.[98] In the immediate aftermath of the revolution, in Kurdish towns, power passed to local councils led by individuals affiliated with the KDPI, [99] which called for secular democracy for Iran and autonomy for Kurdistan.

In the following months, tensions gradually built up as the authorities of the new Islamic Republic and the KDPI, negotiated over the governance and the autonomy of the region. In Mid-1979, armed conflict broke out between the Revolutionary Guards and KDPI fighters.[100] On 19 August, Rouhollah Khomeini denounced the KDPI as "the party of Satan" and ordered that it be crushed (see section 3.2 above).[101]

By December 1979, the Revolutionary Guards had established military control over Kurdistan province and forced KDPI fighters to withdraw further into the mountains at the Iran Iraq border. By the late 1980s, the KDPI had moved into exile in the Kurdish region of Iraq, where they have since remained.[102]

In addition to persecuting and executing hundreds of KDPI members and supporters since the 1980s, the Iranian authorities also instigated or carried out the assassination abroad of several prominent Kurds affiliated with the KDPI in the 1990s.[103]

3.4.5 KOMALA

Komala is an armed Kurdish opposition group with Maoist roots that was established in 1979 under the name Komala – the Revolutionary Organization of the Toilers of Iran's Kurdistan (Sazman-e Enqelabi-e Zahmatkeshan-e Kurdistan-e Iran). Following the 1979 revolution, Komala attracted many members and supporters, particularly among workers and peasants in Kurdistan province. Its armed forces engaged in armed activities against the central government and those seen as representing the interests of "capitalists" and "landlords".[104]

In 1982, Komala merged with another Marxist group, the Union of Communist Militants (Ettehad-e Mobarezan-e Communist), and established the Communist Party of Iran. Komala subsequently (before 1988) renamed itself Komala – the Kurdistan Organization of the Communist Party of Iran. In the following decades, the group underwent multiple splits.

Since the mid-1980s, fighters affiliated with the various factions of Komala have been based in northern Iraq and engaged in armed activities against the Islamic Republic of Iran from there. Inside the country, those accused of membership of or sympathy with Komala have consistently faced persecution, including lengthy prison terms and the death penalty.

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[98] Carol Prunhuber, "QĀSEMLU, ʿABD-AL-RAḤMĀN", *Encyclopædia Iranica*, 18 February 2012, www.iranicaonline.org/articles/qasemlu
[99] Ervand Abrahamian, *Iran Between Two Revolutions* (Princeton University Press, 1982), p. 527.
[100] Iran Human Rights Documentation Centre, *The Islamic Republic's Executions of Kurds in 1979*, September 2011, p. 387, www.iranhrdc.org/wp-content/uploads/reports_en/Haunted_Memories_266599093.pdf
[101] Carol Prunhuber, "QĀSEMLU, ʿABD-AL-RAḤMĀN", *Encyclopædia Iranica*, 18 February 2012, www.iranicaonline.org/articles/qasemlu
[102] Carol Prunhuber, "QĀSEMLU, ʿABD-AL-RAḤMĀN", *Encyclopædia Iranica*, 18 February 2012, www.iranicaonline.org/articles/qasemlu
[103] Iran Human Rights Documentation Center, *Murder at Mykonos: Anatomy of a Political Assassination*, March 2007, www.iranhrdc.org/wp-content/uploads/reports_en/Murder_at_Mykonos_Mar07_376572839.pdf
[104] Abdorrahman Boroumand Center, *The Massacre of Political Prisoners in Iran, 1988: An Addendum, Witness testimonies and official statements*, 10 December 2013, Appendix C: Political parties and religious denominations referred to in the witness testimonies, pp. 385-394, www.iranrights.org/library/document/2498/the-massacre-of-political-prisoners-in-iran-1988-an-addendum-witness-testimonies-and-official-statements

3.4.6 OTHER GROUPS

After the 1979 revolution, a number of smaller opposition groups were also active in Iran. Most of them adhered to leftist ideologies, including Marxism, Marxism-Leninism and Maoism. They included: the Organization of Revolutionary Workers in Iran (Rah-e Kargar); the Organization of Struggle for the Emancipation of the Working Class (Peykar); the Labourers' Party of Iran (Ranjbaran); the Organization of the Vanguard Fighters of the Oppressed (Arman-e Mostazafin); the Union of Iranian Communists (Ettehadieh Komonisthayeh Iran); and the Organization of Working-Class Freedom Fighters (Razmandegan).[105]

As with the larger organizations with which some of them were affiliated, or from which they had split, many members of these smaller groups had also struggled against the monarchy throughout the 1970s and served prison terms during the rule of the Shah.

Throughout the 1980s, the Iranian authorities effectively destroyed the structures of these groups by arresting and executing many of their leading members (see section 3.2 above).

[105] For more background information on each of these groups, see Abdorrahman Boroumand Center, *The Massacre of Political Prisoners in Iran, 1988: An Addendum, Witness testimonies and official statements*, 10 December 2013, Appendix C: Political parties and religious denominations referred to in the witness testimonies, pp. 385-394, www.iranrights.org/library/document/2498/the-massacre-of-political-prisoners-in-iran-1988-an-addendum-witness-testimonies-and-official-statements

4. CONCEALING THE FATE OF VICTIMS

> **"The victims of this mass execution were murdered twice, the second time by the silence and anonymity surrounding their executions..."**
>
> Azar Nafisi, Iranian writer and professor of English literature[106]

4.1 PRISONERS GO MISSING

In late July 1988, thousands of political dissidents held in prisons across Iran went missing. No news of them was received for months.

The prisoners included medical doctors and nurses, engineers, teachers and academics, manual workers, as well as individuals who had been secondary school and university students when arrested.[107] Some had suffered years of unjust imprisonment and torture and other ill-treatment during the rule of the Shah as well.

Most of them were members or supporters of the PMOI who had been imprisoned because of their political opinions and peaceful activities, such as distributing opposition newspapers and leaflets, taking part in demonstrations, collecting donations for prisoners' families or associating with those who were politically active.[108] Others were affiliated with various secular, leftist opposition groups and had been similarly imprisoned because of their peaceful political and religious beliefs.

Some of the prisoners were arbitrarily held without ever having been tried or sentenced; some were serving unjust prison terms ranging from life to as little as two or three years; some had completed their sentences and were due to be released, or had been told that they would remain in prison because they were not deemed "sufficiently repentant".[109] During the 1980s, the authorities frequently refused to release political dissidents who had served their sentences unless they agreed to make written or televised "confessions" recanting their political ideologies and committing to refrain from political activities. If the prisoner refused to

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[106] A. Nafisi, *Reading Lolita in Tehran*, 2003, p. 239.

[107] Amnesty International, *Biggest wave of political executions in Iran since early 1980s*, 13 December 1988 (Index: MDE 13/031/88); Amnesty International, *Iran: Political executions* (Index: MDE 13/029/88)

[108] PMOI members who had perpetrated violence in the early 1980s had already been executed. Generally, low-ranking members and supporters of the PMOI had no military training, were not armed and had not participated in armed activities. See Ervand Abrahamian, *Tortured Confessions: Prisons and Public Recantations in Modern Iran* (University of California Press, 1999), p. 216; and Abdorrahman Boroumand Center, *The Massacre of Political Prisoners in Iran, 1988: An Addendum, Witness testimonies and official statements*, 10 December 2013, Appendix C: Political parties and religious denominations referred to in the witness testimonies, p. 391, www.iranrights.org/library/document/2498/the-massacre-of-political-prisoners-in-iran-1988-an-addendum-witness-testimonies-and-official-statements

[109] Amnesty International, *Biggest wave of political executions in Iran since early 1980s*, 13 December 1988 (Index: MDE 13/031/88); Amnesty International, *Iran: Political executions* (Index: MDE 13/029/88).

make such a promise, they could be held in unlawful detention indefinitely.[110] Some were kept incarcerated for years although they had been sentenced to prison terms of only several months.[111]

The families of these prisoners had known where they were and had been able to visit them until late July 1988.

Others were former prisoners who had been released several years earlier and then re-arrested in the weeks leading up to July 1988 and shortly after the PMOI's armed incursion on 25 July 1988.[112] Many were forcibly disappeared immediately after arrest and the authorities refused to provide any information on their fate and whereabouts. Interviews conducted by Amnesty International with survivors and family members show that this wave of arrests took place in various cities across the country.

The mass disappearances raised fears among families that the authorities were planning to use the armed incursion as a pretext to exact revenge against prisoners. A number of other factors exacerbated their anxiety.

Following the armed incursion, more than a dozen individuals had been publicly executed in Kangavar, Bakhtaran and Islamebad-e Gharb, all in western Iran, for allegedly collaborating with the PMOI.[113]

High-ranking judicial officials were proclaiming that opposition elements should be dealt with severely and executed. On 5 August 1988, Abdulkarim Mousavi Ardebili, the head of Iran's Supreme Court and a member of Iran's Supreme Judicial Council, is recorded as saying in a sermon at Friday payers in Tehran:

"The judiciary is under very strong pressure from public opinion asking why we even put them [members and supporters of the PMOI] on trial, why some of them are jailed, and why all are not executed… The people say they should all be executed without exception."[114]

Two waves of executions in May and July 1988, which were carried out without prior notification given to the families, had targeted PMOI and leftist prisoners.[115] An unmarked mass grave had been discovered in July

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[110] Special Representative of the Commission on Human Rights, *Report on the human rights situation in the Islamic Republic of Iran*, 26 January 1989, UN Doc. E/CN.4/1989/26, para. 40, www.un.org/en/ga/search/view_doc.asp?symbol=E/CN.4/1989/26; Amnesty International, *Iran: Violations of human rights 1987-1990* (Index: MDE 13/021/1990), pp. 35-36, 55.

[111] Amnesty International, *Biggest wave of political executions in Iran since early 1980s*, 13 December 1988 (Index: MDE 13/031/88).

[112] Special Representative of the Commission on Human Rights, *Report on the human rights situation in the Islamic Republic of Iran*, 26 January 1989, UN Doc. E/CN.4/1989/26, para. 17, www.un.org/en/ga/search/view_doc.asp?symbol=E/CN.4/1989/26; Amnesty International, *Iran: Political executions* (Index: MDE 13/029/88)Amnesty International, *Iran: Executions of prisoners continue unabated* (Index: MDE 13/018/92), p. 4. Some survivors believe that the wave of re-arrests is another indication that the purge of the opposition was planned long before the armed incursion of the PMOI in July 1988. For more information see 7.2.

[113] Amnesty International, *Annual Report 1989* (Index: POL 10/0002/19859), p. 255; Amnesty International, "Iran: Political Executions", 2 September 1988 (Index: MDE 13/014/88).

[114] *Keyhan*, "Ayatollah Mousavi Ardebili: Iran's forceful response to Iraq shows that we have the power to suppress the enemy", 6 August 1988, p. 9. See also Special Representative of the Commission on Human Rights, *Interim report on the situation of human rights in the Islamic Republic of Iran*, 13 October 1988, UN Doc. A/43/705, para. 49, www.un.org/en/ga/search/view_doc.asp?symbol=A/43/705

[115] On 27 May 1988, several prisoners, including Anoushirvan Lotfi, Hajat Mohammad Pour and Hojatollah Ma'boudi, were executed. They were buried in individual, unmarked graves in an abandoned area known as Khavaran in the south-east of Tehran. Anoushirvan Lotfi was a member of the Majority faction of Fadaiyan (Askariat); Hajat Mohammad Pour was a member of the Union of Iranian Communists (Ettehadieh Komonisthayeh Iran); Hojatollah Ma'boudi was a member of the PMOI. According to an official announcement on 29 May 1988, a Revolutionary Court in Tehran had sentenced them to death for their work with opposition groups that the authorities branded as "terrorist", "anti-revolutionary" and "anti-Islamic". See *Ettelaat*, "Three terrorists affiliated with *mohareb* [enemy of God] and *molhed* [atheist] grouplets were executed", 29 May 1988, p. 13; Special Representative of the Commission on Human Rights, *Interim report on the situation of human rights in the Islamic Republic of Iran*, 13 October 1988, UN Doc. A/43/705, para. 27, www.un.org/en/ga/search/view_doc.asp?symbol=A/43/705

In late July 1988, at least another 12 prisoners held for politically motivated reasons were executed and 55 others were placed in solitary confinement in preparation for their execution. Three of those executed, all of whom were affiliated with various leftist groups, were identified as Kioumars Zarshenas, Sayed Azarang, Faramarz Soufi (mistakenly written as "Faramarz Sadeghi" in the October 1988 report of the UN Special Representative) and Rahim Hatefi. See *Interim report on the situation of human rights in the Islamic Republic of Iran*, prepared by the Special Representative of the Commission on Human Rights in accordance with Commission resolution 1988/59 and Economic and Social Council decision 1988/137, 13 October 1988, UN Doc. A/43/705, para. 28, www.un.org/en/ga/search/view_doc.asp?symbol=A/43/705; Justice for Iran, *Unfinished Tales: Mothers and families of Khavaran, a three decade long search for truth and justice*, September 2015, pp. 30-32, www.justice4iran.org/persian/wp-content/uploads/2015/09/unfinishedtale.pdf; Abdorrahman Boroumand Center, "One Person's Story: Rahim Hatefi", www.iranrights.org/memorial/story/-7381/rahim-hatefi

Note that the name of Simin Farzin, included in the October 1988 report of the UN Special Representative, has not been included here as other information received by Amnesty International suggests that this execution took place at a later date, in May 1989, and concerned a woman named Fatemeh Modaresi Tehrani whose alias was Simin or Fardin. See Effat Mahbaz, "The execution of the grandchild of Ayatollah Modares Tehrani by a special order", BBC Persian, 28 January 2012, www.bbc.com/persian/iran/2012/01/120118_l44_tudeh_party_modaresi_tehrani

1988 by families in an abandoned area known as Khavaran in the south-east of Tehran where the authorities had buried individuals executed for politically motivated reasons since the early 1980s.[116]

Following the suspension of the family visits, distraught families repeatedly went to prisons, various judicial institutions and other state bodies, but were turned away without receiving any concrete information. Some brought clothes, food, medicine and money, hoping to get a signed receipt from their imprisoned relatives as an indication that they were still alive. Prison officials often took the items without indicating whether the prisoner was dead or alive.

In some places, officials falsely told families that their relative had been transferred to a prison in another province, leading the families, in many cases elderly parents, to undertake long and futile journeys. In other cases, the authorities insulted and abused families, and threatened that they would be arrested if they kept asking for information. Some families were detained for hours and interrogated.

In Tehran, families of leftist prisoners tried to gather in front of parliament, but Revolutionary Guards violently dispersed them.[117] They appealed to various authorities for information and raised their concerns about possible secret executions through submitting joint letters to the authorities.[118] Their pleas were ignored.

On 17 August 1988, a group of families held a sit-in outside the Palace of Justice in Tehran, which housed various judicial bodies. The next day, Mohammad Mousavi Bojnourdi, a member of Iran's Supreme Judicial Council, promised the families that those held in Gohardasht prison in Karaj, near Tehran, would be allowed to receive family visits within one to two weeks; families of those held in Evin prison in Tehran were told that they would receive further information soon.[119] Both promises were broken.

"NOBODY HELPED US"

Esmat Talebi © Justice for Iran

Esmat Talebi, who lost her husband, Majid Simiari, and her brother Adel Talebi during the mass killings of 1988, said that the officials approached by the families either provided very little or no information or refused to meet the distraught families at all.[120] One time, in the prime minister's office, an unknown official told them not to worry as leftist prisoners were safe and only PMOI prisoners would be "dealt with". At this stage, the families had no idea that mass executions were happening.

Majid Simiari and Adel Talebi were serving lengthy terms in Evin prison in connection with their support of the Organization of Revolutionary Workers in Iran (Rah-e Kargar), a leftist opposition organization. Esmat Talebi said:

"We tried to go to all the government bodies we could think of. We went in front of parliament, to the office of [Speaker of Parliament Ali Akbar Hashemi] Rafsanjani. We handed in letters everywhere we went. We went to the office of the prime minister but they turned us away [so] we sat outside on the street and wrote a letter and gave it to [his] office. In the letter, we wrote: 'We are families of political prisoners and we have been barred from having visits with them. We want answers from you. Do something to stop the executions.

"Next, we went in front of the parliament building. There were about 50 of us and we had planned to do a sit-in but they [the officials] treated us so harshly that we couldn't... the Revolutionary Guards violently attacked and dispersed our gathering. There were elderly mothers among us.

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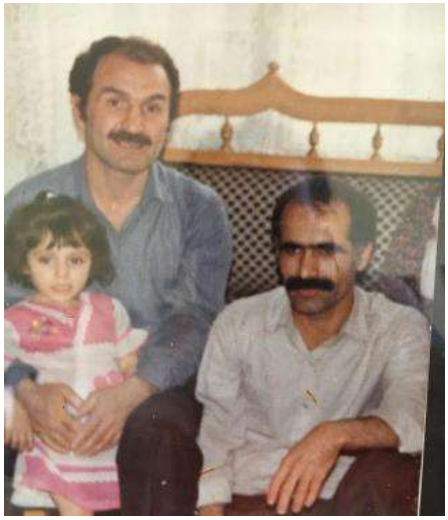
[116] According to information received by Amnesty International, witnesses have provided different dates when this mass grave was first discovered. Anoushirvan Lotfi's mother, Forough Tajbakhsh, stated in a media interview with a magazine, *Baran*, in 2007 or 2008 that she discovered the mass grave, along with some other families, on or shortly after 5 July 1988 when she was in Khavaran to mark the 40th day of her son's death; see *Baran Quarterly*, "Saeed Afshar's interview with Forough Tajbakh", Issue 17-18 (2007-2008), p. 21. Human rights defender Reza Moinee, who lost his brother, Heibatollah Moinee, during the mass killings of July-September 1988, told Amnesty International that he has spoken to three witnesses in Iran who said the mass grave was first discovered on 29 July 1988.
[117] Naser Mohajer, "The Movement of the Mothers of Khavaran", *Bidaran*, 7 June 2009, www.bidaran.net/spip.php?article231
[118] *Bidaran*, "Text of speech given by Mihan Rousta at a commemorative event in Frankfurt for the victims of the mass killings of 1988", 17 September 2006, www.bidaran.net/spip.php?article117
[119] Naser Mohajer, "The Movement of the Mothers of Khavaran", *Bidaran*, 7 June 2009, www.bidaran.net/spip.php?article231
[120] Amnesty International obtained the testimony of Esmat Talebi from Justice for Iran which conducted the interview with her in person.



Esmat Talebi's husband, Majid Simiari, (right) and brother Adel Talebi (left). © Private

"We then decided to go to the office of [Deputy Supreme Leader Hossein Ali] Montazeri in Qom. One group of families went in a bus but they were arrested... Around 15 of us decided to go in pairs and meet at the [bus] terminal in Qom and then we went to the home of Montazeri… [His] head of security told us that they couldn't see us in person and that, if we wanted, we could write a letter, which they would deliver to him. We wrote the letter and he told us that one of the mothers and one of the fathers could go in. They went in and, in addition to delivering the letter [to him], they also gave [him] plenty of information about the prisons and executions… Eventually, we ran out of places to turn to and were left helpless."[121]

4.2 FAMILIES KEPT IN THE DARK

From around late October, early November 1988, prison visits resumed across the country and judicial authorities and prison officials began telling many families verbally that their relatives had been executed. However, they provided no written declaration of death and did not return the bodies. Nor did they provide any information on the causes and circumstances of the killings, such as the details of charges and convictions. In most cases, the exact date of execution was not announced.

In some cities and cases, the blackout lasted much longer. It took families many months, or even years, to find out whether their loved ones were dead or alive. In some cases, it appears that families were never told, even verbally, by the authorities that their loved ones had been killed. Instead, they learned the truth through survivors and other prisoners after they were released from prison. In these situations, prison officials and judicial authorities often claimed that they had no information about the prisoner, gave conflicting information, or said that the prisoner had been transferred to a different city and was banned from having visits until further notice.

This abusive treatment left families in a state of constant anguish, uncertainty and disbelief. One former prisoner and survivor from Mashhad, Rasoul Showkati, told Amnesty International:

"By late October 1988 when prison visits resumed, the news of the mass prisoner killings had spread. However, many families could just not fathom the brutality of the situation – that it was actually possible to suddenly take away and secretly kill a prisoner who had been in prison for seven or eight years serving a lengthy sentence. As a result, in the absence of any official announcement and proof of death, they were not prepared to kill the hope that someone from somewhere may give them some positive news."[122]

The agonizing wait caused many family members, especially elderly mothers and fathers, to experience various physical and mental health problems, including panic attacks, heart problems, high blood pressure, depression, delusions and suicidal tendencies.

[121] Amnesty International obtained the testimony of Esmat Talebi from Justice for Iran which conducted the interview with her in person.
[122] Amnesty International obtained the testimony of Rasoul Showkati from Justice for Iran, which conducted the interview with him by video call. Amnesty International conducted two follow up interviews by voice call in October and November 2018.

"THE MOTHER GRADUALLY LOST HER SANITY"

Asadollah Nabavi © Amnesty International

Asadollah Nabavi survived the mass killings of July-September 1988 in Semnan, Semnan province.[123] In 1988, he was serving a lengthy term in the main prison there, imposed in connection with his support for the PMOI. He told Amnesty International that the suspension of family prison visits left many families on the "edge of a nervous breakdown".

He said he was transferred to solitary confinement in early August 1988 and held there incommunicado until December 1989, when he was moved to Evin prison. He described the distress of his family:

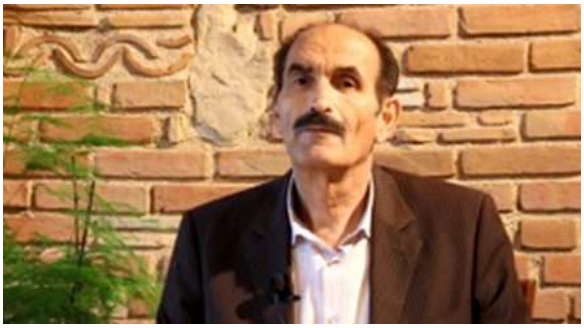
"My father suffered a heart attack in late 1988. The prosecutor's office in Semnan would tell him that they had no information about me and direct him to Evin prison in Tehran. But at Evin prison, officials would say that they were not aware of my case and refer him back to Semnan."

Asadollah Nabavi also described the anguish that the mother of one the victims in the prison in Semnan, Mohammad Reza Ahmadi, suffered:

"Mohammad Reza's mother used to bring him carrots during prison visits because he had told her about his deteriorating eyesight. I want to say this to show you how the system treated the families. For two whole years after the massacre, this elderly mother kept coming to Semnan's prison every Monday, with a bag of carrots. She would come all the way from Rikan village near Garmsar, which was about two hours away by bus. Each time, the prison officials told her that they had no information about her son and that she should go and come back later. As this draining process continued, the mother gradually lost her sanity."

[123] Amnesty International interviewed Asadollah Nabavi in person in October 2017.

"MY FATHER SUFFERED A FATAL HEART ATTACK"



Ardeshir Sehat © Amnesty International

Ardeshir Sehat and his family spent months searching for his brother, Ardavan Sehat, after he was forcibly disappeared around late July 1988 from the main prison in Ardabil, Ardabil province.[124] Ardavan Sehat was serving a prison sentence imposed in connection with his support for the PMOI. Ardeshir Sehat told Amnesty International:

"For months, they [the prison officials] lied to my family. Sometimes they said my brother had been transferred to Tabriz' prison; other times they said he had been transferred to Evin prison. They deliberately kept my family in limbo. My father suffered a fatal heart attack and died in early 1989. My mother continued her desperate search, going from one city to another. In the end, she learned that he had been executed and buried in a mass grave in Ali Abad cemetery in Ardabil, which was about a kilometre away from our house."

Mehdi Abdolrahimi, who survived the mass killings and met with Ardavan Sehat's family after he was released from prison in early 1989, told Amnesty International that the authorities even arrested and detained Ardavan Sehat's mother for several days in order to dissuade her from her search. According to Mehdi Abdolrahimi, Ardavan Sehat's mother did not learn about the execution of her son until April or May 1989.[125]

4.3 CRUEL NOTIFICATION OF DEATH

The manner in which the authorities notified families about the execution of their loved ones was vague, sudden and cruel, and generally included no information about the reasons for the executions or the causes and circumstances of the killings.

Initially, prison officials informed relatives when they tried to visit their loved ones. This led to protests outside the prisons. In an apparent attempt to prevent such gatherings, the authorities began telephoning families to tell them to send a male relative to the prison in their city, the prosecutor's office, the Revolutionary Court or a nearby Revolutionary Guards' office to receive information. There, they were told of the execution by the officials, and generally, they were ordered not to hold a memorial ceremony. Many parents are reported to have collapsed or suffered serious physical and mental health conditions in reaction to this news.

In many cases, relatives were sent from one room to another, forced to wait for long periods, and then suddenly given a bag that an official said contained the personal belongings of their dead relative. Sometimes, the bags contained the belongings of another prisoner or had misleading information written on them, which created uncertainty as to whether their loved ones had indeed died. For example, Rasoul Showkati, who survived the mass prisoner killings in Vakilabad prison in Mashhad, told Amnesty International about the case of Yaghoub Soleimani, who had been punished with "internal exile" and consequently transferred from Vakilabad prison in Mashhad to Gohardasht prison in Tehran prior to July 1988. After family prison visits resumed in Tehran in late October 1988, Yaghoub Soleimani's mother was given a bag which the authorities said contained her son's belongings. However, on the bag, the name of the execution victim was written as "Yousef" and not "Yaghoub" and the authorities did not provide the man's mother with any information to explain the error. Rasoul Showkati says that when he visited Yaghoub Soleimani's mother in March 1989, she was still in disbelief about the death of her son.

In some cities, including Mashhad, Rasht and Ahvaz, families were not even given these last mementos. This situation aggravated the existing uncertainties of the families about the fate of their relatives and, after 30 years, some of them, particularly elderly mothers, still struggle to believe that their loved ones are indeed dead.

[124] Amnesty International interviewed Ardeshir Sehat in person in October 2017.
[125] Amnesty International interviewed Mehdi Abdolrahimi in person in November 2017.

"HERE IS YOUR SON'S BAG; WE HAVE EXECUTED HIM"

Jafar La'li © Amnesty International

Jafar La'li's brother, Jamshid La'li, had been in prison in Khoram Abad, Lorestan province, for several years when he was forcibly disappeared in late July 1988 and extrajudicially executed.[126] He was imprisoned in connection with his support for the PMOI.

Jafar La'li remains struck by the cruel way in which the authorities informed his father of the execution of his brother in late 1988. He told Amnesty International:

"The Revolutionary Guards summoned my father to their office in Boroujerd [Lorestan province]. There, he was taken into a room and sat on a chair. An official then walked in, put a bag on his desk and said: 'Here is your son's bag; we have executed him. Now take his stuff and get out.' The official also told my father, 'You are not allowed to talk about this anywhere or attempt to locate his grave. You must not hold a ceremony either.' It was really inhumane, the sudden way in which they told my father. I think he passed out in their office for a while."

"NO QUESTIONS ALLOWED. GET LOST OR ELSE WE WILL ARREST YOU TOO"

Fatemeh Sharif © Amnesty International

Fatemeh Sharif's brothers, Ali and Hassan Sharif, were serving lengthy terms in a prison in Babol, Mazandaran province, in connection with their support for the PMOI.[127] They were forcibly disappeared in late July 1988. She told Amnesty International that for weeks her mother went to the prison, but each time, officials said the visit had been deferred to the following week. In early September 1988, a prison official told Fatemeh Sharif's mother that she could no longer have visits, indicating that they were dead. Fatemeh Sharif said that the official then handed a wristwatch to her mother, saying it was her son's. When she asked for her sons' bodies, the official yelled, "No questions allowed. Get lost or else we will arrest you too."

[126] Amnesty International interviewed Jafar La'li in person in October 2017.
[127] Amnesty International interviewed Fatemeh Sharif in person in October 2017.

"MY MOTHER ASKED TO VISIT MY FATHER. THEY GAVE HER THE LOCATION OF HIS GRAVE"

Mohammad Mirza Mohammadi © Private

Gholamali Mirza Mohammadi's father, Mohammad Mirza Mohammadi, was serving a lengthy prison term in the main prison in Arak, Arak province, in connection with his support for the PMOI, when he was forcibly disappeared in late July 1988 and extrajudicially executed.[128] He told Amnesty International that after three decades, his mother remains traumatized by the cruel way in which the authorities informed her of the execution of his father in August 1988. He said:

"In August 1988, my mother went to an office in Arak that was run by the Revolutionary Guards and prisoners' families had to approach to obtain a written permit to visit their relatives in prison. The guards blindfolded my mother before entering the premises of the building, which was at the end of a garden, and took her to an office where she was received by an official sitting behind a dark glass screen. There, my mother asked for a visitation permit. In response, the official gave her from behind the glass screen a piece of paper and said, 'With this paper, you can pay visits to your husband whenever you wish.' On the paper, the location details of a grave in Behesht Zahra cemetery in Arak was written. My mother fainted as soon as this happened. The officials then drove her to a nearby hospital, dropped her there and lied to the nurses there that they had found her in the street."

"30 YEARS ON, HIS MOTHER IS STILL WAITING FOR HIM TO COME BACK"

Ezzat Habibnejad with her husband Mehdi Gharaiee and their daughter. © Private

Ezzat Habibnejad's husband, Mehdi Gharaiee, was serving a lengthy prison term in Vakilabad prison in Mashhad in connection with his support for the PMOI when he was forcibly disappeared in late July 1988.[129] Ezzat Habibnejad said that the family had no information about his fate and whereabouts until early November 1988 when her father-in-law received a call from the prosecutor's office in their hometown, Bojnourd, and told to go there. Once there, she said, an official told her father-in-law that his son had been executed, asked him to sign a paper undertaking not to hold a funeral ceremony, and warned that if they made any noise, it would create "trouble" both for him and his other son. Despite their repeated requests, Ezzat Habibnejad said the authorities refused to reveal where they had buried her husband or return his personal effects. As a result, she told Amnesty International that her mother-in-law remains in agony and disbelief that her son is dead:

"They gave us nothing, absolutely nothing. Not just to us. None of the relatives in Mashhad received the belongings of their relatives… It was hard for all of us to fathom the news and accept what had happened… Sadly, 30 years on, my mother-in-law is still waiting for Mehdi to come back. Whenever the phone rings, she jumps for it saying it might be Mehdi. When the doorbell rings, she says it might be Mehdi. She just has not

[128] Amnesty International interviewed Gholamali Mirza Mohammadi by voice call in October 2018.
[129] Amnesty International interviewed Ezzat Habibnejad by video call in February 2018

been able to accept it [his death]. She still says Mehdi is alive and if he had died, they [the officials] would have returned his body or his belongings."

Ezzat Jabibnejad said that in the early 1990s, as the emotional situation of her mother-in-law worsened, her father-in-law appealed to the prosecutor's office in Bojnourd to provide him with a written declaration of his son's death hoping that this would enable his wife to find closure. After several follow-up requests, she said, the prosecutor's office gave her father-in-law a reference letter and referred him to the office of the National Organization for Civil Registration in Bojnourd. Ultimately, in December 1995, a death certificate was issued. However, Ezzat Habibnejad said that this did not provide her mother-in-law with any certainty, particularly because the death certificate was incomplete: it provided no cause of death and recorded 1988 as the date of death without any day or month.

A copy of the death certificate issued for Mehdi Gharaiee. © Private

In some cases, the authorities stirred false hopes in families that their relatives were alive. For example, in Ahvaz, dozens of families received a telephone call from the office of the Revolutionary Guards in Ahvaz in mid-November 1988 and were told that a male relative had to go immediately to their office to receive information about their relative. Cruelly, the families were told to bring food, which raised false hopes that their relatives were alive. Once there, officials of the Revolutionary Guards took them to a barren piece of land outside the city, showed them a concrete slab, and said that their relatives were underneath it. The authorities refused to provide further information. Families believe that the authorities had poured concrete over the mass grave immediately after the burial in order to prevent them digging up the ground to confirm the deaths and identify and recover the bodies of their loved ones.[130]

4.4 MISLEADING INFORMATION

In the months and years following late July 1988, some families were given contradictory information about the fate of their loved ones, with officials first saying that the prisoner had been executed and then declaring them alive, or vice versa. This meant families kept going to different government offices and seeking contacts in their search for accurate information.

Two former prisoners, Asadollah Nabavi from Semnan, central Iran, and Rasoul Showkati from Mashhad, north-eastern Iran, told Amnesty International that, in the years following the mass prisoner killings, some families received false information via mysterious phone calls from men believed to be affiliated with security and intelligence bodies. The men provided various false information, such as that their relatives were alive but had moved abroad, or had been transferred to a remote prison or an infamous island in the Persian Gulf where individuals convicted of drug-related offences were held in squalid camps in the 1980s.[131] These phone calls aggravated the uncertainty of families and made them doubt that their relatives had indeed died.

Asadollah Nabavi told Amnesty International about two families in Semnan who had received such phone calls in the late 1980s.[132] The unidentified caller said that their relatives were alive in a remote military camp between Garmsar and Varamin in Semnan province where prisoners of the Iran-Iraq war used to be held. Asadollah Nabavi said: "This was their way of torturing families and preventing them from knowing what exactly had happened. They meant to throw families into uncertainty."[133]

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[130] As of October 2018, the Iranian authorities were building a road over this mass grave. Around 20 July 2018, photo and video evidence surfaced that showed that the concrete structure marking the mass grave, as well as dozens of nearby individual graves which belonged to political dissidents executed in the early 1980s, had been smashed to pieces. For more information, see Amnesty International, "Iran: Road to be built over individual and mass graves", 26 July 2018 (Index: MDE 13/8828/2018).
[131] Amir Kianpour, "The Islamic Republic of camps: Segments of a four decade long holy fight against addiction", Radio Zamaneh, 27 December 2015, www.radiozamaneh.com/252989
[132] The names of the families have been withheld to protect their security.
[133] Amnesty International interviewed Asadollah Nabavi in person in October 2017.

"THEY TORTURED FAMILIES MENTALLY"

Rasoul Showkati was imprisoned in Vakilabad prison in Mashhad during the mass prisoner killings of 1988.[134] He had been in prison since the early 1980s in connection with his support for the Organization of Revolutionary Workers in Iran (Rah-e Kargar), a secular leftist opposition organization. After his release in March 1989, he contacted the families of some of his former cellmates who he understood had been secretly executed during the July-September prisoner killings. As a result, he realized the authorities were inflicting further pain on the families by giving them conflicting information.

Ali Mirshahi © Private

Rasoul Showkati referred to the case of Ali Mirshahi who had been in prison since the early 1980s in connection with his support for the PMOI. He was 19 years old at the time of his arrest. Rasoul Showkati said that, when he visited Ali Mirshahi's family in March 1989, the authorities had not yet given the family any clear information on whether Ali Mirshahi was dead or alive. A stranger believed to be affiliated with the intelligence and security bodies had called his family a few times and indicated that their son was alive and had been transferred from Vakilabad prison in Mashhad to a prison in Shahroud in Semnan province. The family went to Shahroud only to learn that their son was not there.

"THEY THREATENED TO ARREST HIS MOTHER IF SHE CONTINUED HER SEARCH"

Mohammad Hoshi © Justice for Iran

Mohammad Hoshi survived the mass prisoner killings of July-September 1988 in Dastgerd prison in Esfahan.[135] He had been in prison since 1981 in connection with his support for the Minority faction of Fadaiyan (Aqaliat), a secular leftist political organization. He was 17 years old at the time of his arrest. Following his release in February 1989, he contacted the family of one of his closest friends in prison, Sirous Asgari, and discovered that the authorities had kept his family in the dark as to his fate and whereabouts.

Mohammad Hoshi told Amnesty International that in early September 1988, Sirous Asgari's family had received a call from the prosecutor's office in Esfahan saying that their son had been executed. Several weeks later, they received another call from the same office saying that a mistake had been made and Sirous Asgari was alive. The family spent weeks trying to find more information. Ultimately, they learned through a well-connected contact that Sirous Asgari had been executed.

Over the following months, the family repeatedly went to the prosecutor's office in Esfahan to find out where Sirous Asgari was buried. Mohammad Hoshi said that he last spoke to Sirous Asgari's mother in

[134] Amnesty International obtained the testimony of Rasoul Showkati from Justice for Iran, which conducted the interview with him by voice call. Amnesty International conducted two follow up interviews by voice call in October and November 2018.
[135] Amnesty International obtained the testimony of Mohammad Hoshi from Justice for Iran, which conducted the interview with him in person. Amnesty International conducted two follow-up interviews by voice call in October and November 2018.

April 1990 before he left Iran and by then she had been forced to end her search as the authorities had threatened her with imprisonment if she persisted.

4.5 DEATH CERTIFICATES: DENIED OR FALSIFIED

The systematic concealment of the fate of the victims and location of their remains also involved not providing families with death certificates[136] and responding to families' requests for death certificates by issuing ones that are in many cases inaccurate, misleading or incomplete about the causes, circumstances and dates of the death.

The vast majority of families interviewed by Amnesty International said that they did not think of seeking death certificates owing to the climate of fear and shock, and the refusal of the authorities, in general, to provide information. Research conducted by Amnesty International suggests that some relatives also did not seek death certificates as a conscious act of resistance because the authorities had refused to return the bodies and clarify the causes and circumstances of the killings.

Families who applied for death certificates generally did so to resolve administrative and legal difficulties. A few families said they sought death certificates in an attempt to end the debilitating uncertainty that they experienced about whether their imprisoned relative was dead or alive. In these cases, the authorities often included falsified details on the death certificates.

Amnesty International obtained the death certificates of nine individuals who were executed during the mass prisoner killings of July-September 1988 (see Table 1). For one of the victims, Sayed Morteza Mirmohammadi, two contradictory death certificates were issued.

Only two of the 10 certificates record the cause of death as execution; six cite "natural" causes or simply "death", while two provide no cause. Only one of the death certificates records the place of death; the other nine do not even include this as a category. Regarding the date of death, a full date is given in eight cases, while, in one case, only the year is provided and, in another, the date is recorded as "unknown". In at least three of the eight certificates where a full date is given, the recorded dates (20 September, 2 October and 22 October) are later than the period of late July-early September when survivors say mass executions took place in Evin and Gohardasht prisons in Tehran.[137] This raises concerns that they may be inaccurate.

International standards require that where a state agent has caused the death of a person in custody, the death must be immediately reported to an independent and impartial body for a prompt, impartial, and effective investigation into the circumstances and causes of the death. This is regardless of whether the relatives of the deceased have requested such an investigation. States are also under the obligation to provide the deceased's next of kin with all relevant documentation including a complete death certificate.[138]

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[136] See International Committee of the Red Cross, *Guidelines for investigating deaths in custody*, October 2013, p. 25, www.icrc.org/eng/assets/files/publications/icrc-002-4126.pdf

[137] See Iraj Mesdaghi, *Dance of the Phoenixes and Song of the Ash (Raqs-e Qoqnus-ha Va Avaz Khakestar)*, 2011, p. 78, and Abdorrahman Boroumand Center, *The Massacre of Political Prisoners in Iran, 1988, report of an inquiry*, 18 April 2011, p. 4, www.iranrights.org/library/document/1380/the-massacre-of-political-prisoners-in-iran-1988-report-of-an-inquiry

[138] Office of the United Nations High Commissioner for Human Rights, *Revision of the UN Manual on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions (the Minnesota Protocol)* 2017, para. 17. www.ohchr.org/Documents/Publications/MinnesotaProtocol.pdf

TABLE 1: SUMMARY OF INFORMATION IN DEATH CERTIFICATES OF NINE VICTIMS OF MASS PRISONER KILLINGS OF 1988

NO.	NAME	CAUSE OF DEATH	DATE OF DEATH	PLACE OF DEATH
1	Ali Asghar Zighami	Death	20 September 1988	[No such category]
2	Ghorban Ali Shokri	Natural	11 September 1988	[No such category]
3	Sayed Morteza Mirmohammadi [issued two conflicting certificates]	1) Death 2) [Left Blank]	1) 3 September 1988 2) Unknown	1) [No such category] 2) Azna, Lorestan province
4	[Name withheld by Amnesty International]	Execution	31 July 1988	[No such category]
5	[Name withheld by Amnesty International]	Execution	9 August 1988	[No such category]
6	Mahmoud Behkish	Death	22 October 1988	[No such category]
7	Mehdi Gharayee	[Left blank]	1988 [Day and month left blank]	[No such category]
8	Mohsen Delijani	Death	21 August 1988	[No such category]
9	[Name withheld by Amnesty International]	Natural	2 October 1988	[No such category]

"WE STILL ASK WHY"

A copy of the death certificate issued for Ali Asghar Zighami. © Private

Ali Asghar Zighami © Private

Ali Asghar Zighami was held in Evin prison and executed during the mass killings of July-September 1988. At the time of his enforced disappearance in late July, he was about two months from completing his sentence, which had been imposed in connection with his support for the Majority faction of Fadaiyan (Aksariat), a secular leftist organization. In late 1988, the officials at Evin prison told his family that he had been executed. The authorities provided no additional information, nor did they return his body. Several months later, in 1989, the authorities issued a death certificate, which Ali Asghar Zighami's family needed for administrative purposes. The death certificate, which was given to his family in Evin Prison, made no reference to his execution in prison. Instead, it cited the cause of his death as "death". Three decades on, Ali Asghar Zighami's wife and children continue to suffer from physical and mental health conditions brought about by his extrajudicial execution and the authorities' continued refusal to shed light on his fate and reveal the location of his remains.

His wife, Mina Labadi, told Amnesty International:

"I need to know the real cause of my husband's death… After all these years, my children and I remain in disbelief. We have not yet been able to come to terms with his loss and still ask why."[139]

[139] Amnesty International interviewed Mina Labadi by voice call in October 2018.

THE AUTHORITIES CLAIMED HE DIED 'NATURALLY'

A copy of the death certificate issued for Ghorban Ali Shokri. © Private

Ghorban Ali Shokri © Private

A copy of an official letter stating that Ghorban Ali Shokri was executed in 1988 and his wife had requested social assistance. © Private

Ghorban Ali Shokri was forcibly disappeared in late July 1988 while in Gohardasht prison in Karaj and extrajudically executed. At the time, he was serving a sentence imposed in connection with his support for Sahand, a communist group. He had been arrested in August 1985 with his wife and child, who also spent four years in prison. Following his enforced disappearance, his wife repeatedly wrote to prison officials, asking for information and requesting a copy of his last letter of wishes if he was dead. Her letters remained unanswered.

In the early 1990s, the authorities finally issued a death certificate that noted 11 September 1988 as the date of death. The death certificate stated that he had died "naturally" and made no reference to the fact that he had been executed in prison. This information contradicts an official letter that his wife had obtained a year earlier as part of her application for social assistance, and that confirmed that Ghorban Ali Shokri had been executed in 1988.

CONFLICTING DEATH CERTIFICATES

Sayed Morteza Mirmohammadi © Private

Sayed Morteza Mirmohammadi was extrajudicially executed in Evin prison during the mass killings of July-September 1988. At the time of his enforced disappearance in late July, he was serving a lengthy prison term imposed in connection with his support for the PMOI.

The authorities provided the family with two contradictory death certificates.[140] The first, issued in 1989 or 1990, cited "death" as the cause of death and claimed that it occurred on 3 September 1988 even though survivors from Tehran have said that the wave of mass executions targeting PMOI prisoners in Evin prison took place between late July and mid-August.[141]

The second death certificate, issued about 10 years later in 1999 or 2000, left the box related to the cause of death blank and stated that the date of death was "unknown". It identified the city of Azna in Lorestan province, south-western Iran, as the place of death even though Sayed Morteza Mirmohammadi was known to be in Evin prison in Tehran until late July 1988, when he disappeared.

Copies of the two death certificates issued for Sayed Morteza Mirmohammadi, who was subjected to enforced disappearance and extrajudicially killed during the mass prisoner killings of July-September 1988 in Evin prison in Tehran. © Private

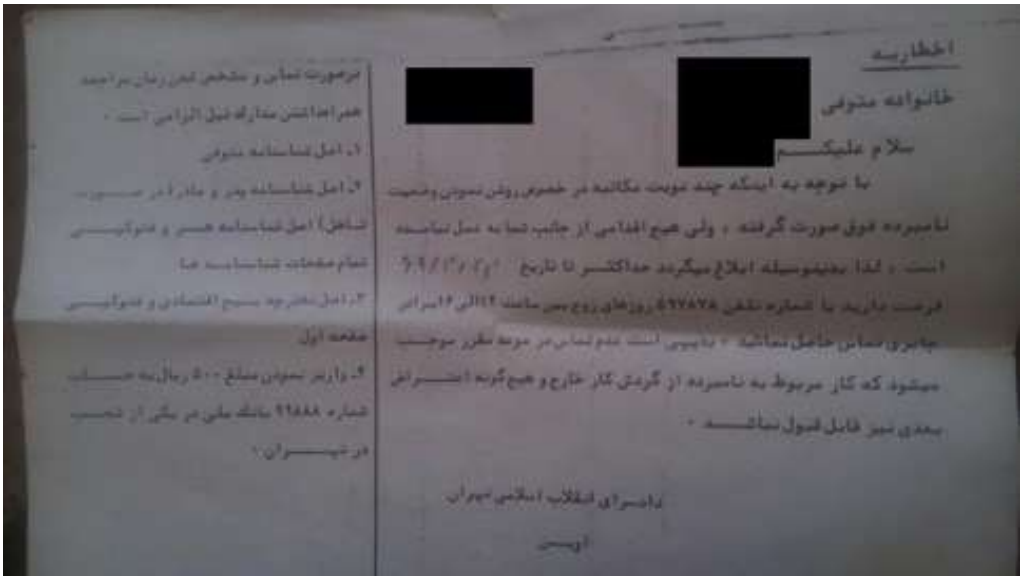
In researching the issue of death certification, Amnesty International also obtained information suggesting that, while the Iranian authorities generally refrained from issuing death certificates automatically, in some cases they put pressure on families to hand over the original national identity booklet (*shenasnameh*) of their executed relative to the authorities for annulment and sign statements declaring that the death was caused by illness or natural causes.

Mohammad Zand's brother Reza Zand was executed during the mass killings in Tehran. At the time of his enforced disappearance in late July 1988, he was serving a prison term imposed in connection with his

[140] The circumstances that led to the authorities issuing two different certificates are not clear to Amnesty International.
[141] See 7.2 below. See also Abdorrahman Boroumand Center, *The Massacre of Political Prisoners in Iran, 1988, report of an inquiry*, 18 April 2011, www.iranrights.org/library/document/1380/the-massacre-of-political-prisoners-in-iran-1988-report-of-an-inquiry, pp. 45-61.

support for the PMOI. He told Amnesty International that, when the prosecutor's office in Evin prison informed his father of the execution of his brother in late 1988, they put pressure on his father to submit his son's national identity booklet to the authorities for nullification and promised that, if he complied with the request, he would be told where his son had been buried. Mohammad Zand said that his father did not comply with the request because the authorities were refusing to acknowledge in writing that the death resulted from execution and wanted him to sign a paper that stated Reza Zand had "passed away". Mohammad Zand said that his father loudly protested against this attempt by the authorities to falsify the details of his brother's death; in response, the authorities arbitrarily detained his father for three days and subjected him to torture and other ill-treatment, including multiple mock executions.

Amnesty International also interviewed the sibling of an execution victim[142] whose father had received several official letters and phone calls from the prosecutor's office in Evin prison in late 1988 and 1989, asking him to call a man by the name of "Jaberi" in the office by a certain date to arrange an appointment for the purpose of "clarifying the status of the deceased" and annulling their national identity booklet. The family member said that, at the prosecutor's office in Evin prison, their father was told to sign a paper that stated his son had died at home from illness. The authorities promised that, if he signed the statement, he would be told where his son had been buried. The father did not accept the request.


اخطاریه

خانواده متوفی

سلام علیکم

با توجه به اینکه چند نوبت مکاتبه در خصوص روشن نمودن وضعیت نامبرده فوق صورت گرفته ، ولی هیچ اقدامی از جانب شما به عمل نیامده است ، لذا بدینوسیله ابلاغ میگردد حداکثر تا تاریخ [illegible] فرصت دارید با شماره تلفن [illegible] روزهای زوج بین ساعت ۱۴ الی ۱۶ سراغ جابری تماس حاصل نمائید ، بدیهی است عدم تماس در موعد مقرر موجب میشود که کار مربوط به نامبرده از گردش کار خارج و هیچ گونه اعتراض بعدی نیز قابل قبول نباشد .

دادسرای انقلاب اسلامی تهران

ادامه

درصورت تماس و مشخص کردن زمان برای همراه داشتن مدارک ذیل الزامی است .

۱- اصل شناسنامه متوفی

۲- اصل شناسنامه پدر و مادر در صورت شاغل) اصل شناسنامه همسر و فرزندان

تمام صفحات شناسنامه ها

۳- اصل مفاصا حساب اقتصادی و غیره

صفحه اول

۴- واریز نمودن مبلغ ۵۰۰ ریال به حساب شماره ۹۹۸۸۸ بانک ملی در یکی از شعب در تهران .

Copy of a follow-up letter sent by the prosecutor's office in Evin prison to a family asking them to call "Jaberi" by 14 June 1990 to arrange an appointment to "clarify the status of the deceased". The letter lists several identification documents that the family had to bring, including the national identity booklet of the deceased. The letter threatens that if the family does not act as instructed, the file of the deceased will be closed and no further complaint will be allowed. Names have been redacted by Amnesty International for security reasons. © Private

However, not every family had the option of refusing to accept the falsification of their relative's death record. Some had to accept in order to resolve pressing legal and administrative issues affecting their and their children's access to education, health care, housing, travel documents and other social services. This inflicted additional pain on families.

[142] The name of the family member has been withheld to protect their security.

HIS HOME ADDRESS IS RECORDED AS PLACE OF DEATH

Effat Moridi (known as Mother Moinee) with the picture of her son Heibatollah Moinee. © Private

Khatereh Moinee's brother Heibatollah Moinee was executed during the mass prisoner killings in Evin prison in Tehran.[143] At the time of his enforced disappearance in July 1988, he was serving a prison term imposed in connection with his support for the Majority faction of Fadaiyan (Aksariat), a secular leftist organization.

In the late 1980s, his family needed to annul his national identity booklet in order to resolve an administrative issue related to securing a passport for his wife. When referring to the office of the National Organization for Civil Registration in Tehran to file the application for annulment, the family was asked to a sign a paper stating that Heibatollah Moinee had died of "natural causes". The annulment identified the address of his home at the time of arrest as the place of death.

Khatereh Moinee told Amnesty International:

"My mother raised her voice and protested, 'What is this? My child was here in your custody.' The official said, 'Do you want the certificate or not?' She said, 'Yes'. He then said, 'So sign here or I will tear it up right now.'"

Copy of the annulled national identity booklet of Heibatollah Moinee. © Private

Khatereh Moinee remembers her mother crying uncontrollably while leaving the office.

[143] Amnesty International obtained the testimony of Khatereh Moinee from Justice for Iran, which conducted an interview with her in person. Amnesty International conducted additional interviews in person and by voice call in October 2018.

5. HIDING THE BODIES

> **"We are effectively faced with a situation where thousands of bodies have 'disappeared'."**
>
> Hassan Golzari, survivor of the mass prisoner killings of July-September 1988[144]

5.1 SECRET BURIALS

The Iranian authorities secretly buried the remains of the victims of the enforced disappearances and extrajudicial executions in July-September 1988 in unmarked individual or mass graves and, in most cases, refused to inform families about the locations. For the past three decades, those locations have been treated as a state secret.

Amnesty International is aware of only five cities – Ahvaz, Ardabil, Ilam, Mashhad and Rudsar – where the authorities ultimately told some families verbally that their loved ones were buried in mass graves and revealed their locations. However, publicly and officially, the authorities have never acknowledged that any mass graves exist in the country.

In Ilam, families were only able to confirm the information given to them by opening the mass grave discreetly and away from the eyes of intelligence and security services. As a result, they were not able to extract and rebury the bodies individually (see section 5.3).

In Ardabil, the mother of an execution victim, Ardavan Sehat, managed to obtain an exhumation licence. Following the exhumation of the mass grave, which was located in a cemetery called Ali Abad in Ardabil, the bodies of Ardavan Sehat and three or four other prisoners were extracted and reburied individually. Families subsequently installed headstones but Ardavan Sehat's brother, Ardeshir Sehat, told Amnesty International that intelligence and security officials repeatedly broke and destroyed them. The whereabouts of several other prisoners who were serving prison terms in Ardabil prison prior to the mass enforced disappearances of July 1988 remain unknown.[145]

In Ahvaz, the authorities poured concrete over the mass grave immediately after the burial in an apparent effort to prevent families from digging up the ground.[146] In Mashhad and Rudsar, the sites were placed under strict surveillance, preventing families from even holding a gathering let alone conducting exhumations. As of October 2018, all these three sites were at risk of being destroyed completely by the construction of roads and buildings.[147]

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[144] Amnesty International obtained the testimony of Hassan Golzari from Justice for Iran, which conducted an interview with him in person.
[145] *Landscape of pain*, "Ardabil", www.painscapes.com/cities/516
[146] See Amnesty International and Justice for Iran, *Criminal cover-up: Iran destroying mass graves of victims of 1988 killings* (Index: MDE 13/8259/2018), pp. 9-11.
[147] For Ahvaz and Mashhad, see Amnesty International, "Iran: Road to be built over individual and mass graves", 26 July 2018 (Index: MDE 13/8828/2018); Amnesty International and Justice for Iran, *Criminal cover-up: Iran destroying mass graves of victims of 1988 killings* (Index: MDE 13/8259/2018), pp. 9-15. See *Landscape of pain*, "Rudsar", www.painscapes.com/city-category/18?city=%D8%B1%D9%88%D8%AF%D8%B3%D8%B1

Amnesty International is also aware of at least seven cities – Bandar Anzali, Esfahan, Hamedan, Masjed Soleiman, Shiraz, Semnan and Tehran – where the authorities referred some families to individual graves that they claimed contained the bodies of their loved ones. However, the organization is aware of concerns among many survivors and family members that the authorities may have deceived them, particularly in Tehran, Shiraz and Bandar Anzali, and the individual graves may in fact be empty (see section 5.2).

In the rest of the country, families have either remained in darkness or managed to identify, through low-level prison guards, informal government contacts, cemetery workers or locals in the area, among others, locations that are suspected of containing the remains of the victims in mass graves.[148] Amnesty International is aware of two cases – Qorveh, in Kurdistan province, western Iran and Khavaran in the south-east of Tehran – where the families were able to confirm the presence of mass graves by digging the ground and extracting body parts (see section 5.3).

The Iranian authorities have never acknowledged the existence of any mass grave in the country, yet they have put most suspected and confirmed mass graves sites under close surveillance and prevented families and members of the public from holding commemorative gatherings at the sites or decorating them with flowers, pictures and memorial messages. In several cases, the authorities have also poured concrete on the site.[149] All this has created a climate of fear where families are too scared to apply for exhumation licences and search for bodies believed to be buried in mass graves.

A suspected mass grave site near the village of Tolbozan near Masjed Soleiman in Khuzestan province, which has been covered in concrete. Locals believe that the graves contain the remains of some of the political dissidents killed during the mass prisoner killings of July-September 1988. © Justice for Iran

In more recent years, the climate of fear and secrecy has been reinforced by activities aimed at destroying suspected and confirmed mass grave sites, including by bulldozing the sites; hiding the sites beneath new, individual burial plots; and constructing concrete slabs, buildings or roads over them.[150] In at least one case, Amnesty International is aware that the destruction of the mass grave sites was undertaken by a judicial order (see the case of Qorveh in section 5.3).

[148] For more information on the history and current status of some of these suspected mass grave sites, see *Landscape of pain*, "Khavaran", www.painscapes.com/cities

[149] See, for example, the cases of the suspected mass graves in Bala cemetery in Zanjan; Tolbozan in Masjed Soleiman, and Agha Sayed Morteza cemetery in Lahijan in *Landscape of pain*, www.painscapes.com/cities

[150] For more information, see Amnesty International and Justice for Iran, *Criminal cover-up: Iran destroying mass graves of victims of 1988 killings* (Index: MDE 13/8259/2018); *Landscape of pain*, "Khavaran", www.painscapes.com/city-category/18?city=%D8%AE%D8%A7%D9%88%D8%B1%D8%A7%D9%86

TABRIZ

Three satellite images taken (from top to bottom) in June 2017, August 2017 and September 2017. They show the progress of construction over a suspected mass grave in Vadieh Rahmat cemetery in Tabriz, East Azerbaijan province. © Map data: Google, DigitalGlobe, 2017

The suspected mass grave site in Vadieh Rahmat cemetery before and after the site underwent destruction in 2017. © People's Mojahedin Organization of Iran (top picture). © Shahryar News (bottom picture)

A plot of land near the entrance of Vaideh Rahmat cemetery in Tabriz, East Azerbaijan province, is suspected of being a mass grave containing the remains of dozens of political dissidents who were forcibly disappeared from Tabriz prison and extrajudicially executed between July and September 1988. The suspected mass grave is in an area known as the children's block, which also holds individual graves of political dissidents summarily executed in the early 1980s. As in many other cases, the families believe this is a mass grave site largely on the basis of information they obtained unofficially from government contacts and locals in late 1988 and early 1989.

According to local media reports, in June 2017, the Cemeteries Organization of Tabriz, which oversees the management of the city's cemeteries, initiated a project to convert the area suspected of being a mass grave site into an open space for official ceremonies.[151] Since then, the authorities have poured concrete over more than half of the area. Pictures and satellite images obtained by Amnesty International (see above) confirm drastic changes to the area between June and September 2017, when completion of the open space was announced.

[151] Nasle Tadbir, "The site for holding memorial ceremonies for martyrs buried in Vadieh Rahmat was officially opened", 29 September 2017, www.nasletadbir.ir/news/100928.

RASHT

The suspected mass grave site in Tazeh Abad cemetery before new individual burial plots were developed in 2008. © PishtazanRaheAzadi

New individual burial plots being constructed over the suspected site of mass graves in Tazeh Abad cemetery. © Akhbar Rooz

According to the testimonies of eyewitnesses obtained by Amnesty International, the bodies of political dissidents killed in July-September 1988 in Rasht, Gilan province, were dumped into three or four trenches dug in an outlying part of Rasht's Tazeh Abad cemetery, the city's main burial ground. Each trench was estimated to measure around 9m^2. Since 2008, the authorities have constructed new individual burial plots on top of the suspected mass grave site and sold many of them. A family member who talked to several owners of the new burial plots reported that the authorities have not informed the new owners about the potential presence of the mass grave.

5.2 FAKE GRAVES?

Some of the survivors and family members given the location of an individual grave, particularly in Tehran, Shiraz and Bandar Anzali, believe that the authorities may have deceived them and that the graves may in fact be empty. In almost all cases where the authorities provided information about grave locations, the victim had been imprisoned and killed in connection with their support for the PMOI.[152]

BEHESHT ZAHRA CEMETERY, TEHRAN

In November 2017, Amnesty International learned that a grave in Behesht Zahra cemetery in Tehran which the authorities had attributed to a victim of the mass prisoner killings in Tehran had been discovered to be empty.[153] An individual in contact with the victim's family in Iran told the organization that the family only discovered this in 2017, when they tried to bury another relative in the same grave. Cemetery workers preparing the plot told the family that the ground beneath the headstone was untouched and contained no bones or other remains. The individual interviewed by Amnesty International said:

"The siblings of the victim did not tell their elderly mother that the grave supposedly belonging to her deceased child was empty as this would have been enough for her to suffer a total mental breakdown. For years, she had visited the grave site every week."

The case highlights the concerns of many survivors and family members that the individual graves in Behesht Zahra cemetery attributed to the victims of the mass prisoner killings of July-September 1988 may be fake.

[152] Exceptional cases include two individual graves in Behest Zahra cemetery in Tehran which the authorities have attributed to two prisoners, Mansour Davaran and Ebrahim Najaran, who were executed during the mass killings in Gohardasht prison in connection with their support for leftist organizations. It is possible that they may have had a distant connection to the PMOI in their file. See Iraj Mesdaghi, *Dance of the Phoenixes and Song of the Ash (Raqs-e Qoqnus-ha Va Avaz Khakestar)*, 2011, p. 147.
[153] The name of the victim and the source of information have been withheld by Amnesty International in order to protect the safety of the family.

Amnesty International understands that there are several hundred individual graves across the cemetery which the authorities have identified as the burial location of the victims of the mass prisoner killings of 1988, including in lots 87, 91, 92, 93, 94, 97, 98, 99, 104, 105, 106 and 108 (see annex 4). It remains unclear to Amnesty International on what basis the Iranian authorities decided to identify marked individual graves for a limited number of victims while hiding the burial location of thousands of other victims.

Several factors were brought to the attention of Amnesty International in support of the concern that the individual graves identified by the authorities may be fake. For instance, there are reports that the gravestones marking these sites were erected, mostly in late 1988 and early 1989, without any sign of prior digging and burial in the area.[154] This development was around the time that the authorities were preparing for the first visit of the UN Special Representative on the situation of human rights in Iran. Some families and survivors suspect that the authorities may have put up the individual gravestones in Behest Zahra cemetery in an attempt to trivialize the number of those killed and show that the location of their remains were known. They believe that the victims whose names appear on the individual gravestones were actually buried in mass graves along with several thousand other victims whose bodies remain missing.

The authorities have kept the location of these remains a secret, but, in addition to Khavaran, some cemented areas in Behesht Zahra cemetery, notably in lots 99 and 108, and some deserted lands in the vicinity of Behesht Sakineh cemetery near Karaj have been identified as potential mass grave sites. Amnesty International obtained the testimony of a former prisoner, Mina Hashemi, who said that she talked to a woman in August or September 1988 who had seen officials secretly dumping bodies at night in several freshly dug trenches in lot 108.[155]

Another cause for concern is that the vast majority of the victims with individual gravestones are not listed in the official burial registers of the cemetery. Amnesty International searched for the names recorded on 336 gravestones, in line with their pictures, in the online burial registers of the Organization of Behesht Zahra and found that only three were registered (see annex 4).[156] The online database seeks to record the details of every grave in the cemetery, including the names of all those buried in each grave and their date of birth and death.

Amnesty International is unclear how comprehensive the official online database of the Organization of Behesht Zahra is and whether and to what extent the irregularities seen with regards to the registration of graves attributed to execution victims are also prevalent in the cases of deaths not caused by execution. Nevertheless, the fact that over 99% of the graves attributed to the victims of the mass killings of 1988 are missing from the cemetery's online burial records raises serious concerns and makes the investigation and exhumation of the individual graves all the more crucial to the establishment of the truth about the burial location of each victim

Further doubts have been raised by the finding that in at least two cases, two separate graves in different lots of the cemetery have been attributed to the same victim. As far as Amnesty International is aware, the authorities have neither offered any explanation for this, nor allowed exhumations to establish the truth.

The first case concerns Hossein Safaieezadeh, who has one grave attributed to him in lot 104 and another in lot 98. Both gravestones give the same date of birth and death.[157] The second concerns Sedigheh Ensi, who has two graves attributed to her, one in lot 98 and another in lot 99.[158]

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[154] Iraj Mesdaghi, *Dance of the Phoenixes and Song of the Ash (Raqs-e Qoqnus-ha Va Avaz Khakestar)*, p. 146.

[155] The testimony was made available to Amnesty International by Justice for Iran and is available at *Landscape of Pain*, "Tehran, Behesht Zahra, Lot 108", www.painscapes.com/cities/545

[156] Amnesty International obtained the pictures of 378 individual gravestones that the organization was told were located in Behesht Zahra cemetery in Tehran and belonged to victims of the mass prisoner killings of 1988. The pictures came from two sources. Iraj Mesdaghi, a survivor of the mass killings who has done decades of research on the mass prisoner killings of 1988, particularly in Evin prison in Tehran and Gohardasht prison in Karaj, reproduced the pictures of 372 individual gravestones in his book *Dance of the Phoenixes and Song of the Ash*. Another survivor of the mass killings in Gohardasht prison, Mahmoud Royayee, provided Amnesty International with 190 pictures of gravestones, of which only six were not reproduced in Iraj Mesdaghi's book. For corroboration purposes, Amnesty International searched the names inscribed on the gravestones in three of the following sources: the lists of victims complied by the Committee for the Defence of Human Rights in Iran, on the one hand, and the PMOI, on the other, and the database of such victims produced by the Abdorrahman Boroumand Center. Based on this research, the organization excluded 42 of the pictures of the graves from the scope of its work as the names inscribed on them were not found in any of the three sources.

[157] This information was obtained through two sources. Mohammad Royayee, a survivor, mentioned the case to Amnesty International and provided it with the pictures of the two individual graves. Another survivor, Iraj Mesdaghi, has included the same information, with a picture taken from a slightly different angle, in his book *Dance of the Phoenixes and Song of the Ash (Raqs-e Qoqnus-ha Va Avaz Khakestar*), pp. 146, 213, 247.

[158] Amnesty International read about this case in Iraj Mesdaghi, *Dance of the Phoenixes and Song of the Ash (Raqs-e Qoqnus-ha Va Avaz Khakestar)*, pp. 146, 208, 220.

Pictures of two gravestones in lots 98 (left) and 104 (right) in Behesht Zahra cemetery in Tehran, which are attributed to the same person, Hossein Safaieezadeh, a victim of the mass prisoner killings of July-September 1988 in Tehran. © Private

Pictures of two gravestones in lots 99 (left) and 98 (right) in Behesht Zahra cemetery, which are both attributed to Sedigheh Ensi, a victim of the mass prisoner killings of July-September 1988 in Tehran. © Iraj Mesdaghi

DAROLRAHMEH CEMETERY, SHIRAZ

In Shiraz, nearly 200 imprisoned political dissidents, both men and women, were forcibly disappeared from Adelabad prison in late July 1988 and extrajudicially executed. To date, the location of their bodies remains a secret.

The majority of the victims are believed to have been buried in a mass grave that at the time was on the outskirts of Darolrahmeh cemetery in Shiraz, near the individual grave sites of those executed in the early 1980s. The families identified the location through local contacts and cemetery workers who reported

seeing officials making trenches with excavators and secretly dumping bodies at night during the period of July-September 1988.

In the following years, the families put small gravestones and cement structures on the site to mark the names of their loved ones. A local source, whose name has been withheld for security reasons, has said that the authorities repeatedly broke and removed them. They also painted over signs indicating that the area contained the bodies of the victims of the mass prisoner killings of 1988.[159]

Satellite images and pictures indicate that, in recent years, new burial plots have been constructed over the suspected mass grave site.[160]

A minority of the families were directed by the authorities, after several months of persistent searching, to over a dozen individual graves scattered across Darolrahmeh cemetery and told verbally that their relatives were buried there. It is not clear on what basis a small percentage of the victims were identified, or why the graves are scattered given that the victims were killed during the same period.

Initially, there were no markers on these graves. In the years that followed, families installed headstones. However, many of them doubt that the graves contain the remains of their loved ones.

In a confidential testimony obtained by Amnesty International, a survivor of the mass prisoner killings of July-September 1988 from Adelabad prison in Shiraz said:

"We [the survivors] and the families have never been sure because no one ever saw the bodies. They [the authorities] would just show some burial spots saying Afsaneh is in this grave, Zahra lies here and Fatemeh is there. Whether this is the truth or not, none of us are certain. What if they [the authorities] had dumped all of them [the victims] into one trench and then shown some burial plots to the families and deceptively claimed that their loved ones were buried there?"[161]

Fatemeh Zarei with her son. © Private

Chowra Makaremi, who lost her mother, Fatemeh Zarei, during the mass prisoner killings in the same city, said that her grandmother was told by the owner of a nearby burial plot that the individual grave attributed to Fatemeh Zarei was an old grave belonging to a person who had died years before.[162]

Chowra Makaremi said that, after this incident, her grandmother would no longer visit the grave site. To date, she and her family remain uncertain as to where the remains of her mother are buried.

5.3 OPENED GRAVES

Of the dozens of confirmed or suspected mass grave sites across Iran, Amnesty International is aware of only four sites where, in 1988, the families were able to secretly exhume and identify the bodies of their loved ones. These sites are near the cities of Ilam, Ardabil, Qorveh and Tehran.

[159] See *Landscape of Pain*, "Shiraz", www.painscapes.com/cities/790
[160] See *Landscape of Pain*, "Shiraz", www.painscapes.com/cities/790
[161] Amnesty International obtained the testimony of this survivor from Justice for Iran, which conducted the interview with them.
[162] Amnesty International obtained the testimony of Chowra Makaremi from Justice for Iran, which conducted the interview with her in person.

Even in these cases, anguish persists as the families remain unaware of the full circumstances in which their loved ones were killed. Family members interviewed by Amnesty International have also repeatedly voiced their outrage, anger and pain over being deprived of the basic right to bury their loved ones in dignity and in accordance with their cultural and religious traditions and mourn their loss.

ILAM

In Ilam, prisoners held for politically motivated reasons were denied communication with the outside world in late July 1988 and families did not know if their relatives were dead or alive for several months until the authorities ultimately told them that they had executed their relatives four months earlier, on 9 August 1988.[163] The authorities did not return the bodies and initially provided no information about the location of burial. In late November, families received a call from an official asking them to present themselves at the revolutionary court in Ilam. There, the authorities subjected them to threats and forced them to sign undertakings that they would not hold any memorial service for their loved ones. They also handed them an address and a number, saying it was the location where their relatives were buried. The site was on a hill on the outskirts of Saleh Abad cemetery outside Ilam, reachable via an unpaved road. At the site, families found a series of wooden boards on the ground with numbers written on them corresponding to the ones they had been given.

Amnesty International accessed the testimony of Neda Rahmati who said that her father opened the mass grave discreetly and at night as he struggled to believe that his daughter was in fact buried there. She described the horrific scene after her family opened the mass grave:

"It was a shallow trench containing seven bodies put in a row next to each other… The bodies were wrapped in plastic sheets and a small piece of shroud was just covering the women's breasts… My father found my sister's body. There were multiple gunshot wounds on one part of her chest. She had been put in a plastic bag tightly wrapped from head to toe… They [the authorities] claim they are Muslim and bury the dead in an ethical way but there was nothing of the sort here. It was clear that they had just dug a trench and dumped the bodies there."[164]

Amnesty International understands that the bodies found in the mass grave have been identified as two men – Naghi Morovvati and Nosratollah Bakhtiari – and five women – Farah Eslami, Jasoumeh Heidzadeh, Hakimeh Rizehvandi, Nasrin Rajabi and Marzieh Rahmati.[165] Near this mass grave, there were two additional wooden boards that marked the place that the authorities said contained the remains of two other victims, Abdollah Naseri and Mousa Ne'mati.

Amnesty International understands that, for many years, the authorities repeatedly broke and damaged the gravestones and commemorative signs that families placed over their loved ones' graves, but this has stopped in recent years.[166]

[163] Ilam is a rare case where the authorities informed families orally of the exact date of execution.
[164] See Neda Rahmati's statement at *Landscape of Pain,* www.painscapes.com/cities/530
[165] See *Landscape of Pain*, "Ilam", www.painscapes.com/cities/529
[166] See *Landscape of Pain*, "Ilam", www.painscapes.com/cities/529

QORVEH

The mass grave site of the victims of the 1988 prison killings in Qorveh after destruction by bulldozers in July 2016. The banner states that the destruction was undertaken pursuant to a judicial order. © Radio Farda

On the outskirts of the city of Qorveh, about 93km east of Sanandaj, there is a mass grave that is believed to contain the remains of more than 20 people who were executed during the mass killings in Sanandaj in August and September 1988 (see the case box on Sanandaj in annex 1).

The authorities did not disclose the location of burial to any of the families who were told about the executions in September 1988. However, some families found out through low-level prison guards that the bodies had been buried in a barren piece of land on the outskirts of the city of Qorveh. Abdollah Said Moradi, who lost his brothers Kamal and Jabbar in the mass killings in Sanandaj, said that, after weeks of searching covering hundreds of kilometres, families ran into a local villager in November 1988 who said he had seen officials dumping bodies into a mass grave next to the Baha'i cemetery in September 1988 and offered to take the families to the site. The families subsequently went to the location with the villager, dug up the area with shovels, and discovered a mass grave containing the bodies of more than 20 people, including men, women and at least one child. They extracted the bodies, which had been thrown on top of one another, dug the trench deeper and wider, and then reburied the bodies next to each other.

Over the past three decades, the authorities have persistently damaged the gravestones and commemorative signs that families placed over their loved ones' graves near Qorveh. In July 2016, the site was bulldozed. A ministry of agriculture official told the families that the grave site had been classified as agricultural land and that the prosecutor's office in Qorveh had approved the destruction of the graves on the grounds that they constituted "illegal building" on agricultural land.[167]

[167] For more information, see Amnesty International and Justice for Iran, *Criminal cover-up: Iran destroying mass graves of victims of 1988 killings* (Index: MDE 13/8259/2018), pp. 22-24.

KHAVARAN

Destruction of mass grave site in Khavaran. © Private

Khavaran is an abandoned area land measuring about 8,600m^2 in the south-east of Tehran. It is located next to Golestan Javid, an unofficial cemetery where individuals of the Baha'i faith are buried. Since the early 1980s, prison and judicial authorities have referred to this location as "damned land" (*la'nat abad*) and buried there individuals who were detained and executed for politically motivated reasons.

In late 1988, the families of some of the victims of the 1988 prison killings discovered that their loved ones had been buried in a mass grave at this location.[168] Amnesty International has interviewed family members who were in the group of families who visited Khavaran in late 1988 and discovered body parts and torn pieces of clothing protruding from the ground.

A press release issued by Amnesty International on 13 December 1988 quotes a woman who described to Amnesty International how she had dug up the corpse of an executed man with her bare hands as she searched for the body of her husband, also unnamed, in August 1988:

"Groups of bodies – some clothed, some in shrouds – had been buried in unmarked shallow graves in the section of the cemetery reserved for executed leftist political prisoners. The stench of the corpses was appalling but I started digging with my hands because it was important for me and my two little children that I locate my husband's grave."[169]

She unearthed a body with its face covered in blood, but, when she cleaned it, saw that it was not that of her husband.

Over the past three decades, the authorities have bulldozed the area repeatedly. They have also prevented families from holding memorial ceremonies, trampled the flowers planted by them, and broken or removed their memorial stones.

Reports indicate that the latest round of destruction took place between 9 and 16 January 2009, when the authorities bulldozed the mass grave site and destroyed the numerous ad hoc grave markings made by the families as well as the trees planted by them.[170]

[168] Amnesty International, *Iran: Violations of human rights 1987-1990* (Index: MDE 13/021/1990), www.amnesty.org/en/documents/MDE13/021/1990/en/, p. 12.
[169] The woman wished to remain anonymous for fear of reprisals against her family.
[170] Amnesty International, *Iran: Preserve the Khavaran grave site for investigation into mass killings* (Index: MDE 13/006/2009).

6. DENYING THE MASS KILLINGS

> **"Nothing but propaganda"**
>
> Speaker of Parliament Ali Akbar Hashemi Rafsanjani in response to reports that thousands of political dissidents had been executed in recent months, as quoted by Tehran Radio on 2 December 1988[171]

6.1 DENIAL TO INTERNATIONAL BODIES

In 1988, the Iranian authorities worked hard to keep secret the extrajudicial killings of thousands of prisoners carried out between July and September 1988, but information gradually leaked out. Families in Iran and political activists in exile made great efforts to let the outside world know that political dissidents were being killed in prisons around the country.

Reynaldo Galindo Pohl, the UN Special Representative on the situation of human rights in Iran between 1986 and 1995, reported in January 1989 that, since July 1988, he had received:

"persistent reports… about a wave of executions of political prisoners… by various sources, including non-governmental organizations in consultative status with the Economic and Social Council and other bodies directly concerned by the alleged wave of executions."[172]

He also noted that he had:

"received hundreds of petitions and letters from private individuals around the world, including members of parliament from Australia, France, Germany, Federal Republic of [the then West Germany], Ireland, and the United Kingdom… as well as members of the European Parliament from several countries, and trade-union and church officials, expressing deep concern at the alleged wave of executions and calling for United Nations intervention to bring such executions to a halt."[173]

On 8 December 1988, the UN General Assembly expressed "grave concern… that there was a renewed wave of executions in the period July-September 1988 whereby a large number of persons died because of their political convictions."[174]

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[171] This quote was recorded in a letter that Amnesty International wrote to Ali Akbar Hashemi Rafsanjani on 12 December 1988. The letter is on file with Amnesty International.
[172] *Report on the human rights situation in the Islamic Republic of Iran*, prepared by the Special Representative of the Commission on Human Rights, 26 January 1989, UN Doc. E/CN.4/1989/26, para. 15, www.un.org/en/ga/search/view_doc.asp?symbol=E/CN.4/1989/26
[173] *Report on the human rights situation in the Islamic Republic of Iran*, prepared by the Special Representative of the Commission on Human Rights, 26 January 1989, UN Doc. E/CN.4/1989/26, para. 15, www.un.org/en/ga/search/view_doc.asp?symbol=E/CN.4/1989/26
[174] UN General Assembly, *Situation of human rights in the Islamic Republic of Iran*, A/RES/43/137, para. 5, www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/43/137

On 15 December 1988, the European Parliament issued a resolution stating that it was "horrified at reports that thousands of opponents… have been executed in Iran over the course of the last four months".[175] The resolution called on the Iranian government to halt the executions immediately and urged that "an approach be made to the Iranian authorities to admit a team of international observers to visit prisons and investigate the reports of executions".

Amnesty International issued at least 16 Urgent Actions between August and December 1988 and mobilized its activists to send tens of thousands of appeals to the head of Iran's Supreme Judicial Council and other senior government figures, as well as Iran's diplomatic representatives in different countries, calling on the authorities to end executions of imprisoned political dissidents immediately.

The Iranian authorities responded by systematically denying the mass killings. Senior Iranian officials repeatedly dismissed the reports concerning the killings of July-September 1988 as propaganda. Similarly, Iranian embassy officials who met Amnesty International delegates in various countries denied that any "massacre" of imprisoned political dissidents had taken place.

In recent years, some former government officials, including Iran's then prime minister, Mir Hossein Mousavi, have claimed that the mass prisoner killings of July-September 1988 took place without their knowledge and have invoked the principle of the separation of executive and judicial branches to justify their failure to stop or at least condemn the killings.[176] However, as shown in Chapter 7, in addition to prosecutors general, revolutionary court judges and senior prison officials, the ministry of intelligence was actively involved in the extrajudicial executions. Amnesty International also raised its concerns about reports of mass prisoner executions with numerous senior government officials including the minister of justice and the minister of foreign affairs, from as early as 16 August 1988 when the organization issued its first Urgent Action. Moreover, in the months following the extrajudicial executions, senior government officials, including the then prime minister and the then minister of interior, were actively denying the extrajudicial executions both in their media interviews and in their exchanges with the UN.

6.1.1 IRAN'S RESPONSE TO AMNESTY INTERNATIONAL

Amnesty International first issued an Urgent Action on 16 August 1988 expressing concern about "evidence that a new wave of political executions is taking place in Iran".[177] The organization called on its members to send telegrams, telexes and letters to the head of Iran's Supreme Court and a member of Iran's Supreme Judicial Council, Abdulkarim Mousavi Ardebili, and the Minister of Justice, Hassan Ebrahim Habibi, and to send a copy of the appeals to the diplomatic representatives of Iran in their respective countries. The appeals urged "the commutation of all outstanding death sentences and an end to executions in Iran."[178]

A second Urgent Action on 2 September 1988 condemned the continuing political executions in Iran[179] and referred to a speech by Abdulkarim Mousavi Ardebili on 5 August 1988 that indicated that many imprisoned PMOI supporters were at risk of execution.[180] Once again, the organization mobilized its membership to send appeals to Iranian authorities, "calling for an immediate end to these political executions" and "asking for details of the procedures by which death sentences are being passed and approved".[181]

A third Urgent Action on 20 October 1988 reiterated Amnesty International's concerns and stated it believed "that there have been very substantial numbers of political executions in Iran in the last ten weeks."[182] Once

[175] European Parliament, Joint resolution replacing Docs B 2-1127 and 1149/88, 15 December 1988. This resolution has been reproduced in annex 5
[176] See, for example, BBC Persian, "Amir Arjmand: Mousavi did not know about 1988 executions", 19 June 2011, www.bbc.com/persian/iran/2011/06/110618_u02_amirarjomand_mousavi_executions; *Iran International*, "1988 mass killings; former authorities and officials", 31 August 2018, www.bit.ly/2C56MRs
[177] Amnesty International, "Iran: UA 219/88 Iran: Death Penalty: Political Executions", 16 August 1988 (Index: MDE 13/013/88), www.amnesty.org/en/documents/mde13/013/1988/en/
[178] Amnesty International, "Iran: UA 219/88 Iran: Death Penalty: Political Executions", 16 August 1988 (Index: MDE 13/013/88), www.amnesty.org/en/documents/mde13/013/1988/en/
[179] Amnesty International, "Iran: UA 235/88 - Iran: Death Penalty: Political Executions", 2 September 1988 (Index: MDE 13/014/88), www.amnesty.org/en/documents/mde13/014/1988/en/
[180] See section 4.1 above for more information on Abdulkarim Mousavi Ardebili's speech at Friday prayers in Tehran which hinted that many imprisoned PMOI members and supporters were at risk of execution.
[181] Amnesty International, "Iran: UA 235/88 - Iran: Death Penalty: Political Executions", 2 September 1988 (Index: MDE 13/014/88).
[182] Amnesty International, "Iran: Further Information on UA 235/88 – Iran: Death Penalty: Political Executions", 20 October 1988 (Index: MDE 13/017/88).

again, members were mobilized to send appeals, calling for "an end to political executions" and "the recommencement of family visits to political prisoners."[183]

A fourth Urgent Action on 8 November 1988 echoed the same concerns and noted for the first time "reports from witnesses of large numbers of bodies being discovered in shallow graves… in Tehran…, and in other parts of the country."[184]

Over the rest of November and December, Amnesty International issued 14 more Urgent Actions raising concern about the execution of hundreds of political dissidents, including prisoners of conscience, in secret and noting the names of dozens of individuals whose cases had been brought to the attention of the organization and were feared to be executed or in danger of execution.[185] The appeals were directed at various authorities including, in addition to Abdulkarim Mousavi Ardebili and Hassan Ebrahim Habibi, President Sayed Ali Khamanei, Speaker of Parliament Ali Akbar Hashemi Rafsanjani and the minister of foreign affairs, Ali Akbar Velayati. Copies were also sent to diplomatic representatives of Iran in different countries

The tens of thousands of appeals by Amnesty International's members were met initially with silence and then with denial. On 2 December 1988, Ali Akbar Hashemi Rafsanjani was quoted on Tehran Radio as having said that the claims that thousands of political prisoners had been executed in recent months are "nothing but propaganda".[186]

In response to the denial, Amnesty International sent a letter to Ali Akbar Hashemi Rafsanjani on 12 December 1988, which noted, "The organization has recorded over 300 names of execution victims and it believes that the true figure may run into thousands."[187] The letter enclosed a list of 325 reported victims and asked the authorities to confirm whether or not these people had been executed and, if so, to provide details including "the date and place of execution; the charges brought against the accused and the nature of any trial and appeal proceedings". The Iranian authorities did not reply.

On 13 December 1988, Amnesty International issued a press release, accompanied by a briefing paper, saying that "the evidence for mass executions was now indisputable" and that "it had received information on more than 300 people reported executed since July but that this was almost certainly only the 'tip of the iceberg' and the true total could run into thousands."[188] The organization detailed information gathered about the profile of the execution victims; the concealment of their fate or whereabouts from their relatives; the burial of the bodies in shallow, unmarked mass graves; and the warnings issued against public mourning.

In December, Amnesty International also released four other Urgent Actions, all of which stated:

"Since July, Amnesty International has recorded the names of hundreds of political prisoners, members or supporters of many opposition factions, executed or in danger of execution in Iran. Among them are prisoners of conscience, prisoners serving sentences of imprisonment, or whose terms of imprisonment had expired without their being released, and prisoners who had never been tried or sentenced."[189]

The organization again mobilized its membership to send appeals.

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[183] Amnesty International, "Iran: Further Information on UA 235/88 – Iran: Death Penalty: Political Executions", 20 October 1988 (Index: MDE 13/017/88).
[184] Amnesty International, "Iran: UA 293/88 - Fear of Torture/Fear of Execution: Iran", 8 November 1988 (Index: MDE 13/020/88).
[185] Amnesty International, "Iran: UA 299 – Iran: Death Penalty", 10 November 1988 (Index: MDE 13/022/88); Amnesty International, "Iran: Further Information on UA 235/88 - Iran: Political Executions", 10 November 1988 (Index: MDE 13/021/88); Amnesty International, "Iran: Further Information on UA 299/88 – Iran: Death Penalty", 17 November 1988 (Index: MDE 13/023/88); Amnesty International, "Iran: UA 315/88 – Iran: Fear of Execution", 25 November 1988 (Index: MDE 13/024/88); Amnesty International, "Iran: UA 317/88 – Iran: Fear of Execution", 28 November 1988 (Index: MDE 13/025/88); Amnesty International, "Iran: Further Information on UA 317/88 – Iran: Fear of execution", 29 November 1988 (Index: MDE 13/026/88).
[186] This quote was recorded in a letter that Amnesty International wrote to Ali Akbar Hashemi Rafsanjani on 12 December 1988. The letter is on file with Amnesty International.
[187] The letter is on file with Amnesty International.
[188] Amnesty International, *Biggest wave of political executions in Iran since early 1980s* (Index: MDE 13/031/88); Amnesty International, *Iran: Political executions* (Index: MDE 13/029/88).
[189] Amnesty International, "Iran: UA 337/88 - Iran: Fear of Execution", 12 December 1988 (Index: MDE 13/033/1988); Amnesty International, "Iran: UA 346/88 - Iran: Fear of Execution", 16 December 1988 (Index: MDE 13/034/1988); Amnesty International, "Iran: UA 351/88 -Iran: Fear of Execution", 21 December 1988 (Index: MDE 13/035/1988), ; Amnesty International, "Iran: UA 354/88 – Iran: Fear of execution", 22 December 1988 (Index: MDE 13/036/1988),

There was no direct response from government officials in Iran. However, on 13 December, the Austrian national public service broadcaster, ORF, televised an interview with Mir Hossein Mousavi, in which he denied the mass executions of prisoners and said that these "accusations" related to the state's "measures [taken] against the PMOI's military invasion".[190]

Mir Hossein Mousavi © Didar News

"What we are now being accused of relates to our measures against the military attacks of the Mojahedin [PMOI], whom we call hypocrites because they are two-faced. These people have committed crimes in our country and caused much harm and destruction. They worked together with Iraq and tried to attack us. They wanted to attack Tehran and perpetrate assassinations. Of course, we fought them, what else could we do?… We have no mercy in this respect… Our state has a duty to defend itself."

Prime Minister Mir Hossein Mousavi is asked about the mass executions in an interview with the Austrian national public service broadcaster, ORF.[191]

Around the same time, the Iranian chargé d'affaires in London, Mohammad Mehdi Akhoundzadeh Basti, gave an interview to the BBC World Service which asked about reports of mass executions published by Amnesty International. The Iranian diplomat said, "These allegations were made purely to damage the sincere and serious efforts by Iran to establish peace and tranquillity in the area."[192] The BBC reporter subsequently asked if he was suggesting the reports were "fabricated"; he replied that Amnesty International had not been in contact with Iranian officials and that those who had taken part in the military incursion had been given fair trials.

Mohammad Mehdi Akhoundzadeh Basti
© JUSSI NUKARI/AFP/Getty Images

"They [Amnesty International] had no contact with the Iranian Embassy in London and no contact with the government. After the ceasefire, certain dissidents were aligned with the enemy and infiltrated the country, some [were] captured and tried. These people were given a fair trial… and brought to justice."

The Iranian chargé d'affaires in London, Mohammad Mehdi Akhoundzadeh Basti, in an interview with the BBC World Service, mid-December 1988.[193]

[190] The video interview with ORF is on file with Amnesty International.
[191] The video interview with ORF is on file with Amnesty International.
[192] The transcript of this radio interview is on file with Amnesty International.
[193] The transcript of this radio interview is on file with Amnesty International.

In the *Tehran Times*, a state-affiliated English-language newspaper, Mohammad Mehdi Akhoundzadeh Basti similarly declared that there was no basis for Amnesty International's "wild accusations". The article alleged that Amnesty International's information was largely based on "propaganda from opposition groups".[194]

In December 1988, Amnesty International also organized a rapid response action, which involved national sections of the organization seeking meetings with Iranian embassies around the world.[195] During these embassy visits, which took place in countries including Canada, France, Japan, the Netherlands, Norway, Sweden, the UK and West Germany, Amnesty International delegates presented the names of execution victims. When Iranian officials denied that political executions were taking place, the delegates requested that the officials establish for each name on the list: whether the person had been executed; the date and place of execution; charges brought against the accused and the nature of trial and appeal proceedings followed prior to execution; and whether relatives were informed of the death sentence or execution.

The response of Iranian officials was, by and large, denial. For example,

- At the Iranian embassy in Ottawa, Canada, on 22 December 1988, the chargé d'affaires, Mohammad Ali Mousavi, said that "the only executions which have taken place occurred as self-defensive killings in the context of battle during the July invasion by the PMOI." The diplomat added that Amnesty International had been unduly influenced by the negative image of Iran created by other bodies, including the PMOI and the media.[196]
- At the Iranian embassy in Oslo, Norway, on 23 December 1988, the chargé d'affaires referred to "tens of thousands of terrorists" in Iran and said the government was obliged to "defend" the people. However, he denied that any "massacres" had occurred in Iran since the 1979 revolution.[197]
- At the Iranian embassy in Tokyo, Japan, on 3 March 1989, the first secretary, Raessinia, expressed his concern that the information regarding the mass executions "may have been acquired exclusively from countries in the western block" and that "there are always mistakes in information provided by Western countries."[198]

Amnesty International followed up with further action in January 1989, writing letters to Abdulkarim Mousavi Ardebili, Ebrahim Habibi, Ali Akbar Hashemi Rafsanjani and the prosecutor general, Mohammad Mousavi Khoeniha. Copies were also sent to Ali Akbar Velayati and Deputy Supreme Leader Hossein Ali Montazeri, and, in the case of letters highlighting the situation of women victims, to two female members of parliament, Marzieh Hadidchi, also known as Tahreh Dabag, and Maryam Behrouzi, as they had replied to appeals from Amnesty International members in earlier years. The letters expressed "the deepest regret and concern" about the mass executions and asked for details of the charges on which the prisoners had been executed and whether they had been tried and under what procedures.[199]

The same month, Amnesty International submitted a statement to the 45th session of the UN Commission on Human Rights and "appealed to the international community to bring pressure on Iran to end the wave of political executions there."[200]

The authorities, however, continued to deny the mass prisoner killings. In an interview broadcast by Tehran Radio on 13 February 1989, Ali Akbar Hashemi Rafsanjani stated that, following the armed incursion of the PMOI, some people had been executed for having participated in or collaborated with the invading force, and compared these executions to those of convicted war criminals in Europe at the end of World War II. He also said that the thousands of PMOI supporters executed had in fact been killed or captured during the incursion and that the PMOI was trying to disguise its losses by giving their names as execution victims.[201]

Ali Akbar Hashemi Rafsanjani repeated the same claim in an interview with a French television reporter in late 1988 or early 1989.[202] Asked about Amnesty International's reports about the execution of thousands since July 1988, he made the following statement:

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[194] Amnesty International made a reference to this interview in an internal campaigning document that it sent to its campaign co-ordinators on 6 January 1989. The document is on file with Amnesty International.
[195] The rapid response action is on file with Amnesty International.
[196] The records of the meeting are on file with Amnesty International.
[197] The records of the meeting are on file with Amnesty International. The name of the chargé d'affaires is not recorded.
[198] The records of the meeting are on file with Amnesty International. The first name of the first secretary is not recorded.
[199] The letters are on file with Amnesty International.
[200] Amnesty International, *New Amnesty International move on executions in Iran*, 30 January 1989 (Index: MDE 13/08/89).
[201] Amnesty International, *Iran: Over 900 executions announced in five months*, 19 June 1989 (Index: MDE 13/019/89).

Ali Akbar Hashemi Rafsanjani © Jamaran

"This is part of the same hostile propaganda that has been going on against us and we believe that Amnesty International and some other centres move under the influence of our enemies. What has in fact happened here is that… about four or five thousand [members of the PMOI attacked our country from Iraq] with all their resources and very few of them managed to return [to Iraq] alive. Such massive casualties are unbearable for a guerrilla organization which recruits its members with great difficulty outside the country and they must somehow persuade their sympathizers. Therefore, they have made up this issue of mass executions in order to disguise the people whom they lost during this foolish armed confrontation as tragic execution cases."[203]

Ali Akbar Hashemi Rafsanjani's diaries suggest that he repeated the same claim in a meeting that he and Ali Akbar Velayati had with the then French minister of foreign affairs, Roland Dumas, on 5 February 1989. The diary notes that there was a discussion about human rights during the meeting and Ali Akbar Hashemi Rafsanjani and Ali Akbar Velayati told the French minister, "*Monafeqin* [a pejorative epithet for members and supporters of the PMOI] had lost their people during the Mersad Operation and in order to justify their mistake, they had exaggerated the issue of executions." See *Ayatollah Hashemi Rafsanjani Documents Centre*, "Compensating the Mersad defeat by the news of 'executions'", 5 February 1989, www.bit.ly/2PIcgaa

[202] An extract of this interview by Rafsanjani was cited by several state media outlets in 2017. See , for example, Ghased News, "The interesting answers of Hashemi Rafsanjani to a French journalist asking about the 1988 executions", 30 April 2017, www.bit.ly/2nFdmE0

[203] Ghased News, "The interesting answers of Hashemi Rafsanjani to a French journalist asking about the 1988 executions", 30 April 2017, https://bit.ly/2nFdmE0

Ali Akbar Hashemi Rafsanjani notably added, "During the incident, we discovered some [PMOI] elements in prison who were connected with the armed incursion and naturally, they were punished." However, he emphasized that "they were not many", "they were less than a hundred" and "most of those they allege [were executed] were actually killed during the armed confrontation."[204]

On 28 February 1989, the Permanent Mission of the Islamic Republic of Iran to the UN in New York wrote to Amnesty International. The letter said: "Indeed, the authorities of the Islamic Republic of Iran have always denied the existence of any political executions, but that does not contradict other subsequent statements which have confirmed that spies and terrorists have been executed."[205]

In December 1990, Amnesty International issued a report entitled *Iran: Violations of Human Rights 1987-1990*, which included a chapter on the mass killings of 1988.[206] In response, the Islamic Republic News Agency (IRNA), Iran's official news agency, issued a statement on 4 December reiterating the authorities' blanket denial of human rights violations, including the mass prisoner killings of 1988.[207] The IRNA stated that the abuses reported by Amnesty International were "often repeated and much denied", citing as an example the mass executions of 1988. It falsely reported that, during his first visit to Iran, the UN Special Representative met four men whose names were among those reported by Amnesty International to have been executed.

In the next few years, Amnesty International issued further public outputs on the mass executions of 1988.[208] However, as stated in a briefing issued on 1 October 1992, "the Iranian authorities have never acknowledged the mass executions and no new safeguards have been introduced to prevent such mass killings from happening again. Many relatives still do not know for certain whether missing members of their families were among those killed…"[209]

6.1.2 IRAN'S RESPONSE TO UN HUMAN RIGHTS MECHANISMS

On 26 August and 14 September 1988, the UN Special Rapporteur on Summary and Arbitrary Executions sent cables to the Iranian minister of foreign affairs concerning "allegations that since July 1988, a large number of prisoners, said to be members or supporters of groups or organizations opposing the Government, had been executed and several others were facing imminent execution in various parts of the country."[210] The Special Rapporteur added that, "according to information received, a number of prisoners had their sentences of imprisonment changed to the death sentence or were executed even though their terms of imprisonment had been completed."

On 28 September 1988, the UN Special Representative on the situation of human rights in Iran similarly wrote to Iran's permanent representative to the UN in Geneva, Sirous Nasseri, raising concerns about a "wave of executions" allegedly taking place in Iran and asking for a response.[211]

Records indicate that the Iranian authorities did not provide any substantive reply to these communications. Instead, they simply dismissed the allegations on the grounds that the source of some of the information was politically biased. Specific reference was made to the PMOI, which the authorities accused of broadcasting "political and propaganda material".[212]

On 13 October 1988, the UN Special Representative issued an interim report raising concerns about "recent reports of a renewed wave of executions in the period from July to September 1988".[213] The report stated that, according to information received by the UN Special Representative in September 1988, "a large number of prisoners, members of opposition groups, were executed during the months of July, August and early September 1988."[214]

On 9 November 1988, the UN Special Rapporteur on Summary or Arbitrary Executions cabled the Iranian government, reiterating the allegation of mass prisoner executions.[215]

It was not until the end of November 1988 that the authorities responded by explicitly denying the wave of executions. During a meeting with the UN Special Representative held on 29 November 1988 concerning the mass prisoner killings of July-September 1988, Mohammad Jafar Mahallati, Iran's permanent representative to the UN in New York, denied the mass execution presenting them as "battlefield killings".[216]

Mohammad Jafar Mahallati reiterated Iran's denials on 3 December 1988 prior to the adoption of a resolution by the UN General Assembly that expressed "grave concern" about "a renewed wave of executions in the period July-September 1988" targeting prisoners "because of their political convictions".[217] Mohammad Jafar Mahallati called the resolution "unjust" and said "a terrorist organization based in Iraq" was the main source of the "fake information" included in it.[218]

Mohammad Jafar Mahallati © ISNA

"Many killings had in fact occurred on the battlefield, in the context of the war, following the invasion of the Islamic Republic of Iran by… the National Liberation Army [of the PMOI]."

Claims made by Mohammad Jafar Mahallati, Iran's permanent representative to the UN in New York, as reported by the UN Special Representative[219]

The UN Special Representative on the situation of human rights in Iran challenged Iran's "global denial of the wave of executions" in his next report on Iran on 26 January 1989.[220] While acknowledging that "an invasion of Iranian territory was undertaken by rebel Iranian groups in July 1988", the UN Special Representative noted that summary or arbitrary executions were reported "in places that were not affected by military operations".[221] He explained:

"Most of the alleged victims were said to be members or supporters of the People's Mojahedin Organization of Iran, but members of other opposition groups, such as the Tudeh Party, the People's Fadaiyan Organization, Rahe Kargar and the Komala Organization in Iranian Kurdistan, as well as at least 11 Mullas, were also said to be among the alleged victims. Many of the people said to have been executed had been serving prison terms for several years, while others were former prisoners who were rearrested and then executed. It would therefore seem unlikely that these persons could have taken part in violent activitiesagainst the Government, such as participation in the [PMOI] incursion into the western part of the Islamic Republic of Iran in July 1988."[222]

The UN Special Representative appended an annex to his report. This listed the names of 1,084 "persons allegedly executed in the Islamic Republic of Iran during [the] period July-December 1988",[223] and noted that "there were in all probability several thousand victims."[224]

The UN Special Representative concluded: "These allegations deserve to be the subject of detailed investigation and information from the Government concerned, in conformity with international practice."[225]

On 6 March 1989, during the 45th session of the UN Commission on Human Rights, Iran's permanent representative to the UN in Geneva, Sirous Nasseri, said that his government was preparing an official response to the list of names annexed to the January 1989 report of the UN Special Representative.[226] However, in a preliminary reply he claimed that "140 names on that list were false" and concerned "individuals [who] had not been executed but had died in battle during the invasion of Iranian territory in July 1988."[227]

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[219] *Report on the human rights situation in the Islamic Republic of Iran*, prepared by the Special Representative of the Commission on Human Rights, 26 January 1989, UN Doc. E/CN.4/1989/26, para. 7, www.un.org/en/ga/search/view_doc.asp?symbol=E/CN.4/1989/26
[220] *Report on the human rights situation in the Islamic Republic of Iran*, prepared by the Special Representative of the Commission on Human Rights, 26 January 1989, UN Doc. E/CN.4/1989/26, para. 68, www.un.org/en/ga/search/view_doc.asp?symbol=E/CN.4/1989/26
[221] *Report on the human rights situation in the Islamic Republic of Iran*, prepared by the Special Representative of the Commission on Human Rights, 26 January 1989, UN Doc. E/CN.4/1989/26, para. 68, www.un.org/en/ga/search/view_doc.asp?symbol=E/CN.4/1989/26
[222] *Report on the human rights situation in the Islamic Republic of Iran*, prepared by the Special Representative of the Commission on Human Rights, 26 January 1989, UN Doc. E/CN.4/1989/26, para. 17, www.un.org/en/ga/search/view_doc.asp?symbol=E/CN.4/1989/26
[223] *Report on the human rights situation in the Islamic Republic of Iran*, prepared by the Special Representative of the Commission on Human Rights, 26 January 1989, UN Doc. E/CN.4/1989/26, pp. 22-42, www.un.org/en/ga/search/view_doc.asp?symbol=E/CN.4/1989/26
[224] *Report on the human rights situation in the Islamic Republic of Iran*, prepared by the Special Representative of the Commission on Human Rights, 26 January 1989, UN Doc. E/CN.4/1989/26, para. 16, www.un.org/en/ga/search/view_doc.asp?symbol=E/CN.4/1989/26

Sirous Nasseri © ISNA/Morteza Farajabadi

"140… names of the individuals said to have been executed did not appear in the registers of the prisons, hospitals or even cemeteries investigated. That fact indicated that those individuals had not been executed but had died in battle during the invasion of Iranian territory in July 1988."

Sirous Nasseri, Iran's permanent representative to the UN in Geneva, in response to concerns raised by the UN about the mass prisoner killings of July-September 1988[228]

The full response promised was never submitted. Instead, on 26 June 1989, the UN Special Representative received two evasive letters from the Iranian authorities, one from Mohammad Hossein Lavasani, the deputy foreign Minister, the other from the foreign ministry.

The first letter stated that, "the Islamic Republic of Iran cannot, and will not, hold itself committed to answering allegations originated from certain terrorist groups and war-time traitors" and dismissed the list of execution victims appended to the report of the Special Representative as a list that "could very easily be prepared by any opposition group". The letter continued:

"Nevertheless, as an indication of its good-will in cooperating with the Special Representative, the Islamic of Republic, having reviewed the list of names annexed to the final report, announces that 140 out of the total list of persons alleged to have been executed in Tehran are forgeries and virtually non-existent individuals, which

"In this connection, it is instructive to refer to 140 forged names and particulars in your annexed list, who prove as false and baseless all allegations of your sources and which, even taken individually, suffice to discredit such sources. These forged names and particulars have been pointed out here (in the attached list) as they had appeared in the annex to your report."

"Annex

Forged Names and Particulars of Persons allegedly executed in the Islamic Republic of Iran during the period of July-September 1988, as they appear in the original report

"Pages	Entries
"22	14, 20
"23	19, 20, 25, 29, 30, 31, 34, 46, 48
"24	12, 29, 34, 44, 55
"25	15, 16, 23, 24, 25, 30, 34, 41
"26	1, 22, 25, 28, 29, 32, 33, 34, 40
"27	4, 8, 24, 35, 39, 42
"28	5, 6, 7, 8, 18, 19, 26, 42, 47, 49, 50
"29	2, 13, 17, 24, 30, 40, 42, 44, 47, 50
"30	1, 5, 19, 20, 30, 31, 40, 49, 54
"31	1, 7, 9, 12, 24, 43, 44, 50, 51, 52
"36	3, 8, 11, 13, 14, 31, 24, 34, 44, 45, 46, 49, 50, 51

An extract from the reply of the Iranian government to the UN in June 1989, which denied the mass prisoner killings of July-September 1988 and claimed that there were "140 forged names" in the list of reported execution victims submitted by the UN Special Representative; each of the numbers under the column "Entries" refers to an individual reported to have been executed.

[225] *Report on the human rights situation in the Islamic Republic of Iran*, prepared by the Special Representative of the Commission on Human Rights, 26 January 1989, UN Doc. E/CN.4/1989/26, para. 68, www.un.org/en/ga/search/view_doc.asp?symbol=E/CN.4/1989/26

[226] *Interim report on the situation of human rights in the Islamic Republic of Iran*, prepared by the Special Representative of the Commission on Human Rights in accordance with Commission resolution 1989/66 and Economic and Social Council Decision1989/184, 2 November 1989, UN Doc. A/44/620, para. 59, www.un.org/en/ga/search/view_doc.asp?symbol=A/44/620

[227] *Interim report on the situation of human rights in the Islamic Republic of Iran*, prepared by the Special Representative of the Commission on Human Rights, 2 November 1989, UN Doc. A/44/620, para. 59, www.un.org/en/ga/search/view_doc.asp?symbol=A/44/620

[228] *Interim report on the situation of human rights in the Islamic Republic of Iran*, prepared by the Special Representative of the Commission on Human Rights, 2 November 1989, UN Doc. A/44/620, para. 59, www.un.org/en/ga/search/view_doc.asp?symbol=A/44/620

clearly proves the information provided by the terrorist groups to be purely false and to have been conveyed only for self-serving political purposes. Needless to point out that any single forgery suffices to discredit the source of information."[229]

The second letter similarly stated:

"Since the judicial system in each state is enforced independently, the Islamic Republic of Iran, therefore, does not hold itself obliged to answer questions which directly violate this axiom. On the other hand, lists such as the one annexed to Your Excellency's report could very easily be prepared by any opposition group [which bears] no commitment towards the Constitution and the established values in their country. In this connection, it is instructive to refer to 140 forged names and particulars in your annexed list, [which] prove as false and baseless [as] all allegations of your sources and which, even taken individually, suffice to discredit such sources."[230]

Neither letter commented on the fate and whereabouts of the remaining 944 people mentioned in the annex of the UN Special Representative's report.

Amnesty International identified the allegedly "forged" names to which the numbers listed by the Iranian authorities refer (which total 141 rather than 140) in the annex of the January 1989 report of the UN Special Representative.[231] It then searched for them in the following two sources: the list of execution victims prepared by the banned opposition group PMOI; and the list compiled by the Committee for the Defence of Human Rights in Iran (see section 2.2.2). Amnesty International found that the names of 116 individuals whom the authorities claimed did not exist were recorded in at least one of the mentioned sources (see annex 2). Amnesty International also obtained profile pictures of 13 of these individuals, shown below.

Pictures of 13 people whom the Iranian claimed were "forgeries and virtually non-existent individuals" after the UN Special Representative received information about their execution and asked the authorities to comment on their fate and whereabouts. Their names are (from top to bottom and left to right): Mahmud Pool Chi; Seyed Ahmad Seyedian; Simin Kheyrieh Safaei; Parviz Salimi; Firouz Rahmatian, Jabbar Sha'bani; Maryam Pakbaz; Abolghassem Zahraei; Nasrin Rajabi; Mohammad Reza Sadeghi; Aghdas Hemmati; Asef Razmdideh; Amir Hushang Hadikhanlu (misspelled in the Special Representative's report as Hadiknanlu). © Private

[229] *Interim report on the situation of human rights in the Islamic Republic of Iran*, prepared by the Special Representative of th Commission on Human Rights, 2 November 1989, UN Doc. A/44/620, p. 6, www.un.org/en/ga/search/view_doc.asp?symbol=A/44/620
[230] *Interim report on the situation of human rights in the Islamic Republic of Iran*, prepared by the Special Representative of the Commission on Human Rights, 2 November 1989, UN Doc. A/44/620, p. 9, www.un.org/en/ga/search/view_doc.asp?symbol=A/44/620
[231] The Iranian government's June 1989 reply to the UN refers to the "140 forged names" by listing page numbers and, for each page number, between two and 14 "entry" numbers. The total "entries" mentioned actually add up to 141 rather than 140. The annex of the January 1989 report of the UN Special Representative contains numbered pages with a single column of alphabetically ordered names on each page, but no "entry" numbers. Amnesty International understood the "entry" number to be a reference to the position of the name in the column on the page concerned, such that, for example, "entry" 14 on page 22 is the 14th name from the top in the column of names on page 22.

Amnesty International has also been able to obtain the pictures of individual gravestones for eight people whom were declared as “non-existent” by the Iranian authorities. The denial of the existence of Majid Araghi, Sayed Taher Bazaz, Aghdas Hemmati, Mohammad Hassan Rahimi Mot’am, Maryam Pakbaz, Mohammad Safaie (also written as Safaie Fakhoudi), Nasrin Rajabi, and Parviz Salimi has been despite the fact the Iranian authorities have themselves identified these graves as their place of burial.

Pictures of individual gravestones for eight people, Majid Araghi, Sayed Taher Bazzaz, Aghdas Hemmati, Mohammad Hassan Rahimi Mot’am, Maryam Pakbaz, Mohammad Safaei (also written as Safaie Fakhoudi), Nasrin Rajabi, and Parviz Salimi whom were declared as “non-existent” by the Iranian authorities despite the fact the authorities themselves have identified these graves as the victims’ place of burial. © Private

NASRIN RAJABI

Nasrin Rajabi and Tahereh Khorrami at Tahereh's wedding. © Private

Picture of Nasrin Rajabi's grave in Saleh Abad cemetery in Ilam. © Private

Nasrin Rajabi is one of the individuals who the Iranian authorities claimed did not exist in their response to the UN. Amnesty International has, however, obtained the testimony of a former prisoner, Tahereh Khorrami, who specifically remembers Nasrin Rajabi from when they were in prison together in connection with their support for the PMOI in the early 1980s in Ilam, Ilam province.[232] She said that she stayed in touch with Nasrin Rajabi after they were both released in the mid-1980s. Tahereh Khorrami left Iran in March 1988, but she learnt that Nasrin Rajabi was rearrested and summarily killed immediately after the armed incursion of the PMOI in 1988.

AGHDAS HEMMATI

Aghdas Hemmati and her husband, Hossein Moakeddi, at their wedding. © Private

Picture of Aghdas Hemmati's gravestone in Semnan. © Private

Aghdas Hemmati is another prisoner who the authorities claimed did not exist in their response to the UN. Amnesty International was told by a survivor from Semnan prison, Assadollah Nabavi, that he knew Aghdas Hemmati and her family directly.[233] He said that, in August 1988, she was briefly held in a cell adjacent to his in solitary confinement in Semnan prison and that they communicated with each other via Morse code shortly before she was taken away. Assadollah Nabavi told Amnesty International that, in her message sent via Morse code, Aghdas Hemmati told him that she was subjected to prolonged interrogations under torture and other ill-treatment. The next day, she told him that she knew she was going to be executed as she had been interrogated without a blindfold and had seen her interrogators. She was transferred out of solitary confinement after midnight the same night and was never seen again.

In his next report to the UN Commission on Human Rights on 2 November 1989, the UN Special Representative spoke of the mass prisoner killings of July-September 1988 no longer as an allegation but as a verified fact. He stated:

"The information emanating from various sources, including Iranian sources, and to some degree place in the second quarter of 1988 and that among those executed were prisoners who were serving sentences including some whose sentences were about to be concluded in a few days and others who had been recaptured."[234]

Despite this, the UN failed to take appropriate action. Not only was there no condemnation from, or investigation authorized by, the then UN Commission on Human Rights and no referral by the UN General Assembly to the Security Council, the General Assembly did not even follow up on its resolution of 8 December 1988 which had expressed "grave concern" about "a renewed wave of executions in the period July-September 1988" targeting prisoners "because of their political convictions".[235] Prior to its adoption, this resolution had been strongly criticized by Iran's permanent representative to the UN in New York, Mohammad Jafar Mahallati. He had called it "unjust" and said "a terrorist organization based in Iraq" was the main source of the "fake information" included in it.[236]

The next UN General Assembly resolution on the situation of human rights in Iran on 15 December 1989 comprised only five brief paragraphs and the word "concern" did not even appear. It does not make a single reference to the violations of human rights that were taking place in the country, including the systematic concealment of the fate and whereabouts of the victims of the mass prisoner killings of July-September 1988. It simply states that the UN General Assembly "decides to continue the examination of the situation of human rights in Iran during its forty-fifth session in the light of additional elements provided by the Commission on Human Rights and the Economic and Social Council."[237]

The UN's failure to act further emboldened the authorities to persist in their disavowals of the truth. In January 1990, in a meeting with the UN Special Representative, Hojjatolislam Abdollah Noori, the interior minister in 1988, denied the mass executions and claimed that the reports of mass killings was a propaganda campaign run by the PMOI in order to conceal their casualties at the battlefield.[238]

Hojjatolislam Abdollah Noori © Omidnameh

"In order to conceal the defeat of the invaders, a campaign had been organized abroad alleging that invaders captured on the battlefield had been executed en masse, together with imprisoned members of the same group."

Hojjatolislam Abdollah Noori, the interior minister in 1988, denying the mass prisoner killings of July-September 1988 in his meeting with the UN Special Representative on 24 January 1990[239]

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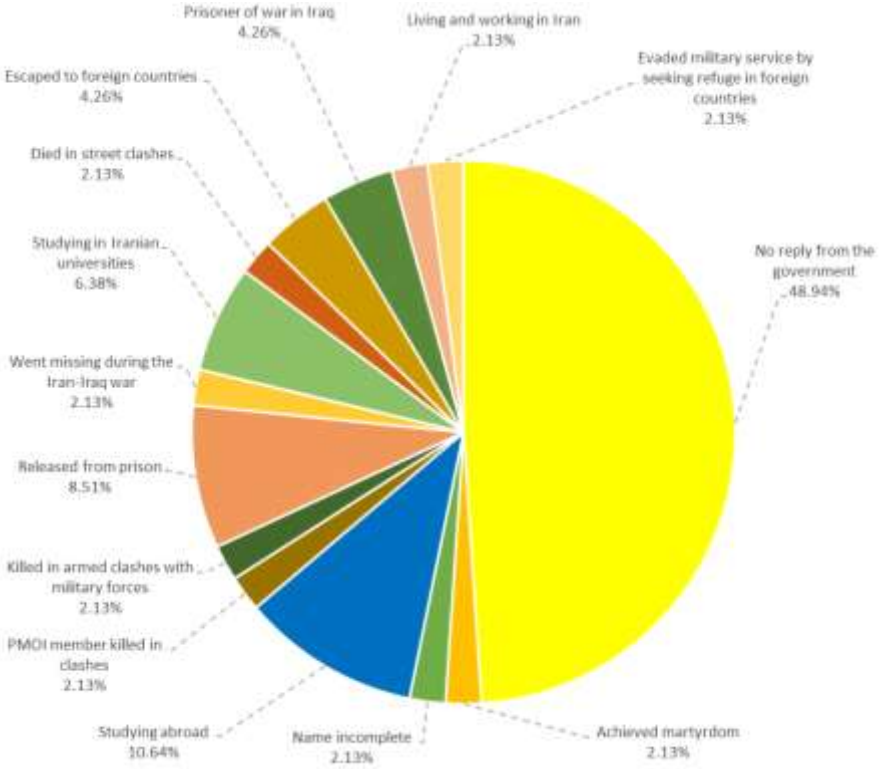
[232] Amnesty International obtained the testimony of Tahereh Khorrami from Justice for Iran, which conducted the interview with her in person.
[233] Amnesty International interviewed Assadollah Nabavi in person in October 2017.
[234] *Interim report on the situation of human rights in the Islamic Republic of Iran*, prepared by the Special Representative of the Commission on Human Rights, 2 November 1989, UN Doc. A/44/620, para. 110, www.un.org/en/ga/search/view_doc.asp?symbol=A/44/620
[235] UN General Assembly, *Situation of human rights in the Islamic Republic of Iran*, A/RES/43/137, para. 5, www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/43/137
[236] *Ettelaat*, "Mahallati's interview about the recent resolution of the UN", 3 December 1988, p. 14.
[237] UN General Assembly, *Situation of human rights in the Islamic Republic of Iran*, A/RES/44/163, para. 5, www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/44/163
[238] *Report on the situation of human rights in Iran*, prepared by the Special Representative of the Commission on Human Rights, 12 February 1990, UN Doc. E/CN.4/1990/24, para. 119, www.un.org/en/ga/search/view_doc.asp?symbol=E/CN.4/1990/24
[239] *Report on the situation of human rights in Iran*, prepared by the Special Representative of the Commission on Human Rights, 12 February 1990, UN Doc. E/CN.4/1990/24, para. 119, www.un.org/en/ga/search/view_doc.asp?symbol=E/CN.4/1990/24

In October 1990, Iran's deputy foreign minister, Manouchehr Mottaki, submitted a reply to the UN Special Representative concerning 3,620 cases of executions which had been mentioned in the Special Representative's reports between January 1988 to February 1990. The official reply did not acknowledge a single execution carried out in 1988. The authorities claimed that "the names of 2,109 persons allegedly executed cannot be recognized." For the remaining 1,511, they provided vague comments that included claiming the reported execution victims were alive, "studying in Iranian universities", "working in different organizations of the Islamic Republic" or "studying abroad"; that they were dead due "to natural causes" or "street clashes and clashes with border troops"; that they "had achieved martyrdom while confronting the Revolution's enemies"; that they "were released from prison"; that they had "never been arrested"; that they had "sought shelter in foreign countries"; or that they were "held as prisoners of war in Iraq".

The Iranian authorities said that the information included in the reply "had been compiled by the Statistics Department of the Minister of Justice, the Police Identification Unit, and the Registry and Statistics Organization".[240]

In his next report on 6 November 1990, the UN Special Representative included a supplementary list of 346 additional persons allegedly executed in Iran between 1981 and 1990, 47 of whom were recorded as executed in 1988.[241] The Iranian government subsequently replied, commenting on the list while refusing to acknowledge any of the reported executions from 1988. Of the 47 executions recorded as having been carried out in 1988, the authorities did not provide any reply on 23. With regards to the remaining 24, they made comments that included claiming that the reported execution victims had been previously imprisoned because of "their opposition to the Islamic Republic of Iran" but were later released; that they were alive and were "studying at universities" or "studying abroad"; that they "lived and worked in the Islamic Republic of Iran"; that they had "escaped to foreign countries" after being released from prison or in order to avoid conscription; that they were "held as prisoners of war in Iraq"; that they had "died due to natural causes"; or that they "had achieved martyrdom while confronting the Revolution's enemies".[242]



Breakdown of the Iranian authorities' responses to the UN about the fate of those killed during the mass prisoner killings of 1988. © Amnesty International, 2018

[240] *Interim report on the situation of human rights in Iran*, prepared by the Special Representative of the Commission on Human Rights, 6 November 1990, UN Doc. A/45/697, Appendix VI, p, 94. www.un.org/en/ga/search/view_doc.asp?symbol=A/45/697
[241] *Interim report on the situation of human rights in Iran*, prepared by the Special Representative of the Commission on Human Rights, 6 November 1990, UN Doc. A/45/697, Appendix I, pp. 69-80, www.un.org/en/ga/search/view_doc.asp?symbol=A/45/697 . Amnesty International arrived at these numbers by exporting the list of executions included in the November 1990 report of the UN Special Representative into a spreadsheet and filtering the entries that concerned executions carried out in 1988.
[242] *Report on the situation of human rights in Iran*, prepared by the Special Representative of the Commission on Human Rights, 13 February 1991, UN Doc. E/CN.4/1991/35, Annex 3, pp. 104-114, www.un.org/en/ga/search/view_doc.asp?symbol=E/CN.4/1991/35

Amnesty International searched the 47 names of those reported to have been executed in 1988 in the lists prepared by the PMOI and the Committee for the Defence of Human Rights in Iran as well as the database of the Abdorrahman Boroumand Center and found that 36 are listed in at least one of the three sources as among the victims of the mass executions of 1988. These include victims who the authorities declared had been released, were studying in universities, were living and working in Iran, were studying abroad or had escaped to foreign countries (see annex 3). Amnesty International also obtained profile pictures of 11 of them, shown below.

Pictures of 11 reported execution victims whose executions the Iranian authorities refused to acknowledge to the UN. In five cases – Shokrollah Meshkinfam, Gholam Reza Kiakjory, Marzieh Rahmati, Nasrin Shojaie and Mohammad Said Haddadi – they provided no comment. In four cases, Fariba Ahmady, Farahnaz Ahmady, Mansour Ahmady and Gholam Reza Torkpour, they claimed the reported victims were "studying at universities" or "studying abroad". In the remaining cases concerning Bijan Bazargan and Mansoureh Ahmadi, they claimed that the former "had escaped to a foreign country" and the latter was released. The names are, from top to bottom and left to right: Mohammad Ahmady, Shokrollah Meshkinfam, Fariba Ahmady, Mansour Ahmady, Farahnaz Ahmady, Gholam Reza Kiakjory, Nasrin Shojaie, Bijan Bazargan, Marzieh Rahmati, Mohammad Said Haddadi, Gholam Reza Torkpour. © Private

FARAHNAZ, FARIBA, MANSOUR AND MOHAMMAD AHMADY

↑ Masoud Ahmady, holding the pictures of his siblings, four of whom were executed during the 1988 mass executions. © Amnesty International

→ Farahnaz Ahmady (top left), Fariba Ahmady (top right), Mohammad Ahmady (bottom left) and Mansour Ahmady (bottom right) © Private

Siblings Farahnaz, Fariba, Mansour and Mohammad Ahmady were among prisoners forcibly disappeared and extrajudicially executed in the mass prisoner killings of 1988. Yet, Iran, in its response to the UN, claimed that Farahnaz and Fariba were alive and studying at university, that Mansour Ahmady was studying abroad and that Mohammad Ahmady had been released. Amnesty International has, however, spoken to their brother, Masoud Ahmady[243] and he said that his sisters, Farahnaz and Fariba had been arrested in the mid-1980s in Esfahan when they were 17 and 19 years old respectively. They were serving sentences of several years' imprisonment when they were executed in Esfahan prison in 1988. Masoud Ahmady also told Amnesty International that his brother Mohammad had been arrested in the early 1980s and was serving a 15-year prison term when he was executed. Mansour Ahmady was arrested in 1988 and executed in Shiraz prison in the same year. Masoud Ahmady said that the authorities warned his family not to hold a memorial service for their loved ones and, when they learned that the family had defied their order, they raided their house and disrupted the ceremony.

MARZIEH RAHMATI

Marzieh Rahmati © Private

Picture of Marzieh Rahmati's gravestone in Ilam. © Private

Marzieh Rahmati was forcibly disappeared and extrajudicially executed during the mass prisoner killings of 1988 in Ilam, western Iran, after spending about seven years in prison. Several months after her execution, the authorities called her family, told them that she had been executed and gave them an address and a number, saying it was the location where she was buried. Marzieh Rahmati's family were able to find her body, along with several other bodies, in a mass grave at the site, which was on a hill on the outskirts of Saleh Abad cemetery outside Ilam. Despite acknowledging to her family that

[243] Amnesty International interviewed Masoud Ahmady in person in October 2017.

she had been executed and buried in an unmarked mass grave, the authorities provided no comment about her in their reply to the Special Representative.

Amnesty International obtained the testimony of Marzieh Rahmati's sister, Neda Rahmati, who told the organization that her sister had finished her prison sentence and was due to be released when she was executed.[244] Marzieh Rahmati's family was looking to secure a property deed as the authorities had conditioned her release upon posting a property deed as bail. She said that her family owned a property but it did not have a registered deed and were thus unable to secure the bail order. Marzieh Rahmati was shot by firing squad two or three months after her release order.

These evasive and distorted responses from the Iranian authorities in 1991 are the last formal exchanges between Iran and the UN on the mass prisoner killings of July-September 1988 that are cited in the reports of the UN Special Representative.

Given the gravity of the crimes committed in 1988, bearing all the hallmarks of crimes against humanity (see Chapter 9 for the legal analysis), and the credibility of the reports and evidence related to them, the Iranian authorities should not have been able to shield themselves from scrutiny by unconvincing blanket denials and mere intransigence. Sadly, that is what happened.

As a result of this, the Iranian authorities have been emboldened to continue the concealment of the truth about the fate of the victims and the location of their remains and maintain a strategy of deflection and denial regarding enforced disappearances and arbitrary, summary or extrajudicial executions that continues to this day.

6.2 DENIAL AND DISTORTION IN IRAN

While internationally the Iranian authorities were issuing blanket denials, domestically, in the second half of 1988 and early 1989, they made statements that implicitly confirmed the executions but sought to disguise and distort their nature and scale and "justify" them.

Some of the statements presented the executions as a just and lawful response to a small group of violent individuals who had stirred up "riots" and somehow colluded with the PMOI from inside prison to support and join its armed incursion. Others claimed that the executed prisoners had all been on death row for several years. All the reactions downplayed the scale of the mass killings by representing the death toll as "low" or "insignificant".

For example, on 7 December 1988, Sayed Ali Khamenei, Iran's then president and current Supreme Leader, was quoted in an official newspaper saying:

"Do you think we should hand out sweets to a person who has been involved from inside prison with the activities of *monafeqin* who launched an armed attack within the borders of the Islamic Republic? If his relationship with that apparatus has been made clear, what should we do to him? He is punishable by the death penalty and we would certainly execute him."[245]

On 8 December 1988, Speaker of Parliament Ali Akbar Hashemi Rafsanjani said in an interview with the Islamic Republic of Iran Broadcasting (IRIB):

"… there are some cases where individuals commit treason and they deserve punishment. Well, their punishment is announced. For example, take this recent incident of the Mersad Operation. We found out through those of them [PMOI combatants] who were taken as captives that some inside the country were in contact with them [PMOI combatants]. It is only natural that they are punished for co-operating with an aggressor against the territory of Iran given this crime that Iraq and *monafeqin* jointly committed after the announcement of the ceasefire and [the fact that] they intended to carry out large-scale destructive acts in the country."[246]

[244] Amnesty International obtained the testimony of Neda Rahmati from Justice for Iran, which conducted the interview with her by voice call.
[245] BBC Persian, "Official statements about the executions of the 1980s", 12 September 2013, www.bbc.com/persian/mobile/iran/2013/09/130912_25_anniversary_authoriteis_speech_nm.shtml
[246] *Ettelaat*, "The statements of the Speaker of Parliament about human rights", 8 December 1988, p. 2.

On 11 December 1988, the head of Iran's Supreme Court and a member of Iran's Supreme Judicial Council, Abdulkarim Mousavi Ardebili, was quoted as saying:

"Before and after the Mersad Operation, *monafeqin* had some stirs [*taharokat*] inside the prisons. I should recall that members of [opposition] grouplets are tried after arrest and some of them are sentenced to execution… However, the implementation of the sentence is avoided for a period in consideration of the situation of the prisoner and with the hope that, through the teachings that they receive in prison, they would be punished, return to the bosom of Islam healthy and enjoy pardon. However, in the days of the Mersad Operation, these stirs [*taharokat*] reached their peak. Accordingly, the crimes of convicts who were involved in these events became heavier. However, many individuals still benefited from [a stay of execution] and a second opportunity at the request of the prosecutor shortly before the execution or their names were placed in the list of pardon."[247]

Abdulkarim Mousavi Ardebili added that he had recently met with the foreign minister about the "propaganda" of human rights organizations and the media, and emphasized during the meeting that they "were prepared to provide international bodies with evidence and documentation… provided that it is established for us that they are genuine about working for the discovery of the truth and [that this is] not a political issue."

In February 1989, the then foreign minister, Ali Akbar Velayati, stated:

"In this country, those who resort to armed struggle must be killed and this is the law. Prisoners, who have been executed in recent months, were [members or supporters of] Mojahedin-e Khalq [PMOI] who had sought to advance into Iranian territory. The other people executed had confessed to having murdered political figures."[248]

Regarding the number of victims, Ali Akbar Hashemi Rafsanjani stated in February 1989 that the number of prisoners executed in the last few months was "less than a thousand".[249] In May 1989, the head of the State Prisons Organizations, Majid Ansari, was quoted in an official newspaper as saying that the number of prisoners executed was "very little" and they were executed for "running networks in prison which were discovered after the Mersad Operation."[250]

In the following years and decades, as survivors, families, human rights defenders and historians worked valiantly to preserve the memory of the mass killings and seek truth and justice, the official statements evolved into an intense disinformation campaign, inundating the public with narratives promoting a mix of untruths and victim-blaming.

Broadly speaking, the official disinformation campaign still centres on two narratives that are inconsistent but jointly seek to demonize the execution victims and divert attention from the unjust proceedings that led to their executions.

The first narrative reiterates the completely unsubstantiated position first taken by Abdulkarim Mousavi Ardebili in December 1988 that those executed were already on death row and the summary proceedings before their executions focused on whether they were adequately "repentant" and, therefore, qualified for pardon or commutation. For example, Ebrahim Raisi, who participated in the Tehran "death commission , was quoted in a state media outlet in May 2018 saying that this was analogous to the situation of "several thousand drug traffickers today whose sentences have been finalized but a decision has not yet been made to have them carried out."[251]

Similarly, Ali Fallahian, a high-profile cleric and politician who served as the minister of intelligence from 1989 to 1997, said in a well-publicized interview in August 2017:

"It was arranged that a committee made up of three persons from the ministry of intelligence, the prosecutor's office and those who were judges and knew the issue well, are formed and they examine and decide if some are

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[247] *Ettelaat*, "The Judiciary will be absolutely firm in dealing with drug-traffickers", 11 December 1988, p. 2.
[248] BBC Persian, "Official statements about the executions of the 1980s",12 September 2013, www.bbc.com/persian/mobile/iran/2013/09/130912_25_anniversary_authoriteis_speech_nm.shtml
[249] Amnesty International, *Iran: Violations of human rights 1987-1990* (Index: MDE 13/021/1990), p. 11; Abdorrahman Boroumand Center, *The Massacre of Political Prisoners in Iran, 1988, report of an inquiry*, 18 April 2011, p. 2, www.iranrights.org/library/document/1380/the-massacre-of-political-prisoners-in-iran-1988-report-of-an-inquiry. Akbar Hashemi Rafsanjani became President of Iran later that year, a position he held until 1997.
[250] BBC Persian, "Official statements about the executions of the 1980s", 12 September 2013, www.bbc.com/persian/mobile/iran/2013/09/130912_25_anniversary_authoriteis_speech_nm.shtml
[251] *Iranian Students' News Agency*, "The explanations of Raisi about the events of 1980s", 1 May 2018, www.bit.ly/2JlosGN

pardonable and may be spared execution. The task of this committee was this and not issuing fresh death sentences."[252]

The second narrative claims that those executed were subject to fresh prosecutions in 1988 for engaging in criminal communications and co-ordination with the PMOI from inside prison in order to stir up "riots" and join the armed incursion once it had advanced and liberated the prisons. For the past three decades, articles promoting this narrative have featured heavily in Iranian state media even though it has never been explained how thousands of prisoners from across the country could have possibly communicated and co-ordinated from inside Iran's high-security prisons with an armed group outside the country.[253] Moreover, the testimonies of survivors all confirm that these vague accusations of rebellion and secret collusion were not the focus of the interrogations they faced between July and September 1988 and no information was ever given to them that they were facing renewed prosecution and sentencing on fresh charges (see chapter 7 and annex 1).

In an apparent effort to deviate attention from flaws in their narratives, some Iranian officials have claimed that the "retrials" were only for prisoners who had previously engaged in "carnage" and "bloodshed", and the aim was to identify those who were bent on re-engaging in such acts in the future and execute them as a pre-emptive measure.

For example, the top advisor to the country's prosecutor general, Mohammad Ebrahim Nekounam, stated in a media interview in September 2016:

"I can say this with absolute certainty that those individuals [the execution victims] were formally put on trial. Their cases were studied and reviewed and there was awareness of their past profiles when they were asked many questions. These were questions such as: Why are you in prison? How long have you been in prison? What is your sentence? Where were you arrested? What were your previous charges? What is your position on *monafeqin*? This extended to a discussion about their current thinking about the organization [the PMOI], their positions on current affairs and whether or not they regretted the acts that they had previously committed."[254]

He added:

"The trials were lengthy and occasionally consisted of multiple sessions… Sometimes, an individual was talked to for five to 10 hours until a conclusion could be reached, and the process was premised on accepting 'declarations of repentance' and maintaining the original conviction and sentence… In fact, the committee was there to decide on exceptional cases concerning individuals who would state their loyalty again to a series of actions taken by *monafeqin*. And not even all such individuals but those of them specifically who had been previously involved with atrocities and bloodshed."

This description is refuted by corroborated testimonies of survivors about the summary nature of the proceedings leading to the mass prisoner killings of 1988 (see chapter 7 and annex 1). In any case, the official narrative concedes that the "retrials" bore little resemblance to judicial proceedings aimed at establishing the guilt or innocence of prisoners regarding an internationally recognizable criminal offence. Instead, they were formalized interrogation sessions designed to discover the political opinions of the prisoners and order the execution of those not willing to "repent".

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[252] *Jamejam Online*, "The account of Ali Fallahian about executions of 1988", 19 August 2017, www.bit.ly/2BOunFN

[253] See, for example, Mohammad Mahboubi, "A passing overview of the unclarities surrounding the executions of *monafeqin* in 1988", *Raja News*, 15 August 2016, www.bit.ly/2GenOER; Yahya Rezvani, "What happened in the most dangerous decade of the Revolution's life?", *Fars News Agency*, 17 June 2017, www.bit.ly/2BOA3zB; *Tasnim News*, "Thousands of *monafeqin* were pardoned in 1988", 24 July 2017, www.bit.ly/2wofTXp; Abbas Kolahdouz and Mohammad Ali Safli,"Behzad Nabavi openly insulted martyred Beheshti", *Tasnim News*, 17 July 2017, www.bit.ly/2wpOaW1; *Mehr News Agency*, "Nategh Nouri's firm defense of the executions of *monafeqin* in 1988", 3 January 2018, www.bit.ly/2NnrOfr

[254] *Mashreghnews*, "The truth of 1988 executions", 24 September 2016, www.bit.ly/2MP16Pv

7. THE KILLINGS: WHAT REALLY HAPPENED

> **"Wrap yourselves in these white shrouds"**
>
> Mohammad Reza Ashough, who escaped while being transported to a firing squad, describing what guards ordered him and his companions to do before execution.[255]

7.1 SURVIVORS' ACCOUNTS

The reality of what happened inside Iran's prisons during July-September 1988 gradually came to light in the late 1980s and early 1990s when survivors of the enforced disappearances and extrajudicial killings were released from prison, fled Iran and spoke out about the horrors they had witnessed.

These accounts, available in memoirs, articles and testimonies, reveal the modus operandi of enforced disappearances and extrajudicial executions in different cities.[256] They recount how a few days after the PMOI's armed incursion in July 1988, in prisons across the country, the authorities suspended family visits without giving any reasons, stopped providing prisoners with newspapers, removed television sets from prisons, and systematically collected groups of prisoners from their cells around the country. Most were never seen again.

7.1.1 'DEATH COMMISSIONS'

Survivors consistently said that, after they were rounded up, prisoners were blindfolded and paraded before and interrogated by senior prison officials and committees made up of the Shari'a judge presiding over the Revolutionary Court in their city[257] and senior representatives from the prosecutor's office and the ministry of intelligence (for more information on the composition of the committees, see section 7.3 below). In many cases, they said the process of collection was accompanied by insults, yelling, beatings and other ill-

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[255] Amnesty International obtained the testimony of Mohammad Reza Ashough from Justice for Iran, which conducted the interview with him in person. Amnesty International conducted two follow up interviews in person in August 2018.

[256] For the lists of some of the memoirs written by former prisoners and survivors of the mass prisoner killings of 1988 and other gross human rights violations of the 1980s, see Abdorrahman Boroumand Center, *Testimonies of victims and rights abusers: Prison Memoirs*, www.iranrights.org/library/collection/120/prison-memoirs; Monireh Baradaran, "Prison literature", www.womenpoliticalprisoners.files.wordpress.com/2013/02/daa9d8aad8a7d8a8.pdf; *Political prisoners: The art of resistance in the Middle East*, www.womenpoliticalprisoners.com/resources/books-in-english/

[257] After the 1979 revolution, in most cities across the country, a Revolutionary Court was set up by the order of Supreme Leader Rouhollah Khomeini. According to the Regulations Governing Revolutionary Courts and Prosecution Offices, adopted in 1979, each Revolutionary Court comprised a Shari'a judge recommended by the Islamic Revolutionary Council and approved by the Supreme Leader, a judge appointed by the Shari'a judge, and a person "trusted by the people in their righteousness who has knowledge of the requirements of the Islamic Revolution", who was appointed by the Revolutionary Council. The regulations provided that the court was presided over by the Shari'a judge. See Regulations Governing Revolutionary Courts and Prosecution Offices, www.rc.majlis.ir/fa/law/show/98140, Articles 4-5.

treatment. The committees, which survivors refer to as "death commissions", bore little resemblance to a court:

- the proceedings were so summary and arbitrary that they could not be considered to constitute an actual judicial proceeding;
- they did not operate within existing legislation;
- they were not concerned with establishing the guilt or innocence of "defendants" regarding an internationally recognized criminal offence;
- In the case of PMOI prisoners, the questions focused on whether they were prepared to:
    - denounce the PMOI and its leadership;
    - express "repentance" about their political opinions and activities; and
    - declare loyalty to the Islamic Republic through written and/or televised "confessions";
- In the case of leftist prisoners, the interrogations appeared like a religious inquisition as the questions focused primarily on their attitudes towards Islam. Prisoners were mainly asked questions such as:
    - Are you a Muslim?
    - Do you pray?
    - Do you read the Qur'an?
    - Did your father pray and read the Qur'an?

Prisoners were not told why they faced these questions or that their answers could condemn them to death. Some in fact misunderstood the purpose of the session, believing that they were appearing before a pardon committee.

In many cases across the country, the questions also tested how far the prisoners were prepared to demean their humanity and inflict harm on themselves and others. The questions (see case boxes in annex 1) included:

- Are you willing to walk through an active minefield to assist the army of the Islamic Republic?
- Are you willing to join the armed forces of the Islamic Republic and fight against the PMOI?
- Are you willing to provide information on former comrades, identify fake "repenters" (*tavvab*) and "co-operate" with intelligence officials?
- Are you willing to participate in firing squads?
- Are you willing to hang a *monafeq* (a pejorative epithet for members and supporters of the PMOI)?

When most of the prisoners did not give the responses required by those on the commissions, they were consequently dispatched for execution.

Survivors have said that prisoners were not informed that they were condemned to death until shortly before their executions; sometimes they only learned about their impending fate when they were given a pen and piece of paper and told to write down their last wishes. Even then, they did not know when and how they would die until they were lined up before a firing squad or nooses were put around their necks. There was no possibility of appeal at any point during the process.

The minority who managed to give the "correct" answers were taken back to their cells either immediately or after a period in solitary confinement. They said that, in some prisons, they faced threats, overheard conversations or saw puzzling signs that suggested that the prisoners who had been taken away had been executed.

For example, in Gohardasht prison in Karaj, some prisoners said that they saw large refrigerated trucks, usually used for transporting meat, entering the prison. They described hearing the noises of bodies being thrown at the back of empty trucks and realized that they were being loaded with bodies of those executed in order to transport them out of prison. Some said they saw guards carrying wheelbarrows full of ropes or wearing gas masks and spraying what they believed was disinfectant on the area where the trucks were

parked.[258] Some said they caught a glimpse of a "huge pile of rubber slippers which numbered maybe 1,000".[259] In Evin prison, some prisoners learned through prisoners convicted of non-political crimes that barrels of slippers were being taken out of the prison every day.[260] In Rasht, a survivor said she overheard guards telling each other cheerfully that they had "finished everyone" overnight.[261] In Zanjan, a survivor said they caught a glimpse of a room in which the authorities had put the belongings of all the prisoners taken away.[262]

Several survivors said they or their companions, some of whom were later killed, were taken by the authorities to the gallows and made to watch or participate in the executions[263] or caught a glimpse of the room where nooses were dangling.[264] Some of them thought the authorities confronted them with the executed bodies of relatives or fellow prisoners in order to provoke them into making angry statements that could then be used to condemn them to death.[265]

In many prisons, prisoners remained largely unaware that most of their cell mates had been executed until prison visits resumed in late October, early November 1988 and the authorities began breaking the news of the executions to families (see the case boxes in annex 1, which provide an overview of the circumstances surrounding the mass killings of July-September 1988 in prisons of 16 cities across Iran).

7.1.2 VICTIMS

In provincial prisons outside Tehran province, with the exception of Kurdistan province, the victims were primarily members or supporters of the PMOI, both men and women. In Kurdistan and West Azerbaijan provinces, the waves of enforced disappearances and extrajudicial killings also targeted hundreds of prisoners affiliated with the Kurdish opposition groups Komala and the Kurdish Democratic Party of Iran (KDPI).

According to survivors, in prisons in a few provincial cities, one or several male prisoners affiliated with leftist or other groups and, in the case of at least one prison in Esfahan, a female prisoner affiliated with a leftist group, were also executed, but these categories of prisoners were not targeted systematically for execution. Nevertheless, Amnesty International's research indicates that many of them were taken away for interrogation, either during the height of the killings between late July and early September 1988 or later in September and October, and that some were placed in prolonged solitary confinement, lasting in some cases until early 1989, and were led to believe that they too would be killed.[266]

The pattern was starkly different in Evin prison in Tehran and Gohardasht prison in Karaj. Here, in addition to PMOI supporters, hundreds of prisoners affiliated with leftist and other political groups were systematically targeted for execution.

A first wave of executions, between late July and mid-August, targeted several thousand members and supporters of the PMOI, both men and women.[267] According to survivors, interrogations always started with a

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[258] See for example statements by survivors Mehdi Aslani, Akbar Sadeqi, Ebrahim Mohammad Rahimi and Iraj Mesdaghi in Abdorrahman Boroumand Center, *The Massacre of Political Prisoners in Iran, 1988, report of an inquiry*, 18 April 2011, pp. 48, 54, 56-57,68, www.iranrights.org/library/document/1380/the-massacre-of-political-prisoners-in-iran-1988-report-of-an-inquiry

[259] Amnesty International, *Iran: Executions of prisoners continue unabated* (Index: MDE 13/018/92), p. 3; Abdorrahman Boroumand Center, *The Massacre of Political Prisoners in Iran, 1988, report of an inquiry*, 18 April 2011, pp. 48, 54, 56-57,68, www.iranrights.org/library/document/1380/the-massacre-of-political-prisoners-in-iran-1988-report-of-an-inquiry

[260] See for example statements by Ebrahim Fatemi, Reza Shemirani and another anonymous survivor in Abdorrahman Boroumand Center, *The Massacre of Political Prisoners in Iran, 1988, report of an inquiry*, 18 April 2011, pp. 48, 55, www.iranrights.org/library/document/1380/the-massacre-of-political-prisoners-in-iran-1988-report-of-an-inquiry; Abdorrahman Boroumand Center, *The Massacre of Political Prisoners in Iran, 1988: An Addendum, Witness testimonies and official statements*, 10 December 2013, p. 114, www.iranrights.org/library/document/2498/the-massacre-of-political-prisoners-in-iran-1988-an-addendum-witness-testimonies-and-official-statements

[261] See the statement made by Shayesteh Vatandoost in the case box on Rasht in annex 1.

[262] See the statement made by Rahmat Gholami in the case box on Zanjan in annex 1.

[263] See for example the statements made by Asqar Mehdizadeh from Gohardasht prison in Karaj, Jahangir Esmailpour from Adelabad prison in Shiraz, and Javad Abdollahi from Vakilabad prison in Mashhad below.

[264] See the statement made by Shahab Shokuhi from Gohardasht prison in Karaj in Abdorrahman Boroumand Center, *The Massacre of Political Prisoners in Iran, 1988, report of an inquiry*, 18 April 2011, p. 50 www.iranrights.org/library/document/1380/the-massacre-of-political-prisoners-in-iran-1988-report-of-an-inquiry

[265] See the statements made by Asqar Mehdizadeh from Gohardasht prison in Karaj and Jahangir Esmailpour from Adelabad prison in Shiraz below and the statement made by Hamid Saidian in the case box on Mashhad in annex 1.

[266] See for example statements made by Rasoul Showkati in the case box on Mashhad and Mohammad Hoshi in the case box on Esfahan, both in annex 1.

[267] The sequence of executions is known through survivors as well as Hossein Ali Montazeri, who writes in his memoirs that the authorities first targeted PMOI prisoners based on a secret fatwa that Rouhollah Khomeini issued in July 1988 and then turned their attention to "non-religious and communist" prisoners based on a second secret order issued by Rouhollah Khomeini. See section 7.3 below and Hossein Ali Montazeri, Memoirs (Sherkat Ketab, 2001), pp. 351, 357.

fateful question: "What is your political affiliation?" Those who proudly answered that they were "Mojahedin" (the appellation members of the PMOI preferred for themselves) were immediately ordered to join a line which meant they would be executed. Those who answered that they were "*monafeqin*" or members of "the organization", the euphemism used by PMOI supporters in prison to avoid beatings, were asked additional questions designed to uncover if they remained "steadfast" in their opposition to the Islamic Republic. A wide range of responses qualified as being "steadfast", ranging from ideological support for the PMOI to a mere refusal to express "repentance" and denounce opposition groups in writing. Most of the prisoners were deemed not to have given the required responses and were executed.

At the end of August 1988, in a second wave, the "death commission" operating in Evin and Gohardasht prisons turned its attention to political dissidents imprisoned in connection with their support for various leftist political groups.[268]

Many prisoners did not realize the significance of these questions. Male prisoners, who said their fathers prayed and indicated that they had been brought up in a practising Muslim family were categorized as an "innate apostate" (*mortad fetri*) and condemned to death. Those who said they were brought up in non-practicing families and had never practiced the religion themselves, were spared the death penalty, but they were ordered to be flogged until they agreed to pray.[269]

For women, the "incorrect" answer led to a flogging sentence amounting to torture – five lashes every prayer time (that is, 25 lashes a day) – until they agreed to pray regularly or die under torture.[270]

A survivor of the mass killings in Gohardasht prison in Karaj said the following to Amnesty International in March 1992 about the torture that was systematically inflicted for a period on leftist prisoners who survived the mass killings for refusing to pray:

"Immediately after the massacre… they lined us up and asked each of us if we were ready to pray. I was in the middle of the queue… Most of the ones in front of me said that they were Muslims but would not pray. They had put a steel bedstead in one part of the room, and each one who refused was put on the bed and a guard would sit on him and a prison official would order them to be lashed. Each prisoner was lashed until he said he would pray. Some had ten lashes others 20… There was a prisoner who was given 50-70 lashes and almost fainted. The guards let him fall down. When they asked him if he would pray, he was unable to speak; he just nodded… When we saw this brutality, most of us said we would go and pray… The next morning at 5 a.m., about 20 guards came into the section, knocked on all the doors, shouting and swearing at us to get up and pray. Again, they had a bedstead behind the door. Five who refused were taken and beaten until they agreed to pray. We could even hear the cries of other prisoners in neighbouring sections who were suffering similar treatment. This became the routine 5 a.m. practice – each day they beat those who refused. Some decided to commit suicide, as they could not stand the pressures."

Another survivor, who was in the women's ward, told Amnesty International:

"We were aware of the massacre of the men prisoners and assumed that the Mojahedin [PMOI] women prisoners had also been executed. We discussed this [issue of refusing to pray] among ourselves and decided to stick it out to the end… We could not see the future clearly. We thought at that time that we were in a world of death. There was no contact with the world of the living…"[271]

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[268] Amnesty International, *Iran: Violations of human rights 1987-1990* (Index: MDE 13/021/1990); *The Massacre of Political Prisoners in Iran, 1988, report of an inquiry*, 18 April 2011, pp. 61-75, www.iranrights.org/library/document/1380/the-massacre-of-political-prisoners-in-iran-1988-report-of-an-inquiry; Hossein Ali Montazeri, *Memoirs* (Sherkat Ketab, 2001), pp. 351, 357.
[269] See, for example, statements made by Shahab Shokuhi, Mehrdad Neshati Malekians and Nima Parvaresh in Abdorrahman Boroumand Center, *The Massacre of Political Prisoners in Iran, 1988, report of an inquiry*, 18 April 2011, pp. 66-67, 69-70, www.iranrights.org/library/document/1380/the-massacre-of-political-prisoners-in-iran-1988-report-of-an-inquiry
[270] See, for example, statements made by Mahiar Maki, Fariba Sabet, Shahla Azad and Monireh Baradaran in Abdorrahman Boroumand Center, *The Massacre of Political Prisoners in Iran, 1988, report of an inquiry*, 18 April 2011, pp. 71-70, www.iranrights.org/library/document/1380/the-massacre-of-political-prisoners-in-iran-1988-report-of-an-inquiry
[271] Amnesty International, *Iran: Imprisonment, torture and execution of political opponents* (Index: MDE 13/001/92), p. 7.

"WRAP YOURSELVES IN THESE WHITE SHROUDS"

Mohammad Reza Ashough © Amnesty International

Mohammad Reza Ashough survived the mass prisoner killings of July-September 1988 by escaping en route to the firing squad. In 1988, he was serving a lengthy prison sentence in what informally used to be referred to as UNESCO prison in Dezful,[272] imposed in connection with his support for the PMOI.[273]

He recalled that on 30 July dozens of PMOI prisoners were told that an "amnesty commission" had come to reconsider their cases. The PMOI prisoners were taken in groups to the main prison office. There, he said, they were ordered to lift their blindfold one by one and faced a "commission" comprising the Shari'a judge who presided over the cases of political activists in Khuzestan province, Mohammad Hossein Ahmadi; the prosecutor of Dezful, Alireza Avaei; and several senior prison and intelligence officials.

He said that two prisoners before him were asked if they were prepared to fight against Iraq. They replied "yes". They were then asked if they were prepared to fight the *monafeqin*. They replied, "No, we are sentenced to imprisonment and we shall not go."

Mohammad Reza Ashough said that he was first asked if he was a Muslim, and he replied "yes". He continued:

"They said: 'If you are a Muslim, will you now fight for Islam?' I replied, 'Well, I don't know what that means.' They said, 'Will you fight for Iran?' I replied, 'Yes, I will fight for Iran. If something happens to Iran, I will fight for Iran'… They ultimately asked, 'You say that you are a Muslim. Are you now prepared to walk through a minefield and die for Islam?' I objected to the question and said that I should be crazy to walk on mines as soon as I become a Muslim."

Mohammad Reza Ashough said that at this point members of the "commission" looked embarrassed and so asked if he was prepared to fight the PMOI. He replied, "No, I have a prison sentence and I will not go to fight." In response, he said the intelligence official ordered the note taker to put Mohammad Reza Ashough's name on "the other list" and the session ended.

Mohammad Reza Ashough said that, of the eight people in his group, six were put on the list and two who said they would fight against the PMOI were not. They did not know what the purpose of the list was.

The next day, dozens of other prisoners who had gone through the questioning process were told to collect their belongings in preparation for a transfer to Ahvaz. However, they were then lined up, blindfolded and taken to the prosecutor's office. There, they were told that they no longer needed their belongings. They were taken to a corner one by one, given a pen and piece of paper and told that they had 10 minutes to write their last wishes. That was the first moment the prisoners learned they were to be put to death. Some prisoners, including Mohammad Reza Ashough, protested, which led to guards beating them. Others wept or remained silent, lost in their thoughts.

Mohammad Reza Ashough said that the prisoners were then taken to the prison courtyard, blindfolded with their hands tied behind their back. They were made to sit there for several hours until it got dark. Then they were forced aboard two minibuses, which they were told were going to Ahvaz. However, after a while, the vehicles stopped at a military barracks, which Mohammad Reza Ashough believes was called Valiasr in the 1980s. The prisoners were taken to an area with showers and ordered to wash and put on white shrouds. Mohammad Reza Ashough said the scene was harrowing, with prisoners screaming and shouting out their names to let each other know who was there. He says that he refused to wear the shroud and as a result guards tied his hands behind his back and beat him.

[272] Prior to the 1979 Revolution, the site used to function a school run by UNESCO. Following the revolution, it was transformed into a prison and was informally called the UNESCO prison by the prisoners.
[273] Amnesty International obtained the testimony of Mohammad Reza Ashough from Justice for Iran, which conducted the interview with him in person. Amnesty International conducted a follow-up interview with him in person in August 2018.

After this, he said prisoners were returned to the minibuses. Mohammad Reza Ashough managed to free his hands from the ropes. In the darkness and amid the screams he escaped by throwing himself out of the window and miraculously did so without attracting the guards' attention.

Mohammad Reza Ashough said he ran into the darkness, climbed over the barbed wire surrounding the military base and swam in the Karkheh river. He said that he had travelled about 1km when he heard repeated gunshots and understood that his fellow prisoners had been executed by firing squad. He eventually found his way to the city of Andimeshk, where he sought refuge in an acquaintance's house. He subsequently went to Tehran and from there, fled Iran.

Mohammad Reza Ashough's account is corroborated by a letter sent by Mohammad Hossein Ahmadi, the Shari'a judge who presided over his questioning, to dissident cleric Hossein Ali Montazeri on 14 August 1988. The letter expresses concern that some prisoners in Dezful, including Mohammad Reza Ashough, were selected for execution even though they had declared that they were prepared to denounce the PMOI. The letter also notes that Mohammad Reza Ashough had escaped as he was being taken to be executed.[274]

"HE HAD TAKEN A JOURNEY TO THE LAND OF THE DEAD AND HIS GHOST HAD RETURNED"

Jahangir Esmailpour © Justice for Iran

Jahangir Esmailpour survived the mass prisoner killings of July-September 1988 in Adelabad prison in Shiraz. In 1988, he was serving a lengthy prison term imposed in connection with his support for the Minority faction of Fadayian (Aqaliat), a leftist political organization.[275]

Jahangir Esmailpour recalled that in late July the authorities called out the names of dozens of prisoners and took them away. He said that, for several weeks, they had no information about these prisoners until one of them, Abbas Mira'iyan, came back. According to Jahangir Esmailpour, Abbas Mira'iyan looked devastated:

"It felt like he had taken a journey to the land of the dead and his ghost had returned. For five days he was so distressed that he would not speak to anyone. Then we finally managed to get him to talk and he explained that all the others who had been taken away had been hanged. He had been warned not to tell us, but he thought that he had been brought back on purpose to see what our reaction would be to this news."

Jahangir Esmailpour continued, saying that Abbas Mira'iyan told them that he had been taken to the detention centre of the Revolutionary Guards in Shiraz and brought before a "commission" that asked him if he recognized the Islamic Republic, would be willing to "co-operate" with the authorities, and declare himself "repentant". He said that he replied "yes" to every question. Then the "commission" asked him if he was willing to hang a "*monafeq*". Abbas Mira'iyan said that he answered "yes", thinking that the authorities were not serious. However, he was then blindfolded, taken to another area, given a rope and told to pull it. He said he started to cry and say he could not. Several days later, he was returned to Adelabad prison.

Jahangir Esmailpour said that several weeks later Abbas Mira'iyan's name was again called and, as he was being taken out, he yelled at the guards, "Kill me sooner! Relieve me!" He did not survive.

Jahangir Esmailpour said that the height of the killings in Shiraz was in August and early September, when every day a group of 15 to 20 PMOI prisoners were taken away. Most never returned. Some briefly came back but were then taken away again. Only a small number of those who returned were not called back and, according to Jahangir Esmailpour, these prisoners were visibly broken: "You could see it on

[274] Hossein Ali Montazeri, *Memoirs* (Sherkat Ketab, 2001), Annex No. 157, p. 602.
[275] Amnesty International obtained the testimony of Jahangir Esmailpour from Justice for Iran, which conducted the interview with him in person.

their faces that they had returned from the land of the dead. I mean they had gone and seen death and then returned."

"THE GUARDS PULLED AT THE LEGS OF DANGLING PRISONERS"

Asqar Mehdizadeh © Amnesty International

Asqar Mehdizadeh survived the mass prisoner killings of July-September 1988. He was serving a lengthy prison term in Gohardasht prison in Karaj in 1988, imposed in connection with his support for the PMOI. He described to Amnesty International[276] a horrific execution scene that he was made to watch on 9 August 1988:

"It was a Tuesday near noon when [a prison official] summoned and handed me over to two guards and they took me to the hall [where the gallows had been set up]. I saw a great many number of prisoners who were standing outside the hall. I tried to see if I could recognize anyone from under my blindfold. A prisoner next to me turned around and said, 'Do you know why they have brought you here?' I said no. He said, 'They [prison officials] will soon take [us] inside for execution.' Some of the people there had been given a piece of paper to write their last wishes; others had torn the papers up. Some were breaking their watches [to make them stop on the date and time of their execution].

"After a short while, a guard came and took me inside the hall. Once there, he pulled down my blindfold for a few moments and I saw numerous bodies strewn on the ground. There were about 12 chairs with 12 ropes hanging above them. The guards were busy quickly bringing in the prisoners and putting nooses around their necks and the guards pulled at the legs of dangling prisoners until they died... I saw some prisoners who were chanting, and this made the guards very hysterical. [One of the senior prison officials] attacked and hit them and yelled, 'Kill all of these quickly! Finish them off!' I do not know what happened next. I was not able to stand up any more and I passed out. The next thing I felt was that they were sprinkling water at my face and a guard dragged me out."

Asqar Mehdizadeh thinks that he survived the mass killings because, during his interrogations in 1988, he used the pejorative term "*monafeq*" when he was asked about his charge and consistently said, including in writing, that he did not support the PMOI any more and just wanted to go back to having a normal life. He believes that the prison officials took him to the gallows to provoke him into making an angry statement in support of his PMOI companions that they could then use to condemn him to death.

[276] Amnesty International interviewed Asqar Mehdizadeh in person in November 2017.

"I BUMPED INTO THE TWITCHING BODIES OF THE DYING PRISONERS"

Javad Abdollahi © Private

Javad Abdollahi survived the mass killings of July-September 1988 in Vakilabad prison in Mashhad. In 1988, he was serving a lengthy prison term imposed in connection with his support for the PMOI.[277]

He recalled that in late July he was taken, along with dozens of other PMOI supporters, to a detention centre in Mashhad run by the Revolutionary Guards and known as Kouh Sangi. The prisoners were divided into several rooms, with about 60 in each room. In the following days, he said, the prisoners held in other rooms were all taken away. He said that for some time they had no information about the fate of those taken away until three men, Mohsen Hanayee, Javad Tousi and Akbar Delsouzi, were returned to the room he was in. The men recounted that they had been taken by the guards to a parking area and confronted with a harrowing scene of many dead bodies hung from the roof. Several days later, Javad Abdollahi said that he and all the other prisoners in his room were called and taken, while blindfolded, before the "death commission":

"They [the officials] made us sit in a row blindfolded. Then, they called our names one by one and asked each of us a series of questions including: Are you prepared to give a media interview? Are you prepared to denounce your organization? Do you support the Islamic Republic system? Are you prepared to participate in a firing squad? We were about 60 people and it took about an hour and a half to question everyone…

"They [the officials] then took us to the same parking space that Mohsen, Javad and Akbar had previously described and this time they were also with us. There, they made each one of us go up and stand on a stepladder, blindfolded, and then they put the noose around our neck. After that, while the noose was around our neck, an intelligence official approached each of us, noted that these were the last minutes of our life and asked again if we were prepared to 'repent', give a media interview, denounce the PMOI and accept the Islamic Republic system… I was one of the last people in the row who he approached. I answered no to all his questions. He asked me why. I said that I did not want to lie to them and explained that I had suffered a lot in my earlier years of imprisonment in Tabriz and that I had been severely tortured and even lost one of my kidneys. At this point, the official removed the noose and ordered me to come down off the stepladder while swearing at me. I don't know why he did that exactly…

"After he brought me down, I heard him telling the driver of a minibus that was parked near the stepladders to move forward. All the stepladders had been tied by a rope to the minibus. The vehicle moved, and the prisoners were all dangled from the roof. Then, cruelly, the official made me walk, while blindfolded, around the area where the bodies were dangling. As he walked me, I bumped into the twitching bodies of the dying prisoners. The intelligence official told me, 'Don't think that I had mercy on you. I know that watching this scene is harsher than execution.'"

Javad Abdollahi continued, saying that, after this harrowing experience, he was transferred to solitary confinement. He was held there for about 20 days and then was returned to Vakilabad prison. He said that he knew of a few other PMOI prisoners in Vakilabad prison who were treated the same way. He told Amnesty International that to this day he remains haunted by his memories: "After 30 years, most of my dreams are still about executions. I am either being executed or there is this gruelling wait where my execution looms in the future."

[277] Amnesty International interviewed Javad Abdollahi by voice call in October 2018.

7.2 A PRE-PLANNED MASSACRE?

Former prisoners from Evin and Gohardhasht prisons refer to a pattern of threats, interrogations, classification procedures and transfers of prisoners between Evin, Gohardasht and other prisons in the months leading up to July 1988, well before the PMOI's armed incursion on 25 July. In hindsight, many are certain this was a prelude to the mass prisoners killings.[278]

Amnesty International's research has revealed a similar pattern in various provincial prisons. Survivors from these prisons told the organization that, between late 1987 and mid-July 1988, prisoners faced unexpected interrogations, either orally or through extensive written questionnaires, which focused on their political opinions and continued commitment to opposition groups. Survivors also reported that, during the same period, prison officials and interrogators threatened that, at some point, they would be "dealt with" and that the prisons would be "cleansed".

Another pattern that some survivors believe indicates the pre-planned nature of the mass prisoner killings is a massive wave of arrest of hundreds of prisoners, who had been released several years earlier, during the weeks leading up to July 1988 and shortly after the PMOI's armed incursion on 25 July 1988.[279]

Amnesty International's research also points to a nationwide pattern of transferring prisoners unexpectedly and without explanation from their home city to elsewhere, sometimes far from their provinces, in the months preceding July 1988.[280] Many former prisoners believe these transfers were part of a classification exercise aimed at identifying prisoners who were "steadfast" in their political beliefs and marking them for continued imprisonment and possible elimination.

The prisoners also said that the transfers enabled the authorities to restrict the flow of information during the mass killings in small towns and cities where there was a greater likelihood of families knowing judicial officials and prison guards through local networks and extended families.

RASHT

Shayesteh Vatandoost © Justice for Iran

Shayesteh Vatandoost survived the mass killings in Nirouyeh Daryaee prison in Rasht, Gilan province.[281] She recalls that in late 1987 and early 1988, a renewed round of interrogations started unexpectedly; prisoners were summoned one by one without knowing why and asked to complete a lengthy interrogation form.

She was called for this interrogation on 6 February 1988. She said that her memory of the questions has faded, but remembered that they included: Why were you arrested? What

[278] See, for example, the following memoirs by Nima Parvaresh, An *Unequal Battle: a report of 7 years imprisonment 1982-1989* (Andisheh and Peykar Publication, 1995), pp. 99-106, www.iran-archive.com/sites/default/files/sanad/nima-parvaresh-nabardi-nabarabar.pdf; Iraj Mesdaghi, *Neither Life nor Death, Volume 3: Restless Raspberries* (Alfabet Maxima Publishing, 2006), second edition, pp. 65-100, www.ketabfarsi.org/ketabkhaneh/ketabkhani_4/ketab4893/ketab489300001.pdf; and Reza Ghaffari, *Memoirs of a Prisoner in the Prisons of the Islamic Republic of Iran* (Mehr Publication, 1998), pp. 233-239, www.iran-archive.com/sites/default/files/sanad/ghaffari-xaterate-zendan.pdf. See also the statements made by survivors Manuchehr Es'haqi and Mehdi Aslani in Abdorrahman Boroumand Center, *The Massacre of Political Prisoners in Iran, 1988, report of an inquiry*, 18 April 2011, p. 34, www.iranrights.org/library/document/1380/the-massacre-of-political-prisoners-in-iran-1988-report-of-an-inquiry; and the statements made by survivors Mehdi Aslani and Amir Atiabi in Iran Human Rights Documentation Centre, *Deadly Fatwa: Iran's 1988 Prison Massacre*, 2009, pp. 10-14, www.iranhrdc.org/english/publications/reports/3158-deadly-fatwa-iran-s-1988-prison-massacre.html

[279] Special Representative of the Commission on Human Rights, *Report on the human rights situation in the Islamic Republic of Iran*, 26 January 1989, UN Doc. E/CN.4/1989/26, para. 17, www.un.org/en/ga/search/view_doc.asp?symbol=E/CN.4/1989/26; Amnesty International, *Iran: Political executions* (Index: MDE 13/29/88); Amnesty International, *Iran: Executions of prisoners continue unabated* (Index: MDE 13/018/92), p. 4. See also statements by Azad Zamani in the case box on Sanandaj and Mohammad Hoshi in the case box on Esfahan both in annex 1.

[280] In the interviews conducted by Amnesty International, transfers of prisoners between the following locations were mentioned: Boroujerd to Khoram Abad, both in Lorestan province; Astara, Fouman, Anzali, Roudbar and Langaroud to Rasht, all in Gilan province; Ilam and Kermanshah to Tehran or Karaj; Babol and Sari to Ghaemshahr and vice versa, all in Mazandaran province; Urumieh in East Azerbaijan province to Tabriz in West Azerbaijan province; and Zahedan in Sistan and Baluchestan province to Ahvaz in Khuzestan province and Mashhad in Razavi Khorasan province.

[281] Amnesty International obtained the testimony of Shayesteh Vatandoost from Justice for Iran, which conducted the interview with her in person.

was your crime? Do you accept the Islamic Republic system? What is your view of the Islamic Republic system? She also remembered that, after she completed the form, the interrogator threatened that she would regret her answers. Shayesteh Vatandoost recalls that several months later, between 9 and 17 July 1988, prisoners, both men and women, were lined up, brought one by one while blindfolded before two or three officials sitting behind a desk, and asked two questions: What is your name and what is your crime? Shayesteh Vatandoost says that as far as she knows, most prisoners affiliated with leftist groups responded to the second question by saying they were a leftist and most of the PMOI prisoners said they sympathized with the "organization". If the official insisted on asking them to clarify which organization, most responded using the pejorative term "*monafeqin*" to avoid reprisal and only a few said they were "Mojahedin". Following these interrogations, prisoners were returned to their wards. She said nothing further happened until 27 July 1988, when the prison was put on lockdown and prisoners were removed never to be seen again.

SEMNAN

Asadollah Nabavi © Amnesty International

Asadollah Nabavi survived the mass prisoner killings of 1988 in Semnan. [282] He said that in late 1987 all the 50 or so PMOI prisoners in their ward including himself were taken to solitary confinement and given half a day to complete an interrogation form with about 100 questions. He said they were told that they must complete the form or would be held in solitary confinement.

Asadollah Nabavi recalled that the form started with questions about the prisoner's family background, including details of any relative who had been imprisoned or executed. They were then asked about the reason for their arrest, whether they thought their sentence was fair, if they accepted the Islamic Republic and its Supreme Leader, and what they planned to do if released. He said they were also asked if they would co-operate with intelligence bodies, fight on the front lines of the war with Iraq, inform on PMOI contacts or continue political activism. Asadollah Nabavi said:

"The questions were designed in a way that, however you answered them, you would fall into a trap... In short, they wanted to know where you stood in terms of your opinions and beliefs. I felt that… a full inquisition had been made into my conscience."

TABRIZ AND URUMIEH

Abdolrasoul Ebrahimian © Amnesty International

Abdolrasoul Ebrahimian survived the mass prisoner killings of 1988 in the main prison of Tabriz, East Azerbaijan province.[283] He had been transferred there from the central prison of Urumieh in West Azerbaijan province in March 1988 along with around 40 other PMOI prisoners, after a prolonged hunger strike.

Abdolrasoul Ebrahimian said that, in Urumieh prison from early 1987, the authorities intensified their surveillance to identify prisoners who were "steadfast" in their political beliefs and placed them in an isolated ward where they were under constant surveillance and denied regular family visits and access to newspapers and television. These prisoners, about 60 in total, included both PMOI supporters and people affiliated with Kurdish opposition groups. He said that, when he complained about these repressive conditions, he

[282] Amnesty International interviewed Asadollah Nabavi in person in October 2017.
[283] Amnesty International interviewed Abdolrasoul Ebrahimian in person in November 2017.

was told by a senior prison official, "They should have executed all of you from the beginning. We have burdened ourselves with extra mouths to feed."

Abdolrasoul Ebrahimian recalled that a month after his transfer to the prison in Tabriz, all the PMOI prisoners in his ward were brought before two intelligence officials and interrogated about their current political stance and the PMOI. In his session, he said that he no longer had anything to do with the PMOI or politics in general; he just wanted to live an ordinary life. He said he was blindfolded during the interrogation but realized that one of the two officials was taking notes. After these interrogations, he said, nothing changed until the prison was put on lockdown in late July 1988 and prisoners were removed never to be seen again.

ESFAHAN

Mohammad Hoshi © Justice for Iran

Mohammad Hoshi survived the mass prisoner killings in Dastgerd prison in Esfahan. [284] In this prison, he said, the classification procedures started in 1986. He said a team from the ministry of intelligence in Tehran conducted a series of interrogations of all the prisoners, including through forcing prisoners to complete a lengthy interrogation form, which contained questions about their own political views as well as those of their families, any trips abroad, their plans for the future, and their willingness to fight on the front line and do intelligence work inside prison.

Mohammad Hoshi said that, later in 1986, the same team returned with a new series of questionnaires. This time, the questions focused more on the personal life of the prisoners, such as their marriage status and their participation in the prison's cultural activities.

Mohammad Hoshi said that, throughout 1986 and 1987, the authorities relied on these interrogations to divide up prisoners into different wards. Prisoners who were deemed most "steadfast" in their opposition to the system were grouped together. He believes that by 1988, the authorities had completed the categorization in preparation for the mass killings.

In 2009, the Iran Human Rights Documentation Centre, a human rights organization, published a report that analysed the pattern of interrogations and classification procedures and concluded that "there is ample evidence that the regime planned and prepared for the massacre well before [July 1988]." [285] The report noted that "the late-1987 interrogations differed from those of the past. Suddenly emphasis was placed on prisoners' personal beliefs and political positions, including their views on the Supreme Leader and political organizations." [286]

By contrast, international criminal law expert Geoffrey Robertson stated in a 2011 report commissioned by the Abdorrahman Boroumand Center that:

"There remains doubt… as to whether, prior to July 1988, the officials of the regime were determined to kill men and women they had corralled in their prisons for up to seven years since 1981." [287]

He noted:

[284] Amnesty International obtained the testimony of Mohammad Hoshi from Justice for Iran, which conducted the interview with him in person. Amnesty International conducted two follow-up interviews by voice call in October and November 2018.
[285] Iran Human Rights Documentation Centre, *Deadly Fatwa: Iran's 1988 Prison Massacre*, 2009, p. 10, www.iranhrdc.org/english/publications/reports/3158-deadly-fatwa-iran-s-1988-prison-massacre.html
[286] Iran Human Rights Documentation Centre, *Deadly Fatwa: Iran's 1988 Prison Massacre*, 2009, p. 12.
[287] Abdorrahman Boroumand Center, *The Massacre of Political Prisoners in Iran, 1988, report of an inquiry*, 18 April 2011, pp. 34-35, www.iranrights.org/library/document/1380/the-massacre-of-political-prisoners-in-iran-1988-report-of-an-inquiry

"No direct evidence has emerged after twenty years, from prison officers or from the factions within the government (including Montazeri himself) to suggest that these developments were part of any long-brewing conspiracy to massacre prisoners, although there are indications that… the ministry of intelligence surveillance and classification of prisoners was undoubtedly an ongoing classification exercise related to their eventual disposal, whether by release or continued incarceration or by some form of "final solution."[288]

However, in the intervening years, a contemporaneous piece of evidence has surfaced to support the survivors' belief that the mass prisoner killings of 1988 had been planned long before the PMOI's armed incursion. In August 2016, Hossein Ali Montazeri's son, Ahmad Montazeri, released an audio recording of a high-level official meeting on 15 August 1988 in which members of the "death commission" in Tehran can be heard addressing each other by name and discussing and defending their actions in connection with the mass killings in Evin and Gohardasht prisons.

Hossein Ali Montazeri can be heard telling members of the "death commission" in Tehran that the ministry of intelligence was using the PMOI's armed incursion as a pretext to carry out mass killings that had been long under consideration. He says:

"In my view, this is something that the ministry of intelligence had in mind and invested in and Mr Ahmad [Khomeini], the son of Mr [Rouhollah] Khomeini, was persistently saying from three or four years ago that Mojahedin [PMOI members and supporters] must all be executed, including those of them who read [PMOI] newspapers, magazines and pamphlets. This is the thought that they had, and now, they are taking advantage of the opportunity presented by the events related to the attack of the *monafeqin* on us."[289]

This statement is the only evidence that has emerged to date from an official source to support the theory that the mass prisoner killings of 1988 were pre-planned.

7.3 LEAKED OFFICIAL RECORDS

7.3.1 MONTAZERI'S LETTERS

The Iranian authorities have sought to keep secret official documents and records related to the preparation, planning and co-ordinated implementation of the killings, as well as the lines of authority and responsibility for ordering them and transmitting the order down the chain of command to those who executed it. In at least one case, the case of Ahmad Montazeri, Hossein Ali Montazeri's son, the authorities prosecuted and sentenced him imprisonment for disclosure of an audio file which they specifically mentioned was considered as secret and classified information by the ministry of intelligence.[290]

Three times in the past three decades, the wall of secrecy has been cracked.

The first time was on 25 March 1989 when the Persian service of BBC Radio broadcast three leaked letters written by then Deputy Supreme Leader, Hossein Ali Montazeri, who criticized the mass executions of PMOI prisoners as "malicious" and "vengeful".[291] The first two letters, dated 31 July and 4 August 1988, were addressed to Rouhollah Khomeini and the third letter, dated 15 August 1988, was addressed to Shari'a judge Hossein Ali Nayyeri, the prosecutor general of Tehran, Morteza Eshraghi, the prosecutor general of Tehran, Ebrahim Raisi, the deputy prosecutor general of Tehran, and a representative of the ministry of intelligence, Mostafa Pour Mohammadi.

The first letter revealed that Rouhollah Khomeini had ordered the execution of individuals who were imprisoned in connection with their support for the PMOI and mandated a three-member panel composed of a Shari'a judge, the prosecutor general and a representative from the ministry of intelligence to carry out the

[288] Abdorrahman Boroumand Center, *The Massacre of Political Prisoners in Iran, 1988, report of an inquiry*, 18 April 2011, pp. 30.
[289] The audio file is available, in Persian, on Radio Zamaneh, "Audio file of Ayatollah Montazeri's meeting with the officials responsible for the executions of the summer of 1988", 9 August 2016, 2:56, soundcloud.com/radiozamaneh/yakydru8jded
[290] The full text of the verdict is available on the Telegram channel of Ayatollah Montazeri, www.t.me/Ayatollah_Montazeri/539
[291] Copies of the letters were first obtained by former president Abolhassan Bani-Sadr, who fled Iran in 1981. In addition to sending them to the BBC, he published them in issues No. 198 and 199 of his magazine *Enqelabe Eslami* in March and April 1989. See Mehran Mostafavi, "The publication of Ayatollah Montazeri's letters from 1988 and inhumane reactions", *Enghelabe Eslami*, 25 September 2013, www.enghelabe-eslami.com/component/content/article/19-didgagha/maghalat/4269-2013-09-25-19-34-18.html
See also *Euronews*, "Ahmad Montazeri's interview with Euronews: Bani-Sadr should introduce the author of the March 1989 letter", 19 October 2018, www.fa.euronews.com/2018/10/19/exclusive-itw-euronews-montazeri-1988-executions-of-iranian-political-prisoners

order. The letter raised concern that the order would lead to the execution of thousands of men and women who had already been sentenced to prison terms and had engaged in no new activity in prison. Hossein Ali Montazeri urged Rouhollah Khomeini to bring the executions to a halt or at least order that women, particularly mothers, were exempted and that the panel would decide by consensus rather than a majority vote.[292]

The second letter recounted that a Shari'a judge of one of the provinces[293] had come to Qom to meet with Hossein Ali Montazeri and express concern about the way Rouhollah Khomeini's order was being implemented.[294] Hossein Ali Montazeri quoted the judge saying:

"In order to determine whether or not a prisoner was steadfast in their position, the ministry of intelligence representative or the prosecutor general – the doubt is mine – asked him, 'Are you prepared to denounce the organization of *monafeqin*?' [The prisoner] replied, 'Yes'. [The official] asked, 'Are you prepared to do an interview?' [The prisoner] replied, 'Yes'. [The official] asked, 'Are you prepared to go to fight on the front lines of the war with Iraq?' [The prisoner] replied, 'Yes'. [The official] asked, 'Are you prepared to walk through a minefield?' [The prisoner] replied, 'Are all people prepared to walk through a minefield! Moreover, one should not expect this much from a new Muslim like me.' [The official] said, 'This makes it clear that you are still steadfast in your position'…"

Hossein Ali Montazeri continued, saying that the judge told him that he objected to the decision to condemn that prisoner to execution, but the other members of the panel ruled otherwise. He ended his letter by reminding Rouhollah Khomeini that his order affected the lives of thousands.

The third letter, addressed to Tehran's "death commission", consisted of 10 points that Hossein Ali Montazeri said he had raised, both in writing and in person, with officials who were responsible for implementing Rouhollah Khomeini's order in Tehran in order to urge them to stop.[295] The letter called the executions "mass murder" and protested that they were carried out "without trial" and were motivated by revenge:

"We are upset by the crimes of *monafeqin* in the west [of the country] and we are taking this out on captives and former prisoners. However, executing them when they have not engaged in any new activity means undermining all our judges and past judgements. On what basis do you execute someone whom you have already sentenced to a punishment lesser than the death penalty?"

The letter also protested that the authorities were finding prisoners guilty of "enmity against God" (*moharebeh*) and "taking up arms against the state" (*baqi*) simply based on their opinions and the presumption that, if released, they would join the PMOI. It wrote:

"Opinion by itself does not make an individual fall within the definition of *moharebeh* or *baqi*… Such mass murder, without trial, of prisoners and captives… is certainly in their [PMOI's] long-term interest and the world will condemn us… Fighting a thought or opinion by killing is wrong."

The publication of these three leaked letters in the media sent shock waves across Iran and globally, and exposed the Iranian authorities, who had worked hard to keep the nature and scale of the mass killings secret. A day after they were published, Rouhollah Khomeini wrote a harsh letter to Hossein Ali Montazeri, dismissing him as his successor and rebuking him for criticizing the executions. Rouhollah Khomeini wrote:

"*Monafeqin* used what you wrote and said to portray a limited number of [cases] concerning those sentenced to death for waging armed war against Islam and revolution as thousands [of cases] and you see what a great contribution you have made to Imperialism [Estekbar]… From now on, do not write to me and do not allow *monafeqin* to pass on every state secret that there is to foreign radios."[296]

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[292] The full text of the letter is published in Hossein Ali Montazeri, *Memoirs*, pp. 353-354. It is also available on the website of Hossein Ali Montazeri at www.amontazeri.com/book/khaterat/volume-1/629

[293] The letter did not mention the name of the judge but, in his memoirs, Hossein Ali Montazeri has written that the judge was a Shari'a judge from Khuzestan province named Mohammad Hossein Ahmadi. See Hossein Ali Montazeri, *Memoirs*, pp. 354. The same content is available on the website of Hossein Ali Montazeri at www.amontazeri.com/book/khaterat/volume-1/632

[294] The full text of the letter is published in Hossein Ali Montazeri, *Memoirs*, pp. 354-355. It is also available on the website of Hossein Ali Montazeri at www.amontazeri.com/book/khaterat/volume-1/633

[295] The full text of the letter is published in Hossein Ali Montazeri, *Memoirs*, pp. 355-356. It is also available on the website of Hossein Ali Montazeri at www.amontazeri.com/book/khaterat/volume-1/635

[296] The full of text of the letter is available at *Fars News Agency*, "Imam's letter dismissing Mr Montazeri", 26 March 2017, www.bit.ly/2RIPcpf

7.3.2 THE FATWA

A decade later in 2000, Hossein Ali Montazeri published his memoirs and revealed therein a copy of the secret fatwa (religious order) that Rouhollah Khomeini had issued in late July 1988[297] ordering the execution of all prisoners who remained "steadfast" in their support for the PMOI.[298]

The revelation of Rouhollah Khomeini's fatwa confirmed the testimonies of survivors about the composition of the committees (the "death commissions") and that they had been instructed to be ruthless in their approach. The fatwa ordered that in each province, a three-man committee be established, comprising a Shari'a judge, the prosecutor general or their assistant prosecutor[299], and a representative from the ministry of intelligence.[300] It specifically ordered that the committee for Tehran should include Hossein Ali Nayyeri as the designated Shari'a judge and Morteza Eshraghi as the prosecutor general. On occasions, it is reported that his deputy prosecutor Ebrahim Raisi replaced him on the "death commission".[301]

For the representative of the ministry of intelligence, the fatwa did not identify any individual by name. However, Hossein Ali Montazeri's letter to the members of the Tehran "death commission", which was first leaked in 1989 and then published in his memoirs in 2002, shows that Mostafa Pour Mohammadi represented the ministry of intelligence on the committee in Tehran.[302] He became Iran's minister of justice during President Rouhani's first term between 2013 and 2017, and since 2017 has been an advisor to the head of the judiciary. He was also recorded, in Hossein Ali Montazeri's audio file, participating in a conversation regarding the operation of the Tehran "death commission" (see below).

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[297] The fatwa is undated, but the sequence of events described in Montazeri's memoirs including his statement that the fatwa was issued on a Thursday indicates that it was issued on 28 July 1988. See Hossein Ali Montazeri, *Memoirs*, p. 351. The same information is available on the website of Hossein Ali Montazeri at www.amontazeri.com/book/khaterat/volume-1/623

[298] Hossein Ali Montazeri, *Memoirs*, pp. 351-352. The same information is available the website of Hossein Ali Montazeri at www.amontazeri.com/book/khaterat/volume-1/624

[299] While the fatwa refers to assistant prosecutors, in Tehran, the official accompanying the prosecutor general was deputy prosecutor general.

[300] Hossein Ali Montazeri, *Memoirs*, pp. 351.

[301] Abdorrahman Boroumand Center, *The Massacre of Political Prisoners in Iran, 1988, report of an inquiry conducted by Geoffrey Robertson QC*, 18 April 2011, p. 42 www.iranrights.org/library/document/1380/the-massacre-of-political-prisoners-in-iran-1988-report-of-an-inquiry

[302] The full text of the letter is published in Hossein Ali Montazeri, *Memoirs*, pp. 355-356. It is also available on the website of Hossein Ali Montazeri at www.amontazeri.com/book/khaterat/volume-1/635

A scanned copy of Rouhollah Khomeini's July 1988 fatwa decreeing the execution of all prisoners who remained "steadfast" in their support for the PMOI
© Hossein Ali Montazeri

"In the name of God, the Compassionate, the Merciful. Since the treacherous *monafeqin* do not believe in Islam and whatever they say stems from their deception and hypocrisy, and since, as per the admissions of their leaders, they have deserted Islam, and since they wage war on God and are engaging in classical warfare on the western, northern, and southern fronts with the collaboration of the Baathist Party of Iraq, and also they are spying for Saddam [Hossein, Iraq's former president] against our Muslim nation, and since they are tied to the World Arrogance [US and Western powers] and have inflicted foul blows on the Islamic Republic since its inception, it follows that those who remain steadfast in their position of *nefaq* in prisons throughout the country are considered to be *mohareb* [waging war on God] and are condemned to execution. In Tehran, this determination shall be made based on a majority opinion by gentlemen, Hojjatoleslam [honorific used for certain clerics] Nayyeri, Mr Eshraghi and a representative of the ministry of intelligence, even though a unanimous decision is more cautious. In the prisons of provincial capitals in the country, the views of a majority of [a trio consisting of] the Shari'a judge, the revolutionary prosecutor general or assistant prosecutor, and the ministry of intelligence representative must be obeyed. It is naive to show mercy to *moharebs*. The decisiveness of Islam before the enemies of God is among the unquestionable tenets of the Islamic system. I hope that you satisfy Almighty God with your revolutionary rage and rancour against the enemies of Islam. The gentlemen who are responsible for making the decisions must not hesitate, nor show any doubt or concerns and they must endeavour to be the 'harshest on non-believers'. To hesitate in the judicial process of revolutionary Islam is to ignore the pure and holy blood of the martyrs."[303]

In his memoirs, Hossein Ali Montazeri also published a copy of a letter that was written by Rouhollah Khomeini's son, Ahmad Khomeini, to his father and conveyed the questions that the head of Iran's Supreme Court and a member of Iran's Supreme Judicial Council, Abdulkarim Mousavi Ardebili, had raised with him in a phone call about the fatwa. The questions sought clarification from Rouhollah Khomeini as to whether the execution order applied only to prisoners who had been previously tried and sentenced to death and had not changed their positions while on death row, or whether it also included those who had not yet been tried as well as those who had been sentenced to imprisonment, had served their sentence and still remained "steadfast" in their support for the PMOI.[304] The questions also asked whether provincial authorities had to refer the cases of prisoners to the judicial organ in the capital of the province or could act independently.

At the bottom of the letter, a handwritten note provided Rouhollah Khomeini's unequivocal response to the questions:

[303] The scanned copy of the original handwritten fatwa, which was first published in Hossein Ali Montazeri's memoirs, is available at www.archive.is/7s8C
[304] The full text of the note is published in Hossein Ali Montazeri, *Memoirs*, p. 352. It is also available on the website of Hossein Ali Montazeri at www.amontazeri.com/book/khaterat/volume-1/625. The scanned copy of the handwritten note, which was first published in Montazeri's memoirs, is available at www.archive.is/9sCk

"In all the above cases, if anyone at any stage maintains his position on *nefaq* [a pejorative reference to the PMOI], the sentence is execution; annihilate the enemies of Islam immediately; regarding the [process] of dealing with cases, [adopt] whichever way that ensures the order is implemented more quickly."[305]

A copy of the written exchange between Rouhollah Khomeini and his son, Ahmad Khomeini, concerning the questions raised by the head of Iran's Supreme Court, Abdulkarim Mousavi Ardebili, about the scope of Rouhollah Khomeini's execution order. © Hossein Ali Montazeri

Rouhollah Ayatollah Khomeini © Shahed.Isaar

"Annihilate the enemies of Islam immediately."[306]

Rouhollah Khomeini

The fatwa uses the word "*nefaq*", which indicates that it was specifically targeted at prisoners affiliated with the PMOI. However, as mentioned above (section 7.2), the mass prisoner killings of 1988 in Evin and Gohardasht prisons consisted of two waves, with the second one systematically targeting members and supporters of leftist political groups. In other prisons across the country, many leftist prisoners were taken away for interrogation. Some were placed in prolonged solitary confinement, lasting in some cases until early 1989, and were led to believe that they too would be killed.[307] However, they were not systematically targeted for executions.

In his memoirs, Hossein Ali Montazeri states that, sometime after the first fatwa, Rouhollah Khomeini issued a second order that allowed for the execution of "non-religious and communist" prisoners.[308] He writes that Iran's then president and current Supreme Leader, Sayed Ali Khamenei, subsequently came to him with a copy of this second order and expressed concern that leftist prisoners were being rushed to execution. Hossein Ali Montazeri says that he asked Sayed Ali Khamenei why he had not reacted sooner when the first order had been issued and Sayed Ali Khamenei acted surprised at hearing that there was another order. Hossein Ali Montazeri adds, "I do not know if he really did not know or said so in front of me."[309]

To date, a copy of the second order has not surfaced.

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[305] The full text of the note is published in Hossein Ali Montazeri, *Memoirs*, p. 352. It is also available on the website of Hossein Ali Montazeri at www.amontazeri.com/book/khaterat/volume-1/625. The scanned copy of the handwritten note, which was first published in Montazeri's memoirs, is available at www.archive.is/9sCk

[306] Hossein Ali Montazeri, *Memoirs*, p. 352.

[307] See for example statements made by Rasoul Showkati in the case box on Mashhad and Mohammad Hoshi in the case box on Esfahan, and the anonymous survivor in the case box in Zanjan, all in annex 1.

[308] Hossein Ali Montazeri, *Memoirs*, p. 357. The same information is available on the website of Hossein Ali Montazeri at www.amontazeri.com/book/khaterat/volume-1/639

[309] Hossein Ali Montazeri, *Memoirs*, p. 357.

The Iranian authorities continue to invoke the armed incursion of the PMOI whenever they are questioned about the mass prisoner killings of 1988. They generally exclude from their public statements the fact that several hundred prisoners held for association with leftist political groups were also executed.

However, on 15 December 2012, *Baztab*, a state-affiliated media outlet founded by senior Revolutionary Guards official Mohsen Rezaee, published an article that quoted an "informed source" confirming that, after the first order concerning "members of the PMOI", Rouhollah Khomeini issued a second "similar order about members of leftist and Marxist organizations".[310] This confirms Hossein Ali Montazeri's suggestion that the execution of leftist prisoners in Tehran were carried out pursuant to a second order.

Another indication that the authorities had turned their attention to leftist prisoners came in late August. On 31 August, state media reported that in its recent session, Iran's Supreme Judicial Council, presided over by Abdulkarim Mousavi Ardebili, had called on all revolutionary courts and prosecutor offices to "take decisive measure against *mohareb* (those waging war against God) and *molhed* (heretic) mini-groups" and "endeavour to be the harshest on non-believers".[311] The order's use of the word "*molhed*", which means atheist and heretic, suggests that it was specifically aimed at prisoners affiliated with leftist and Marxist groups. What remains unanswered is why leftist prisoners in other prisons across the country were not systematically targeted for executions and whether this related to the content of the second order that according to Hossein Ali Montazeri was issued by Rouhollah Khomeini.

Information received by Amnesty International indicates that in several prisons across the country, prisoners who had survived the mass killings of late July- early September were subjected to a renewed round of interrogations around late September.[312] This may have been related to a proposal pushed by some in the establishment to continue the mass executions and eliminate all remaining political dissidents who had survived the mass killings. In his memoirs, Speaker of Parliament Ali Akbar Hashemi Rafsanjani, states that, on 27 September 1988, the Expediency Council held a session to discuss the punishment of "anti-revolutionaries".[313] He writes that the Supreme Leader had delegated the authority of decision-making on this issue to the council and the body decided that the authorities had to revert to the practice that was common before the "recent incidents". The phrase "recent incidents" in this context is believed to be a reference to the mass executions that had been carried out. Ali Akbar Hashemi Rafsanjani adds that the ministry of intelligence supported the decision but "the judges in Evin prison held a harsher view."[314] It appears that the following the Expediency Council meeting, the pace of secret execution of dissidents slowed down and by early October prison visitations resumed in many prisons across the country.

7.3.3 RECORDS OF MEETINGS

Hossein Ali Montazeri has also summarized in his memoirs the meetings that he had with several authorities in late July and August 1988 about the mass prisoner killings. These records corroborate the testimonies of survivors regarding the cruel, arbitrary and summary nature of "death commission" proceedings that led to the execution of prisoners.

The most famous meeting is one he held with members of the Tehran "death commission" who dealt with prisoners held in Evin and Gohardasht prisons.[315] In his memoirs, Hossein Ali Montazeri identifies the men as Shari'a judge Hossein Ali Nayyeri; the prosecutor general of Tehran, Morteza Eshraghi; the deputy prosecutor general of Tehran, Ebrahim Raisi; and the representative of the ministry of intelligence, Mostafa Pour Mohammadi. Hossein Ali Montazeri writes that he summoned the men and urged them to halt the executions to at least show their respect for the religious month of Moharram. The Iranian authorities generally refrain from carrying out executions during this month. Hossein Ali Nayyeri is recorded replying

[310] The original article, which was entitled "How did Ayatollah Khamenei prevent the execution of thousands of Marxists and Toudeh [members]?", is no longer available on the website of Baztab. However, the key claims of the article are quoted in Iraj Mesdaghi, "Was Khamenei against the execution of Marxists?", *Pezhvake Iran*, 17 December 2012, www.pezhvakeiran.com/maghaleh-47929.html; Hossein Mohammadi, "The execution order of three thousand people had been issued", *Rooz Online*, 15 December 2012, www.roozonline.com/persian/news/newsitem/article/-afd900d219.html; Shadi Amin, "Khamenei and the summer of 1988", *Shahrvand*, 27 December 2012, www.shahrvand.com/archives/34946; *Iran Tribunal*, "The mass killings of political prisoners in the 1980s; from denial to justification", 4 September 2016, www.irantribunal.com/index.php/news/2012-12-29-18-55-53/490-kustar-zendanian-enkar-tujih

[311] *Ettelaat*, "On the order of the Supreme Judicial Council courts will show more decisiveness in dealing with *mohareb* mini-groups and drug traffickers", 1 September 1988, p. 14.

[312] Iraj Mesdaghi, *Dance of the Phoenixes and Song of the Ash (Raqs-e Qoqnus-ha Va Avaz Khakestar)*, p. 79-80.

[313] *Ayatollah Hashemi Rafsanjani Documents Centre,* "Daily diaries of Ayatollah Hashemi Rafsanjani from the year 1988 – the end of defence, the beginning of reconstruction", 27 September 1988, www.bit.ly/2zH44gw

[314] *Ayatollah Hashemi Rafsanjani Documents Centre,* "Daily diaries of Ayatollah Hashemi Rafsanjani from the year 1988 – the end of defence, the beginning of reconstruction", 27 September 1988, www.bit.ly/2zH44gw

[315] The audio file is available on the Soundcloud page of Radio Zamaneh: soundcloud.com/radiozamaneh/yakydru8jded (in Persian). The transcript is available at:www.hamneshinbahar.net/article.php?text_id=418

that they had already executed 750 prisoners in Tehran and had only 200 to go: "Once we finish off this lot then [we follow] whatever you order." Hossein Ali Montazeri writes that he was deeply dismayed by this answer and read the four officials the ten points which he also later shared with them through the written note dated 15 August 1988 (see section 7.3.1 above).

Other meetings that Hossein Ali Montazeri recounts in his memoirs include those with an unnamed judicial official from Qom; with the Shari'a judge in Khuzestan province, Mohammad Hossein Ahmadi; with the prosecutor general of Fars province; and with one of his prison representatives.

Hossein Ali Montazeri writes that the judicial official from Qom came to him and complained about the ministry of intelligence representative in Qom. According to Hossein Ali Montazeri, the judicial official said:

"The Minister of Intelligence representative says, 'Let's kill these [prisoners] quickly and get rid of them.' I tell him, 'Let's examine the cases of these [prisoners] and review their sentences.' He says, 'The Imam has already issued the sentence of these [prisoners]; all we have to do is to determine the issue [of whether they are steadfast in their position].' They [the authorities] ask some individuals [prisoners], 'Are you steadfast in your position?' The [prisoner], who does not know what is happening, responds, 'Yes'. They then quickly take him/her away and execute him/her."[316]

Hossein Ali Montazeri writes that the Shari'a judge from Khuzestan province, Mohammad Hossein Ahmadi, similarly came to him between 31 July and 4 August 1988 and expressed concern about the way Rouhollah Khomeini's order was being implemented. According to Hossein Ali Montazeri, the judge said:"They are carrying out executions with great speed… They are upset by the operation of *monafeqin* and they are venting their rage on the prisoners."[317]

In his letter to Rouhollah Khomeini, Hossein Ali Montazeri writes that Mohammad Hossein Ahmadi also reported that a prisoner had been condemned to death in Khuzestan based on his refusal to walk through a minefield (see section 7.3.1 above).

Hossein Ali Montazeri recorded a meeting with the prosecutor general of Fars province, who told him about the execution of a young woman who had urged her parents, in her last letter of wishes, to read the Qur'an and keep believing in the revolution. Hossein Ali Montazeri quotes the prosecutor general saying, "I opposed her execution, but she was executed based on the opinion of the majority."[318]

Hossein Ali Montazeri also writes in his memoirs that one of his prison representatives reported to him the cases of five or six men who had said they opposed the PMOI, but they were executed because they were not prepared to state this on television. The authorities had said this meant they must still be "steadfast in their position".[319]

7.3.4 THE AUDIO RECORDING

> **"The greatest atrocity in the Islamic Republic, for which history will condemn us, has been committed at your hands, and in future your names will go down in history as criminals."**
>
> Deputy Supreme Leader Hossein Ali Montazeri, speaking to members of the "death commission" in Tehran in a secret, high-level meeting in August 1988, which was recorded and later leaked[320]

The wall of secrecy sustained further cracks in August 2016 when Hossein Ali Montazeri's son, Ahmad Montazeri, released an audio recording of the high-level meeting that Hossein Ali Montazeri held with

[316] Hossein Ali Montazeri, *Memoirs*, pp. 352-353. The same information is available on the website of Hossein Ali Montazeri at www.amontazeri.com/book/khaterat/volume-1/628
[317] Hossein Ali Montazeri, *Memoirs*, p. 354. The same information is available on the website of Hossein Ali Montazeri at www.amontazeri.com/book/khaterat/volume-1/632
[318] Hossein Ali Montazeri, *Memoirs*, p. 357. The same information is available on the website of Hossein Ali Montazeri at www.amontazeri.com/book/khaterat/volume-1/638
[319] Hossein Ali Montazeri, *Memoirs*, p. 357. The same information is available on the website of Hossein Ali Montazeri at www.amontazeri.com/book/khaterat/volume-1/638
[320] The audio file is available, in Persian, on Radio Zamaneh, "Audio file of Ayatollah Montazeri's meeting with the officials responsible for the executions of the summer of 1988", 9 August 2016, soundcloud.com/radiozamaneh/yakydru8jded

members of the "death commission" in Tehran on or around 14 August 1988 to express his deep concerns about the mass prisoner killings and to call for it to stop.[321]

In the audio recording the members of the "death commission" in Tehran can be heard addressing each other by name discussing and defending their actions in connection with the mass killings in Evin and Gohardasht prisons.

The identities of the men were further recognizable because, as stated earlier, in 2000, Hossein Ali Montazeri had already provided a summary of this infamous meeting in his memoirs and noted therein the names and titles of the officials with whom he had met.[322] The first two men, Hossein Ali Nayyeri and Morteza Eshraghi, who were named in the fatwa as being entrusted with implementing the decree in Tehran, had never challenged Hossein Ali Montazeri's account. The third man, Ebrahim Raisi, had kept silent.

The fourth, Mostafa Pour Mohammadi, had denied that he was involved in the killings or had ever held "a sensitive national security-related post in the ministry of intelligence.[323] However, following the release of the audio recording in 2016, which created a wave of publicity around the mass prisoner killings of 1988, he retracted his earlier denials. In a lecture on 28 August 2016, referring to media reports about the mass prisoner killings and his involvement in them, he boasted about his role saying, "We are proud to have carried out God's commandment concerning the [PMOI]", and openly declared that he had not "lost any sleep all these years" over the killings.[324]

Mostafa Pour Mohammadi © ISNA

"We are proud to have carried out God's commandment concerning the *monafeqin* and to have stood with strength and fought against the enemies of God and the people… I am at peace and have not lost any sleep [over this] all these years because I acted in accordance with the law and Islam."

Mostafa Pour Mohammadi, member of the Tehran "death commission" and minister of justice between 2013 and 2017[325]

Ebrahim Raisi also broke his silence and publicly defended the mass killings albeit in a coded language. In a lecture on 1 May 2018, referring to media reports about his role in the 1988 prisoners mass killings, he did not dispute his presence in the meeting with Hossein Ali Montazeri but noted that "during the period [in question], I was not the head of the court… The head of the court issues sentences whereas the prosecutor represents the people". At the same time, using the word "confrontation" in apparent reference to the mass killings, he regarded them as "one of the proud achievements of the system" and praised Rouhollah Khomeini as a "national hero".[326]

[321] The audio file is available, in Persian, on Radio Zamaneh, "Audio file of Ayatollah Montazeri's meeting with the officials responsible for the executions of the summer of 1988", 9 August 2016, soundcloud.com/radiozamaneh/yakydru8jded
[322] Hossein Ali Montazeri, *Memoirs*, p. 355. The same information is available at www.amontazeri.com/book/khaterat/volume-1/635
[323] "Pour Mohammadi: My alleged involvement in the executions of the 1980s is a lie", *Entekhab.ir*, 4 May 2013, www.bit.ly/2L7v9xL
[324] BBC Persian, "Pour Mohamamdi on the executions of 1988: We are proud to have carried out God's commandment", 28 August 2016, http://www.bbc.com/persian/iran/2016/08/160828_l26_pormohammadi_iran_executions_67_mojahedin_mko; Farzin Mansouri, "Pour Mohammadi and executions; from denial to pride", BBC Persian, 29 August 2016, www.bbc.com/persian/iran/2016/08/160829_pourmohammadi_montazeri_1367_reax
[325] Farzin Mansouri, "Pour Mohammadi and executions; from denial to pride", BBC Persian, 29 August 2016, www.bbc.com/persian/iran/2016/08/160829_pourmohammadi_montazeri_1367_reax
[326] *Iranian Students' News Agency*, "The explanations of Raisi about the events of 1980s", 1 May 2018, www.bit.ly/2JlosGN

Ebrahim Raisi © Mizan

"Imam is a national hero of the struggle against *nefaq* … One of the proud achievements of the system is its record of confrontation with the current of *nefaq*. This much be considered as one of the achievements of the country. One of my achievements is that I have struggled throughout my life against corruption, *nefaq*, robbery, fraud and evil and I will continue to do."

Ebrahim Raisi, deputy prosecutor general of Tehran in 1988 and a member of the "death commission" in Tehran, the prosecutor general of Tehran from 1989 and 1994, the first deputy head of the judiciary from 2004 to 2014, the country's prosecutor general from 2014 to 2016, and member of the Assembly of Experts since 2006[327]

In the audio recording, Hossein Ali Montazeri and the four officials can be heard discussing in detail the extrajudicial killings including the criteria used by the "death commissions" in Tehran and elsewhere to select prisoners for execution and the secret and rushed nature of the proceedings. They also discuss the execution of young women, including a pregnant woman, and people who were under the age of 18 at the time of arrest. Hossein Ali Montazeri is also heard commenting on the vengeful, politically motivated and premeditated nature of the killings, which he says had been considered for several years and were now being carried out under the pretext of confronting the armed incursion of the PMOI.

DECISION-MAKING CRITERIA

Hossein Ali Nayyeri states on the recording:

"Since day one when we received the message… we brought them [the prisoners] one by one into the room… We ensured that we would not sign [the death sentence] so long as we were not 100 per cent sure that the prisoner fitted the description provided by Imam [Khomeini]."

He says that the determination as to whether the prisoner was "steadfast" was based on whether they made written "confessions" denouncing the PMOI and renouncing their opposition to the Islamic Republic:

"For us, it was sufficient as long as the prisoner agreed to write even something along the lines that, as the treacherous organization of *monafeqin* is fighting against the system, I hereby – we would tell them to write this – announce that, while I do not believe in the system, I do not believe in fighting against the system either and I, therefore, leave the organization. If they would write this, we would let them be."

Hossein Ali Montazeri responds that he is aware of multiple cases in which the request went beyond asking the prisoner to renounce their opposition to the system and involved asking if they were willing to fight with the forces of the Islamic Republic against Iraq and if they were willing to walk through an active minefield to assist the army of the Islamic Republic.

The statements by Hossein Ali Montazeri are consistent with the testimonies of survivors.

SECRET AND RUSHED PROCEEDINGS

The recording corroborates testimonies of survivors regarding the secret nature of the extrajudicial killings and that prisoners were not informed of why they were being questioned.

Hossein Ali Montazeri specifically asks the men: "Didn't you tell them [the prisoners] that we want to execute you?" One of them responds, "No, no, no, this couldn't be [done]. No, we didn't say that."
Hossein Ali Montazeri addresses Hossein Ali Nayyeri: "Mr Nayyeri, tomorrow, if you are asked why you executed someone who you yourself had previously sentenced to 10 years' imprisonment, you will have to be able to give an answer." Mostafa Pour Mohammadi is heard intervening at this point saying, "We will have to say that Mr Khomeini wrote so."

[327] Iranian Students' News Agency, "The explanations of Raisi about the events of 1980s", 1 May 2018, www.bit.ly/2JIosGN

Towards the end of the recording, Hossein Ali Montazeri says the religious month of Moharram has started and urges the men to halt the executions to at least show their respect for the holy period. In response, the men say that they have been working long hours and "rushing to finish whatever remains". They then try unsuccessfully to persuade Hossein Ali Montazeri that they must carry out the execution of 200 more prisoners who had already been transferred to solitary confinement in preparation for their execution. Hossein Ali Montazeri replies forcefully, "I am even opposed to one of them."

VENGEFUL AND POLITICALLY MOTIVATED KILLINGS

Hossein Ali Montazeri stresses several times that the armed incursion of the PMOI had given the authorities the motive to take reprisals against prisoners who had been held in prisons for years. He says:

"We are upset by the crimes of *monafeqin* in the west [of the country] and we are taking this out on captives and former prisoners. However, executing them when they have not engaged in any new activity means undermining all our judges and past judgments. On what basis do you execute someone whom you have already sentenced to a punishment lesser than the death penalty?"

Hossein Ali Montazeri also protests that the authorities are finding prisoners guilty of "enmity against God" (*moharebeh*) and "taking up arms against the state" (*baqi*) simply based on their opinions and the presumption that if released, they would join the PMOI. He tells the men:

"Punishment before crime is not right… Opinion by itself does not make an individual fall within the definition of *moharebeh* or *baqi*… Such mass murder, without trial, of prisoners and captives… is certainly in their [PMOI's] long-term interest and the world will condemn us… Fighting a thought or opinion by killing is wrong."

EXECUTION OF THOSE ARRESTED AS A CHILD

The audio recording confirms that many of the prisoners executed were aged under 18 when arrested (see Annex 1). Hossein Ali Nayyeri states at the meeting that some of those condemned to death were as young as 15 at the time of their arrest. He adds:

"We have about 20-something of these [people] who were 16 or 17 years old when they first entered prison and now they are 23 or 24… We have not carried out their [executions]… only due to the consideration that we said that, up until the last day, an ultimatum would be given so that, if there was really no way to reverse it, then the decision would be taken."

Later, he claims that with regard to "those who were 15 or 16 when they entered prison… God knows that we acted with caution and all their documents are now filed in a separate envelope."

EXECUTION OF YOUNG WOMEN

Hossein Ali Nayyeri is heard saying that, on some days, all the prisoners they interrogated and sent to execution were young women. He says:

"About the girls, God is my witness that we negotiated as much as we could. This brother [colleague] can vouch for me when I say my nerves are very strong, really my nerves are very strong. The day before yesterday when we were only seeing girls though, I was broken after all. I mean we ended up begging that this [the prisoner] writes only two lines so that we would order her return to prison."

Hossein Ali Montazeri adds that he also knows of one woman in Esfahan who was pregnant at the time of her execution.

PREMEDITATED KILLINGS

Hossein Ali Montazeri can be heard telling members of the "death commission" in Tehran that the ministry of intelligence was using the PMOI's armed incursion as a pretext to carry out mass killings that had been long under consideration. He says:

"This is something that the ministry of intelligence had in mind and invested in and Khomeini's son, Ahmad Khomeini, was persistently pushing from three or four years ago that all Mojahedin, even those of them who had just read [the PMOI's] newspapers, magazines and pamphlets, must be executed. This is something that they

were already thinking about, and now, they are taking advantage of the opportunity presented by the attack of the *monafeqin* [PMOI] on us."

This statement is the strongest evidence to have surfaced that supports the survivors' belief that the mass prisoner killings of 1988 were planned long before the PMOI's armed incursion.

COVER-UP

The audio recording sheds light on the authorities' deliberate efforts to carry out the mass killings in secret, keep families in the dark and dribble out the news in a vague and misleading manner to avoid a further outcry. Hossein Ali Montazeri asks the men:

"For now, you have cut the visitations and phone calls. Tomorrow how are you going to answer the families? … Now that the families have got some small clues, they are putting this much pressure on us. They don't have access to Mr Khomeini. The Supreme Judicial Council is not letting anyone in. All come and put pressure. When these families come, what answer do you give them?"

The men respond that there have been meetings to discuss these matters with senior prison officials and that a decision has been made to "resume the visitations within the next few days so that a large section [of people whose loved ones] are in prison… are relieved from their worries through visits. As for the rest, it [the news of the executions] must be somehow presented." The men say that they think the resumption of prison visits will "greatly break the tension".

Hossein Ali Montazeri replies:

"No, it will become worse. Ultimately, the visits of those [whose loved ones were executed] will also come. In provincial towns, they [the officials] would say that they [the executed prisoners] have been taken to Tehran. Then in Tehran, how are you going to answer them?"

On the broader issue of maintaining secrecy, Hossein Ali Montazeri says, "If it was not for the Imam [Khomeini] and the revolution, I would have publicized my letter [of protest] now. You know how much this would have benefited the enemies." Hossein Ali Nayyeri responds, "Yes, it would have very unfortunate consequences."

7.3.5 REPRISAL FOR REVEALING "STATE SECRETS"

Ahmad Montazeri was forced by the ministry of intelligence to remove the audio file from his father's website one day after its publication. Several days later, on 13 August 2016, he was summoned for interrogation by the Special Court for the Clergy and accused of "acting against national security" through "revealing the secret documents of the state". In November 2016, he was sentenced to 21 years' imprisonment after the Special Court for the Clergy convicted him of "spreading propaganda against the system", "forming or running a group composed of more than two people… with the purpose of disrupting national security" and "deliberately and knowingly providing unauthorized individuals with access to or information about plans, secrets, documents and decisions regarding the state's domestic or foreign policies… in a manner amounting to espionage." However, the court said that, considering his personal and family background and lack of prior criminal record, he should only serve six years of his sentence. Ahmad Montazeri was imprisoned on 22 February 2017 to begin serving his sentence but was granted temporary prison leave the next day. He was informed several days later that his prison sentence had been suspended.

Ahmad Montazeri's conviction stemmed directly from the publication of the audio file, which the court said had been "classified as secret by the Ministry of Intelligence".[328] The court verdict stated:

"It is obviously clear that the accused's act of releasing the audio file has had many negative effects on the society and given a pretext to the foes, anti-revolutionaries, agents of *nefaq* [a pejorative reference to the PMOI] and enemies… to not only weaken the system but also provoke and encourage [acts aimed] at defying and overthrowing it… With which legal, religious and moral permit has the accused kept in his possession records and documents that are related to the state and have no personal and private aspect to them, and then published, at a specific juncture and with certain intentions, one of them and by doing so, inflicted upon the system and the society an irreparable blow?"[329]

[328] The full text of the verdict is available at the Telegram channel of Ayatollah Montazeri, www.t.me/Ayatollah_Montazeri/539
[329] The full text of the verdict is available at the Telegram channel of Ayatollah Montazeri, www.t.me/Ayatollah_Montazeri/539

The audio recording that was published by Ahmad Montazeri on his father's website is about 40 minutes long and it ends abruptly, which suggests that it is not of the full meeting. It is not known how and why the meeting was recorded and if all such official meetings were recorded at the time. In an interview published on 15 December 2016, Ahmad Montazeri revealed that some of the other meetings that his father had attended were also audio recorded but he said, "in the toxic atmosphere that has now been created, there is no possibility to release the records."[330] He further said:

"All these records are extremely valuable. I feel that if some of them came into the hands of hardliners, they would ask for the records to be destroyed... These historical events are a lesson for future generations. However, now is not the time. If the state ever becomes ready for the truth to be discovered, then it should actually encourage us and request that we publish the remaining records."[331]

In March 2017, while Ahmad Montazeri was in detention, his son, Hamed Montazeri, reported in a media interview that the ministry of intelligence had put pressure on his father to return all the other files that were in the possession of the office of Ayatollah Montazeri (which has been run by his family since his death) and refrain from publishing them. Hamed Montazeri reiterated his father's position that they would not release any of the remaining files for now. He stressed that "they will remain in the family's possession and we will not submit them to anyone."[332]

[330] Mohammad Heydary, "For now, there is no possibility to release new records", *United for Iran*, 15 December 2016, www.united4iran.org/persian-interviewmontazeri1
[331] Mohammad Heydary, "For now, there is no possibility to release new records", *United for Iran*, 15 December 2016, www.united4iran.org/persian-interviewmontazeri1
[332] *Center for Human Rights in Iran*, "Ayatollah Montazeri's grandchild: The Ministry of Intelligence has asked that the unpublished files are relinquish; my father has refused", 7 March 2017, www.persian.iranhumanrights.org/1395/12/hamed-montazeri-no-pledge/

8. FAMILIES' ONGOING TORMENT

> **"The oppressors… threaten, summon and detain us. They vehemently oppose any effort to come together and remember our loved ones... They deny us the right to lay a flower or a sign on their unmarked graves. Despite all these expressions of violence and persecution, we remain unwavering in our quest to learn the truth..."**
>
> Mothers and Families of Khavaran, a group of families seeking truth and justice for their loved ones who were executed in the mass prisoner killings of the 1980s, during an acceptance speech of the Gwangjou Human Rights Prize in 2014

8.1 SUSPENDED LIVES

Three decades on from the enforced disappearances and extrajudicial killings of thousands of prisoners in 1988, the burning sense of anguish, uncertainty and injustice continues to haunt the families. Their questions about how and why their loved ones were killed and where they are buried remain largely unanswered. Their pain is compounded by the lack of accountability for those responsible for ordering and carrying out the crimes.

Victims' families interviewed by Amnesty International say that their lives are dominated by uncertainty and confusion, characterized by anxiety, grief and pain. They yearn for the truth, with some still imagining impossible scenarios where their loved ones turn up alive. Many say that, without a body to mourn over, their loved ones have remained for them somewhere between life and death.

> **"AS LONG AS YOU HAVE NOT SEEN THE BODIES, YOU CAN NEVER FULLY BELIEVE THEY ARE GONE"**
>
> Shayesteh Vatandoost was in a prison in Rasht, Gilan province, during the mass prisoner killings in 1988 (see section 7.3 and Annex 1) when her husband, Farzan Babry, who was in the same prison, was forcibly disappeared and extrajudicially executed. In an interview obtained by Amnesty International, she spoke of how she has never had closure about what happened to him.[333]

[333] Amnesty International obtained the testimony of Shayesteh Vatandoost from Justice for Iran, which conducted the interview with her in person.

Shayesteh Vatandoost recalled how, on the night of 31 July 1988, prison authorities came to the women's ward and called out a list of names of people they were taking away. The next morning, she said that she overheard one prison guard say to another, "They finished them all by morning." She said this filled her with fear, including about the fate of her husband:

"I had a feeling inside me that something terrible was going to happen but they [my friends and fellow cell mates] kept trying to comfort me by saying that nothing was going to happen and that [the authorities] were just transferring the prisoners who had been taken away to another location... and that there was no way that they would do something like that… We all felt a great deal of stress and anxiety, but we tried to comfort each other. None of us was prepared to believe that something like this [mass killings] could happen."

Shayesteh Vatandoost and Farzan Babry on their wedding day.
© Private

Shayesteh Vatandoost said that she learned about the mass killings in mid-October 1988 when family visits resumed and one of her cell mates was told by her family that those taken away had been executed. The family said they had been told this by two close relatives who were Revolutionary Guard officials. However, Shayesteh Vatandoost said that she was not convinced and made repeated requests to visit her husband. Each time, the prison authorities promised to arrange a visit but then made mocking innuendos and mildly obscene jokes that filled her with fear.

She did not receive any information about him until March 1989, when she was called to the interrogator's office. After receiving a long lecture about the PMOI's "anti-revolutionary" activities, she said that she was told her husband had been executed. She said: "Excruciating pain plunged through my heart. I could not believe it. I could not understand why this fate had befallen my husband whose only wish was the happiness of the people."

The authorities never handed over Farzan Babry's body to his family. Shayesteh Vatandoost said that, instead, his family was shown a series of individual graves in a remote burial ground in a town called Koulivar, outside the city of Anzali, and told that he and some other prisoners executed in Rasht prison had been buried there.

She only visited the burial ground in 2001 after she was released. She said the visit did not provide any certainty. She doubted whether her husband's body was actually buried there because she had heard reports of families from various cities who had secretly excavated graves and discovered them to be empty.

She explained how the situation plunged her into a state of constant yearning for the truth and fantasy that her husband may turn up alive. She said:

"I really wish I had had someone back then who could have helped me excavate the grave so that I could have known the truth but, unfortunately, I never had this opportunity… After all these years, many families still remain in agony and disbelief… Sometimes, I am even gripped by doubt, and wonder if my husband could be alive… [In 2001] someone told me that a prisoner in Urumieh prison said he had been transferred there from Anzali prison. I felt confused but hopeful, and thought to myself, 'What if [this prisoner is my husband]?' I mean, as long as you have not seen the bodies, you can never fully believe they are gone."

Numerous individuals interviewed by Amnesty International have said that the disappearance of their sibling caused their parents to suffer fatal or chronic health problems, including heart attacks. Several said the lives of their mothers, in particular, were thrown into limbo, leading them to oscillate between hope and despair for decades.

Fatemeh Sharif, the sister of two young men who were forcibly disappeared from a prison in Babol, Mazandaran province, in July 1988, described her mother's anguish:

"My mother's mental and emotional health severely deteriorated. She deeply loved Ali, her first son, and Hassan, her youngest son. For years, she would sit in our front garden and talk to their pictures while crying. She would say: 'My sons, I do not know where you are… I wish I could at least see your bodies. I wish I could kiss you one final goodbye.'"[334]

Abdollah Said Moradi described the toll that the disappearance of his brother, Jaber Said Moradi, took on his mother:

"For almost a decade, my mother would say, 'Maybe a piece of news about my child will reach us, maybe he is still alive, and in a prison that no one knows about.' She was waiting like this for up to a decade and retained some hope."[335]

8.2 MOURNING RITUALS AND COMMEMORATIONS FORBIDDEN

> **"It is my civil right to be able to visit the grave site of my loved ones… We are not even allowed to hold memorial ceremonies for [them]. They [the authorities] are even afraid of us placing flowers on their burial site. We tell them these are only flowers. They tell us your flowers are even more dangerous than guns and hand grenades."**
>
> Mansoureh Behkish, a human rights defender who lost a sister, four brothers and a brother-in-law during the mass prisoner killings of the 1980s[336]

In 1988, when the authorities notified families about the executions of their loved ones, they systematically told them that they were not allowed to hold private funeral or memorial ceremonies – even in their homes - and threatened that, if they did so, they or their other children would be in danger.

Some families were forced by the authorities to sign undertakings that they would not hold any form of funeral ceremony.

Consequently, the authorities have punished the families twice: once by executing their loved ones, and a second time by cruelly depriving them of their right to honour their dead by giving them proper burials in accordance with their cultural and religious traditions, thus compounding their grief and inability to find closure.

In an interview obtained by Amnesty International, Neda Rahmati, whose sister Marzieh Rahmati was forcibly disappeared and extrajudicially killed in Ilam, said: "The most painful part was that we could not even voice our grief out loud. They [the authorities] were not even allowing our poor families to hold memorial ceremonies in our own houses."[337]

In defiance, many families gathered at individual and mass grave sites in which they believed their loves ones had been buried, and left makeshift memorials of small stones, flowers and pictures on top of mounds of earth. In reprisal, intelligence and security officials subjected many of them to intimidation, harassment, beatings, arbitrary arrests and detention.

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[334] Amnesty International interviewed Fatemeh Sharif in person in October 2017.
[335] See the case box on Sanandaj in annex 1.
[336] Persianbanoo, "Interview With HR Activist Mansoureh Behkish, Sentenced To 4 1/2 Years In Prison", 10 April 2012, www.persianbanoo.wordpress.com/2012/04/10/interview-with-hr-activist-mansoureh-behkish-sentenced-to-4-12-years-in-prison/
[337] Amnesty International obtained the testimony of Neda Rahmati from Justice for Iran, which conducted the interview with her by voice call.

Commemorative gathering at Khavaran mass grave site. © Private

In Tehran, a group of mothers and other relatives of executed prisoners who later became known as the Mothers and Families of Khavaran persistently defied the authorities by visiting Khavaran mass grave site, a desolate piece of land where unmarked mass graves believed to hold the remains of many prisoners executed in 1988 were found (see section 5.3).

Family members interviewed by Amnesty International repeatedly voiced their outrage, anger and pain over being deprived of the basic right to bury their loved ones in dignity and mourn their loss.

Khatereh Moeini, whose brother Heibatollah Moeini was extrajudicially executed in 1988, recalled how the authorities refused to show any respect for the needs of families to mourn their loved ones, and threatened and beat those who gathered at Khavaran instead:

"The most aggressive and insulting encounters were in Khavaran. They would push families and beat them. The scene I will never forget is when my elderly father was beaten. They [the authorities] beat and kicked my father and tried to snatch the picture frame of my brother that he was holding from his hands, but he was gripping it so tight, as if he was holding onto my brother himself. I told my father to let go of the picture frame, that I would get him a better one. They kept breaking families' picture frames [of their loved ones] but families kept bringing more picture frames. Each time, they would take us to the office of the [Revolutionary] Komiteh [post-revolutionary committees with security functions], make us sign an undertaking, and ask, 'It's you again?' I would reply, 'I have come to my brother's grave. Is it a crime? Do you not visit the graves of your loved ones?' They would detain us for a few hours and then let us go. This scenario repeated itself over and over again."[338]

Some relatives also regularly gathered in Behesht Zahra cemetery in Tehran on Fridays to commemorate their executed family members (see section 5.2). The mother of a 42-year-old man who had been arrested in 1983 and sentenced to 12 years' imprisonment before being forcibly disappeared and extrajudicially executed in Gohardasht prison in Karaj wrote to her daughter outside Iran about one of these gatherings:

"On Friday, all the mothers, along with other family members, got together and we went to the graveyard. What a day of mourning! It was like Ashura [a religious festival of particular importance to Shi'a Muslims, commemorating the martyrdom of the Prophet Muhammad's grandson Hossein]! Mothers came with pictures of their sons; one had lost five sons and daughters-in-law. Finally, the Komiteh came and dispersed us."[339]

According to reports from relatives of executed prisoners in Iran, prior to the visit to Tehran by of the UN Special Representative on Iran in January 1990, the makeshift monuments erected by the families, consisting of a few stones and flowers, were removed from Behesht-e Zahra cemetery by the authorities. This was apparently an attempt to remove visible evidence of the mass killings from the sight of any possible inspection of the cemetery by the Special Representative.[340]

Since then, the authorities have exacerbated families' anguish by repeatedly desecrating grave sites in many cities, including through bulldozing over them, turning them into rubbish dumps, deliberately flooding them, destroying erected memorial signs and stones, and trampling on flowers left by families.[341]

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[338] Amnesty International obtained the testimony of Khatereh Moeini from Justice for Iran, which conducted the interview with her in person. Amnesty International conducted two further interviews with her, one in person and one by voice call, in October 2018.
[339] Amnesty International, *Iran: Violations of human rights 1987-1990* (Index: MDE 13/021/1990), pp. 13-14.
[340] Amnesty International, *Iran: Violations of human rights 1987-1990* (Index: MDE 13/021/1990), pp. 13-14.
[341] See Amnesty International and Justice for Iran, *Criminal cover-up: Iran destroying mass graves of victims of 1988 killings* (Index: MDE 13/8259/2018).

8.3 ILL-TREATMENT OF FAMILIES ATTENDING COMMEMORATIONS

Not only have the Iranian authorities spent the last 30 years systematically trying to stop families and others including human rights defenders from holding commemorative ceremonies for their loved ones, they have also sought to silence them and hinder their efforts to seek truth and justice by subjecting them to threats, harassment, intimidation, violence, and arbitrary arrests and detention.

The authorities have persistently supressed commemorative gatherings at suspected or known mass grave sites across the country. Gatherings at Khavaran mass grave site, which has over time gained a highly symbolic meaning in the families and survivors' three-decade long struggle and quest for truth and justice, have been particularly targeted. The authorities' attempts to supress gatherings at Khavaran thus could be seen as an indicator of a larger policy of blocking the growth of a truth and justice seeking movement in the country.

According to information received from victims' families and human rights defenders over the years, the various methods which the authorities have deployed to keep them away have included:

- photographing and recording family members and others visiting the mass grave site;
- threatening, beating and arresting families and others at the site;
- telephoning families and threatening them not to visit the site;
- raiding the homes of families who defiantly hold memorial ceremonies;
- chaining off the main entrance to the site; and
- closing off the roads leading to the site and deploying a significant security presence to deter commemorative gatherings.

While these abuses have been constant, family members have pointed to certain periods in which the state has heightened its attacks against them. Notable examples of this over the past 15 years include:

- In September 2005, the authorities violently suppressed the annual commemorative gathering of families at Khavaran to mark the anniversary of the 1988 mass prisoner killings. From about a week before the gathering, the authorities warned families known for their activism that they were not allowed to go to Khavaran and blocked all roads leading to the cemetery. After brave families ignored the threats and held a gathering, the authorities arrested several people and confiscated their mobile telephones and cameras.[342]
- In 2006, the authorities telephoned some families before the annual commemoration and warned that they had to finish the ceremony quickly or else they would "suffer the consequences".[343] Although the main entrance to Khavaran had been closed, around 1,000 family members attended but did so under a stifling security presence with security forces taking pictures and filming those present, as well as arresting and temporarily detaining a number of the participants.
- In 2007, at least five individuals were arrested after attending the annual commemorative gathering in Khavaran and held for months in solitary confinement in Evin prison, where they said they were tortured and otherwise ill-treated. Four of them were later sentenced after separate unfair trials before Revolutionary Courts to between one and 17 years in prison in connection with their attendance at the gathering.[344] The fifth individual, Ali Saremi, who had previously spent many years in prison both before and after the 1979 revolution, was sentenced to death for "enmity against God" (*moharebeh*) in connection with his alleged membership of the PMOI, which he denied. Ali Saremi and his lawyer were never provided with a copy of the court verdict condemning him to death and were given no information as to whether his sentence had been sent to the Supreme Court for review. He was

[342] Justice for Iran, *Unfinished Tales: Mothers and families of Khavaran, a three decade long search for truth and justice*, September 2015, www.justice4iran.org/persian/wp-content/uploads/2015/09/unfinishedtale.pdf, pp. 144-145.
[343] Justice for Iran, *Unfinished Tales: Mothers and families of Khavaran, a three decade long search for truth and justice*, September 2015, www.justice4iran.org/persian/wp-content/uploads/2015/09/unfinishedtale.pdf, pp. 144-145.
[344] Asr-e Nou, "17 years for gathering at Khavaran", 10 November 2008, www.asre-nou.net/php/view_print_version.php?objnr=1078; Justice for Iran, *Unfinished Tales: Mothers and families of Khavaran, a three decade long search for truth and justice*, September 2015, www.justice4iran.org/persian/wp-content/uploads/2015/09/unfinishedtale.pdf, p. 146.

executed without prior notice being given to his lawyer or family on 28 December 2010 in Evin prison. In May 2010, his wife Mahin Saremi said in an interview with Voice of America television:

> **"My husband… has not done anything for them [the authorities] to execute him. How is it possible to receive a death sentence for visiting the grave of a friend at a cemetery? He did not have a weapon nor did he kill anyone to request a pardon."[345]**

In their attempts to enforce a culture of silence about the mass prisoner killings of 1988 and to keep their crimes a state secret, the authorities have also targeted human rights defenders who have stood with families and survivors in their quest for truth and justice. Those targeted include the younger generation of human rights defenders in Iran, born after the 1979 revolution, who have taken to social media and other platforms to discuss the past atrocities and attended memorial gatherings held at Khavaran.

For example, anti-death penalty campaigner Atena Daemi is serving a seven-year prison sentence in part for a post that she wrote on her Facebook page in 2014 stating "We have not forgotten the massacres [of the] 1980s".[346]

Human rights activist Amir Amirgholi was sentenced to 19 years and six months in prison at the beginning of 2016 on charges in connection with his peaceful human rights activities, including participating in commemorative gatherings at Khavaran. The sentence was subsequently reduced on appeal to eight years in prison. He was released from prison in May 2017 after serving five years of his sentence. Amir Amirgholi had previously been arrested, along with 18 other people, in September 2008 after attending a gathering in Khavaran to commemorate the 20th anniversary of the mass prisoner killings.[347]

Another human rights defender, Shahin (Ja'far) Eghdami, served ten years in prison after being convicted of spurious national security chargers imposed in connection with his participation in a commemorative event in Khavaran in 2008.

Since the release in 2016 of the audio recording of a high-level official meeting that took place in August 1988 between Hossein Ali Montazeri and the officials responsible for the extrajudicial executions in Tehran (see section 7.3.4), which revived calls for an inquiry into the killings, the authorities have renewed their crackdown on those seeking truth and justice. Several family members have faced reprisals or prosecution on vague national security-related charges for their peaceful efforts to learn the fate and whereabouts of their loved ones.

The threats, harassment, intimidation and attacks against victims' families signal renewed efforts by the authorities to silence all public discussions about the mass prisoner killings with a view to erasing the collective memory of them.

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[345] Amnesty International, *From protest to prison: Iran one year after the election* (Index: MDE 13/062/2010), pp. 46-47.
[346] Amnesty International, *Caught in a web of repression: Iran's human rights defenders under attack* (Index number: MDE 13/6446/2017), p. 23.
[347] Amnesty International, *Caught in a web of repression: Iran's human rights defenders under attack* (Index number: MDE 13/6446/2017), p. 12.

Piles of rubbish at a mass grave site in Ahvaz. The location of the remains is believed to be beneath the concrete slab in the foreground. © Human Rights Activists News Agency

"YOUR FLOWERS ARE EVEN MORE DANGEROUS THAN HAND GRENADES"

Top: Mansoureh Behkish; Bottom: Six family members of Mansoureh Behkish who were executed in the 1980s. © Private

Mansoureh Behkish lost six members of her family during the mass executions of the 1980s. For over three decades, Mansoureh Behkish, who is active with the Mothers and Families of Khavaran, has been subjected to repeated harassment, arbitrary arrest and periods of detention by intelligence and security forces in attempts to silence her.

In December 2011, she was given a suspended sentence of four years and six months relating to her human rights work, particularly with the Mothers of Laleh Park, which largely comprises women whose children were killed, detained or forcibly disappeared in the post-presidential election violence in 2009, and the Mothers and Families of Khavaran.

In October 2016 she was interrogated twice – on 22 and 24 October – by ministry of intelligence officials about her peaceful human rights activities. She was denied the right to a lawyer during her interrogations. She was subsequently informed on 29 October that she had been charged with "gathering and colluding to commit crimes against national security" and "spreading propaganda against the system". The charges stemmed solely from her peaceful human rights activities to seek truth and justice, including: holding commemorative gatherings at her home for those forcibly disappeared and extrajudicially executed in the 1980s, including her sister, four brothers and brother-in-law; visiting the families of victims; and taking flowers to Khavaran, where two of her brothers are believed to be buried in unmarked graves.

In January 2017, Mansoureh Behkish was convicted and sentenced by Branch 26 of the Revolutionary Court in Tehran to seven and a half years in prison. The court also ruled in favour of the activation of the December 2011 suspended sentence. In its verdict, the court wrote that Mansoureh Behkish no longer deserves the suspension of her previous sentence as she "has continued to engage in unlawful activities

against national security" and "according to the reports of the ministry of intelligence and the surveillance undertaken, she is incapable of being rehabilitated". Mansoureh Behkish's 2017 conviction and sentence were upheld on appeal by Branch 54 of the Court of Appeal in January 2018.

In an open letter written in November 2016 and symbolically addressed to her deceased mother, she wrote:

"My dear mother, this is an upside-down world [we live in] and the roles of the victim and perpetrator have been exchanged. Instead of accounting for the hardship they have inflicted on us all these years, they [the officials] continue to harass and abuse us… In your view, can a state's national security ever be threatened by paying visits to bereaved families?… What kind of a state is this that the act of some families going together to a flower market to purchase flowers for the unmarked graves of their loved ones at Khavaran is held to amount to gathering and colluding against national state?"[348]

[348] Amnesty International, "Iran: Spurious Charges for Human Rights Defender: Mansoureh Behkish" (Index: MDE 13/5207/2016).

9. CRIMES UNDER INTERNATIONAL LAW

The human rights violations documented by Amnesty International for this report and by other human rights organizations[349] demonstrate that the Iranian authorities forcibly disappeared and extrajudicially killed thousands of prisoners between late July and September 1988 for their political opinions and religious beliefs. Since then, the authorities have systematically concealed the truth about the fate of these prisoners and the location of their remains. They have denied survivors and victims' families their rights to justice, truth and reparation and subjected them to other ill-treatment, including threats, harassment, intimidation and attacks. As explained below, such conduct amounts to crimes under international law, which the government of Iran and all states have a duty to investigate and, where sufficient admissible evidence exists, prosecute before ordinary civilian courts those suspected of responsibility in fair trials without recourse to the death penalty.

9.1 EXTRAJUDICIAL KILLINGS

Extrajudicial killing is the unlawful and deliberate killing of a person carried out by order of a government or with its complicity or acquiescence.[350] It is a serious violation of the right to life and a crime under international law. The deliberate unlawful killing of prisoners by state actors in Iran pursuant to at least one fatwa issued by Rouhollah Khomeini, the then Supreme Leader, and following non-judicial "death commission" processes to determine whether they should be executed based on their political opinions or religious beliefs, clearly meets this definition. To the extent that some of those prisoners executed may have been sentenced to death by Revolutionary Courts following unfair "trials" that violated international human rights law, these killings also amount to extrajudicial executions. The UN has consistently condemned and called on all governments to investigate and punish extrajudicial executions since the 1970s.[351] In 1989, the UN Economic and Social Council adopted the Principles on the Effective Prevention and Investigation of

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[349] Iran Human Rights Documentation Centre, *Deadly Fatwa: Iran's 1988 Prison Massacre*, 2009, www.iranhrdc.org/english/publications/reports/3158-deadly-fatwa-iran-s-1988-prison-massacre.html; Abdorrahman Boroumand Center, *The Massacre of Political Prisoners in Iran, 1988, report of an inquiry conducted by Geoffrey Robertson QC*, 18 April 2011, www.iranrights.org/library/document/1380/the-massacre-of-political-prisoners-in-iran-1988-report-of-an-inquiry; Abdorrahman Boroumand Center, *The Massacre of Political Prisoners in Iran, 1988: An Addendum, Witness testimonies and official statements*, 10 December 2013, www.iranrights.org/library/document/2498/the-massacre-of-political-prisoners-in-iran-1988-an-addendum-witness-testimonies-and-official-statements; Iran Tribunal, An International People's Tribunal, *On the abuses and mass killings of political prisoners in Iran, 1981-1988, Findings of the Truth Commission*, 30 July 2012, www.irantribunal.com/images/PDF/Commission%20Report-Website.pdf; Iran Tribunal, An International People's Tribunal, *Judgement: Prosecutor v. Islamic Republic of Iran (a case concerning the gross violations of human rights and commission of crimes against humanity by the Islamic Republic of Iran)*, 5 February 2013, www.irantribunal.com/images/PDF/Iran%20Tribunal%20Judgment.pdf; Justice for Iran, *Unfinished Tales: Mothers and families of Khavaran, a three decade long search for truth and justice*, September 2015, www.justice4iran.org/persian/wp-content/uploads/2015/09/unfinishedtale.pdf

[350] See International Criminal Tribunal for Rwanda (ICTR), *Prosecutor v. Kayishema and Ruzindana*, ICTR-95-1-T, Trial Chamber, Judgement, 21 May 1999, para. 140.

[351] See for example Seventh UN Congress on the Prevention of Crime and Treatment of Offenders, 26 August-6 September 1985, Resolution 11: Extra-legal, arbitrary and summary executions, para. 2: "Calls on all governments to take urgent and incisive action to investigate all such acts, wherever they may occur, to punish those found guilty and to take all other measures necessary to prevent those practices".

Extra-Legal, Arbitrary and Summary Executions, which set out in detail the obligations of all states to investigate allegations of suspected extrajudicial execution and prosecute those responsible.[352]

9.2 ENFORCED DISAPPEARANCE

Enforced disappearance is the "arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law."[353] Enforced disappearance violates a number of human rights, including:

- the right to security and dignity of the person;
- the right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment;
- the right to life; and
- the right to family life.

As set out in this report, in the weeks leading up to July 1988 and shortly after the PMOI's armed incursion of 25 July 1988, there was a wave of arrests across the country of individuals who had previously been convicted of political offences and had been released after serving their prison terms. These persons went missing immediately after arrest and the authorities refused to provide their families with any information regarding their fate or whereabouts. Such conduct by the authorities amounts to the crime under international law of enforced disappearance.

Prisoners who were already in detention that had been acknowledged by the authorities were also subjected to the crime of enforced disappearance because the authorities clearly sought to place them outside the protection of the law by seeking to execute them through non-judicial secret proceedings; in many cases, the authorities removed them from the prison facilities to secret locations for the purposes of execution and concealed their fate and whereabouts. As the UN Working Group on Enforced or Involuntary Disappearances has explained, the commission of an extrajudicial execution in detention falls within the definition of enforced disappearance if it is followed by the refusal of state officials to disclose the fate or whereabouts of the victim or a refusal to acknowledge that the act has been perpetrated at all.[354]

The UN General Assembly has condemned such practices and has called on states to investigate and prosecute them since the 1970s.[355] In 1992, the UN General Assembly adopted the Declaration on the Protection of All Persons from Enforced Disappearance, which set out the obligations of all states to investigate allegations of enforced disappearances and prosecute those responsible, as well as provide effective remedies to victims and their families.[356]

Enforced disappearance is a crime that continues until the state releases information pertaining to the fate or whereabouts of the individual.[357] As the UN Working Group on Enforced or Involuntary Disappearances has stated, this requires, when the disappeared person is found to be dead, returning the remains of the victims to their families and allowing them to dispose of those remains according to their own tradition, religion or culture. The remains of the person should be clearly and indisputably identified, including through DNA analysis.[358] The Inter-American Court of Human Rights has stated that enforced disappearance continues

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[352] UN Economic and Social Council, *Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions*, Resolution 1989/65, 24 May 1989, UN Doc. E/1989/89 (Annex), www.ohchr.org/Documents/ProfessionalInterest/executions.pdf

[353] International Convention for the Protection of All Persons from Enforced Disappearance, Article 2.

[354] Working Group on Enforced or Involuntary Disappearances, *General comment on the definition of enforced disappearance*, March 2007, UN Doc. A/HRC/7/2, para. 10, www.ohchr.org/EN/Issues/Disappearances/Pages/GeneralComments.aspx

[355] For example, General Assembly Resolution 33/173, adopted on 20 December 1978, called on governments "to ensure that law enforcement and security authorities or organizations are fully accountable, especially in law, in the discharge of their duties, such accountability to include legal responsibility for unjustifiable excesses which might lead to enforced or involuntary disappearances…" See UN General Assembly, *Disappeared Persons*, UN Doc. A/RES/33/173, www.un.org/documents/ga/res/33/ares33r173.pdf

[356] UN General Assembly, *Declaration on the Protection of All Persons from Enforced Disappearance*, 18 December 1992, UN Doc. A/RES/47/133, www.un.org/documents/ga/res/47/a47r133.htm

[357] Working Group on Enforced or Involuntary Disappearances, *General Comment on enforced disappearance as a continuous crime*, www.ohchr.org/Documents/Issues/Disappearances/GC-EDCC.pdf

[358] Working Group on Enforced or Involuntary Disappearances, *General Comment on the Right to the Truth in Relation to Enforced Disappearances*, para. 6, www.ohchr.org/Documents/Issues/Disappearances/GC-right_to_the_truth.pdf

"while the whereabouts of the disappeared person is not known or until their remains are identified with certainty".[359]

In all of the cases documented in this report, although the authorities told many families verbally that their loved ones had been killed, they failed to full disclose the fate of the victim (including failing to issue death certificates and clarify the circumstances and reasons for their execution) or identify the remains with any certainty and ensure that they were returned to the families. Most families remain uncertain about where the remains are located and some still struggle to believe that their loved ones are indeed dead. Three decades later, these crimes continue.

9.3 TORTURE

Torture means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as punishing them for an act that they have committed or are suspected of having committed, or intimidating them or a third person, or for any reason based on discrimination of any kind.[360] Amnesty International opposes the imposition of the death penalty in all cases as a violation of the prohibition of torture and other cruel, inhuman or degrading treatment or punishment. The reported treatment of many prisoners during the process of the 1988 extrajudicial executions amounts to the crime under international law of torture. In particular, the authorities committed torture by rendering prisoners incommunicado and removing them from the protection of the law; subjecting them to opaque discriminatory non-judicial processes to determine whether they would be executed; subjecting them to beatings and other ill-treatment before, during and after interviews with "death commissions"; informing execution victims that they would be executed with short or no notice because of the answers they gave to questions about their political opinions and religious beliefs; and extrajudicially executing them.

The UN General Assembly has consistently condemned torture and other ill-treatment has called on states to investigate and prosecute them for over 40 years. In 1975, it adopted a Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, setting out the obligations of all states to investigate allegations of torture and prosecute those responsible, as well as provide redress to victims.[361]

A strong case can also be made that victims' families have been subjected to torture and other ill-treatment as a result of the enforced disappearance of their loved ones, including the manner in which many of them were informed of the executions and the subsequent refusal of the state to fully disclose their fate and the location of their remains, as well as the threats, harassment, intimidation and attacks against them relating to their efforts to seek truth and justice.

The UN Working Group on Enforced of Involuntary Disappearances has recognized that the anguish and suffering caused to the family by the disappearance of their loved one and by the continuing uncertainty concerning their fate or whereabouts "reaches the threshold of torture".[362]

The UN Human Rights Committee has similarly recognized that the anguish and stress caused to the family by the disappearance of their loved ones and by the continuing uncertainty concerning their fate and whereabouts constitutes a form of torture or other cruel, inhuman and degrading treatment against the families.[363]

In at least one case, the Human Rights Committee has also recognized that "complete secrecy surrounding the date of execution, and the place of burial and the refusal to hand over the body for burial have the effect of intimidating or punishing families by intentionally leaving them in a state of uncertainty and mental

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[359] Inter-American Court of Human Rights, *Case of González Medina and Family Members v. Dominican Republic*, Series C No. 240, Judgment, 27 February 2012, para. 50.
[360] UN General Assembly, *Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, UN Doc. A/RES/30/3452, 9 December 1975, Article 1(1), www.ohchr.org/en/professionalinterest/pages/declarationtorture.aspx
[361] UN General Assembly, *Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, UN Doc. A/RES/30/3452, 9 December 1975, Article 1(1), www.ohchr.org/en/professionalinterest/pages/declarationtorture.aspx
[362] Working Group on Enforced or Involuntary Disappearances, *General Comment on the Right to the Truth in Relation to Enforced Disappearances*, UN Doc. A/HRC/16/48, para. 4, www.ohchr.org/Documents/Issues/Disappearances/GC-right_to_the_truth.pdf
[363] Human Rights Committee, *María del Carmen Almeida de Quinteros et al. v. Uruguay*, Communication No. 107/1981, UN Doc. CCPR/C/OP/2, 21 July 1983, para. 14, www.hrlibrary.umn.edu/undocs/newscans/107-1981.html

distress" amounting to a violation of the absolute prohibition on torture or other cruel, inhuman and degrading treatment.[364]

9.4 CRIMES AGAINST HUMANITY

Certain acts, including extrajudicial execution and enforced disappearance, when committed as part of a widespread or systematic attack against a civilian population pursuant to a state or organizational policy, amount to crimes against humanity. Following the 1979 revolution, the Iranian authorities targeted political opposition groups and their supporters, summarily executing thousands and imprisoning thousands more because of their political beliefs and activities, in most cases following unfair "trials". In 1988, thousands of these prisoners were extrajudicially executed pursuant to a fatwa issued by the Supreme Leader of Iran and implemented across prisons in the country. This was followed by more than 30 years of state authorities refusing to publicly acknowledge the killings and fully disclose the fate of those killed and the location of their remains to victims' families, and subjecting families to threats, harassment, intimidation and attacks. Amnesty International considers that such acts clearly demonstrate a widespread and systematic attack against civilians pursuant to policies of the state. In particular, the organization considers that the following crimes against humanity have been committed:

9.4.1 PERSECUTION

The crime against humanity of persecution involves the widespread or systematic intentional and severe deprivation of fundamental rights contrary to international law of a group, such as a political or religious group. Amnesty International considers that persecution applies to this situation as thousands of members of political opposition groups were clearly targeted by the authorities for over almost a decade following the revolution in 1979 and subjected to a range of severe violations of their rights, including arbitrary arrest and detention, torture, summary or extrajudicial executions, and imprisonment (in many cases for non-violent political offences) following unfair "trials". In 1988, thousands of those prisoners were then subjected to enforced disappearance and extrajudicial execution determined on their political and religious opinions.

9.4.2 MURDER

The crime against humanity of murder involves the widespread and systematic intentional killing of persons, which (as set out in section 9.1) clearly took place in 1998 when thousands of prisoners were extrajudicially executed in the course of several weeks pursuant to at least one fatwa issued by the Supreme Leader of Iran.

9.4.3 EXTERMINATION

The crime against humanity of extermination includes the unlawful and intentional killing of persons based on discriminatory grounds, including political and religious grounds. The International Criminal Tribunal for Rwanda has noted that it "differs from murder in that it requires an element of mass destruction which is not required for murder."[365] Amnesty International considers that, based on the research in this report, there exists substantial information which shows the extrajudicial killings of thousands of prisoners by Iranian authorities in 1988 were committed on political and religious grounds.

In so far as the killings of prisoners affiliated with the PMOI are concerned, the authorities' determination of who to execute was based on political grounds, as demonstrated by the fatwa issued by Rouhollah Khomeini and other evidence. The killings were clearly intended to extinguish political opposition to the Islamic Republic and eliminate all PMOI-affiliated prisoners across the country who were not willing to "repent".

As for the killings of prisoners affiliated with leftist political groups, the second fatwa that Hossein Ali Montazeri says Rouhollah Khomeini issued has yet to emerge publicly. However, testimonies of survivors regarding the manner in which the authorities determined who to execute strongly indicate that the decisions were based on a mixture of political and religious grounds. Leftist prisoners were asked if they were prepared to make public statements criticizing the political organization with which they had been associated. They

[364] Human Rights Committee, *Mariya Staselovich v. Belarus*, Communication No. 887/1999, UN Doc. CCPR/C/77/D/887/1999, 3 April 2003, para. 9.2, www.hrlibrary.umn.edu/undocs/887-1999.html
[365] ICTR, *The Prosecutor v. Jean-Paul Akayesu,* ICTR-96-4-T, Trial Judgement, 2 September 1998, paras 591-592.

were also asked about their faith in God and Islam, and whether they were prepared to renounce their atheism, practise Islam and pray regularly. This strongly indicates that the extrajudicial killings were intended to eliminate political opposition and exterminate a group of "non-believers" deemed to pose a challenge to the theocratic system due to their attitudes towards Islam and God.

9.4.4 ENFORCED DISAPPEARANCE

Amnesty International considers that the enforced disappearance of thousands of people in 1988, as set out in section 9.2, was widespread and systematic and pursuant to a state policy, as demonstrated by the manner in which victims were placed outside the protection of the law and the 30 years of refusal by the state to fully disclose to victims' families the fate of their loved ones and the location of their remains. Some definitions of the crimes against humanity of enforced disappearance require that the intention of perpetrators must be to remove victims from the protection of the law "for a prolonged period of time",[366] but, given that the authorities have failed to fully disclose the fate or whereabouts of the victims 30 years later, this requirement would be met in these circumstances.

9.4.5 TORTURE

Amnesty International considers the commission of torture against many prisoners in the process of committing the extrajudicial executions in 1988 (see section 9.3) formed part of the widespread and systematic attack by the state against political dissidents and was consistent with the policy advocated by the Supreme Leader in the fatwa not to show any mercy in implementing it.

Amnesty International also considers that the ill-treatment of victims' families amounts to torture and other cruel, inhuman or degrading treatment or punishment as defined in international law. Although some definitions of the crime against humanity of torture require that victims must be in the custody or under the control of the accused, such acts would still amount to the crime against humanity of other inhumane acts.

9.4.6 OTHER INHUMANE ACTS

Amnesty International considers that, to the extent that the ill-treatment of victims' families do not fall under other prohibited acts of crimes against humanity, in many cases they should fall under the crime against humanity of other inhumane acts. This crime recognizes that acts other than those expressly listed in the definition of crimes against humanity may apply if they are similarly inhumane and cause serious harm. The Iranian authorities' refusal to fully disclose the fate of the victims and the location of victims' remains; their failure to allow exhumations to identify the remains of victims and permit burials in accordance with Iranian culture; their destruction of graves and tributes placed there by families; and their threats, harassment, intimidation and attacks against victims' families for seeking to visit grave sites and conduct mourning rituals – over the last 30 years – are acts that form part of the widespread and systematic attack against political opposition that has caused great suffering and anguish to victims' families, including serious injury to their mental and physical health.

The serious harm that such actions cause is supported by the UN Human Rights Committee, which has recognized that "complete secrecy surrounding the date of execution, and the place of burial and the refusal to hand over the body for burial have the effect of intimidating or punishing families by intentionally leaving them in a state of uncertainty and mental distress".[367] The Inter-American Court of Human Rights has recognized that the concealment of the corpses of victims and the obstacles created by the authorities to the attempted exhumation procedures generate considerable suffering and anguish.[368] It has also noted, "the significant emotional, psychological, [and] spiritual... hardship" that members of a community endure when they attach particular importance to the need to offer a dignified burial to the dead but are not allowed "to know what has happened to the remains of their loved ones, and, as a result, they cannot honor and bury them in accordance with their culture."[369]

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[366] See for example Rome Statute of the International Criminal Court, Article 7(2)(i).
[367] Human Rights Committee, *Mariya Staselovich v. Belarus*, Communication No. 887/1999, UN Doc. CCPR/C/77/D/887/1999, 3 April 2003, para. 9.2, www.hrlibrary.umn.edu/undocs/887-1999.html
[368] Inter-American Court of Human Rights, *Case of Bámaca-Velásquez v. Guatemala*, Judgment, 25 November 2000, para. 165.
[369] Inter-American Court of Human Rights, *Case of the Moiwana Community v. Suriname*, Judgment, 15 June 2005, paras 98-103.

10. CRISIS OF IMPUNITY

Iran is facing a crisis of impunity that goes beyond the lack of accountability for the enforced disappearances and extrajudicial executions of 1988. Survivors and victims' families have no prospect of justice, truth or reparation nationally. Many of those allegedly involved in the 1988 killings still hold positions of power. As more information has emerged about the killings, authorities have sought to demonize the victims as "terrorists" and portray their deaths as a major achievement.

10.1 IRAN'S OBLIGATIONS TO ADDRESS IMPUNITY

International law obligates the government of Iran and all states to investigate crimes recognized under international law (including those identified in chapter 9) and, where sufficient admissible evidence exists, prosecute those suspected of responsibility before civilian courts in fair trials. This should be without recourse to the death penalty.

Fulfilling these obligations requires pursuing criminal responsibility against all those alleged to have directly committed the crimes and/or to have been complicit in their commission, including those who ordered, solicited, induced, planned, instigated, conspired to commit or aided or abetted or otherwise assisted or facilitated their commission.[370] The UN Working Group on Enforced or Involuntary Disappearance has specifically noted that the active concealment of the fate and whereabouts of the victims is a form of participation in the crime of enforced disappearance.[371]

The documentation of crimes in this report shows that state actors, at all levels, participated in the commission of crimes under international law. The initial order to extrajudicially execute prisoners was issued as a fatwa by the Supreme Leader of Iran. It appointed provincial Shari'a judges, prosecutors general, or their assistant prosecutors, and representatives of the ministry of intelligence to participate in "death commissions" in which they selected those who would be killed in full knowledge that they were removing prisoners from the protection of the law. Prison officials around the country co-operated fully with the "death commission" process, often seriously ill-treating victims in the process and participating in carrying out thousands of killings. Some of the extrajudicial executions were conducted at military facilities run by the Revolutionary Guards, indicating the knowledge and involvement of Revolutionary Guards officials. Government officials, members of "death commissions" and prison officials deliberately withheld information about the extrajudicial executions from the families. Despite eventually informing many families, verbally and in cruel circumstances, that their loved ones had been executed, for 30 years generations of state officials have concealed or refused to fully disclose the fate of the victims and the location of their remains, including by denying or falsifying death certificates and excluding victims from burial records.

All those involved in this large web of criminality should be investigated and, where sufficient evidence exists that they have committed crimes under international law, they should be prosecuted.

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[370] See for example International Law Commission, "Draft Code of Crimes Against the Peace and Security of Mankind", *Yearbook of the International Law Commission, 1996*, vol. II, Part Two, Article 2.
[371] Working Group on Enforced of Involuntary Disappearances, *Best practices on enforced disappearances in domestic criminal legislation*, 28 December 2010, UN Doc. A/HRC/16/48/Add.3, paras 29-32.

10.2 CELEBRATING MASS KILLINGS

Since 2016, when Hossein Ali Montazeri's audio file was released, the Iranian authorities have celebrated the mass prisoner killings as a "major achievement" and a cause of "national pride" while still denying their scale and distorting their causes and circumstances. They have glorified those who ordered and carried out these crimes under international law as "national heroes". Simultaneously, they have demonized the victims as "mass murderers" and "terrorists", and ill-treated families and others who seek information on the fate and whereabouts of their loved ones.

The highest authorities, including the Supreme Leader and the head of the judiciary, have likened any criticism or documentation of the mass prisoner killings to support for "terrorism" and the armed activities of the PMOI.

The release of Hossein Ali Montazeri's audio file in August 2016 gave rise to an unprecedented wave of publicity around the mass prisoner killings of 1988. In response, the authorities launched an intensive campaign of disinformation and victim-blaming to deflect criticism and reinforce impunity. This has involved issuing numerous official statements and producing countless articles and video clips in the state media. These have sought to:

- deflect attention away from the grossly unjust nature of the proceedings leading to the mass prisoner killings and the individual profiles of the execution of victims by focusing on the armed violence of the PMOI in the 1980s;
- reverse the roles of victims and perpetrators, demonizing the execution victims as a small group of "mass murderers" and "terrorists" and glorifying those who ordered and carried out the mass prisoner killings as "national heroes" and "martyr" supporters; and
- trivialize the scale of mass killings and defend them under the pretext of countering "terrorism" and protecting "national security" and the "Islamic Revolution".

The authorities have also issued warnings that any effort to shed light on the mass killings of 1988 will be punished.

"DEVILISH MELODIES WILL BE NIPPED IN THE BUD"

Iran's head of the judiciary, Sadegh Larijani © ILNA

One of the first high-profile reactions to the release of Hossein Ali Montazeri's audio-recording came from the head of the judiciary Sadegh Larijani.

On 15 August he stated: "The atrocities of *monafeqin* are not sanitizable and it is regrettable that by distributing audio files, some have provided the Western media with a subterfuge."

He accused critics of the executions of "distorting the history of the Islamic Revolution… creating security vacuums, polarizations and divisions within the revolutionary and religious society of Iran… and disturbing public opinion". He threatened that "these devilish melodies will be nipped in the bud… and that the judiciary will act forcefully as always and any disturbance in public opinion with respect to these security issues will for sure lead to judicial investigation and prosecution."[372]

[372] *Fars News Agency*, "The head of the judiciary: The atrocities of *monafeqin* are not sanitizable", 15 August 2016, www.farsnews.com/printable.php?nn=13950525000961

DEMONIZATION OF EXECUTION VICTIMS AS "CRIMINALS WHO COMMITTED GREAT CRIMES"

Iran's prosecutor general, Moahammad Jafar Montazeri © ILNA

On 17 August 2016, the country's prosecutor general, Mohammad Jafar Montazeri, similarly commented that the release of the audio file was aimed at "sanitizing the atrocities of *monafeqin*". He said:

"We are seeing some people inside the Islamic Republic of Iran who are in concert with the enemy and in harmony with the same tune that Israel, the US, the West and their regional elements are playing, and they are after clearing *monafeq* criminals who committed great crimes in the early years after the Revolution."[373]

GLORIFICATION OF 1988 MASS KILLINGS AS A GREAT SERVICE TO IRAN

Tehran's Friday prayer leader, Ahmad Khatami © ILNA

On 19 August 2016, Friday prayer leader in Tehran, Ahmad Khatami, said in a sermon: "What the late Imam [Khomeini] did in 1988 was a religious, Qur'anic and revolutionary act and a great service to the Muslim nation of Iran."

He repeated the unsubstantiated claims that the prisoners were colluding with the PMOI from inside prison and said that this amounts to "enmity against God" (*moharebeh*).

He added:

"Qur'an provides the severest penalties for *moharebin*. Here, both those who waged war on your children and those who cooperated [with them] from inside prison are *mohareb*… If then, Imam [Khomeini] had not done that incredible service, today we would have had numerous difficulties; we would not have had security. We owe our today's security to that revolutionary action of Imam."[374]

DEMONIZATION OF EXECUTION VICTIMS AS "CRIMINALS WHO SLEW THOUSANDS OF PEOPLE"

Iran's Supreme Leader, Sayed Ali Khamenei. © ILNA

Official remarks in support of the mass prisoner killings of 1988 have been endorsed by Iran's Supreme Leader, Sayed Ali Khamenei.

On 25 August 2016, he said in a meeting with President Rouhani and his cabinet that the release of the audio file was part of "attempts for clearing disgraced *monafeqin*".

He added:

"Unfortunately, certain individuals are making efforts to create a space of innocence for these criminals who slew thousands of people, ranging from ordinary people to officials and prominent figures, and harm the brilliant

[373] *Iranian Students News Agency*, "The reaction of the country's prosecutor general to the release of the audio file: Publish the evidence of the crimes committed by Sayed Mehdi and the crimes in Esfahan and Ghahdrijan", 17 August 2016, www.bit.ly/2OgPWjZ
[374] *Iranian Students News Agency*, "The prisoners of 1988 were Mohareb", 19 August 2018, www.bit.ly/2Oj6ZSF

reputation of the late Imam [Khomeini], but these mischievous and spiteful hands shall not achieve their [desired] goals and they will fail like they did in the past."[375]

On 4 June 2017, Supreme Leader Sayed Ali Khamenei stated:

"The roles of the martyr and the murderer should not be reversed… The 60s [corresponding to the 1980s in the Western calendar] is the decade of major honours and the decade of combating separatism, and the Iranian nation, particularly the youth, succeeded in prevailing over all the plots and hostilities with tough resistance."[376]

Supreme Leader Ali Khamenei's messaging about the "reversal of the roles of the martyr and the murder" has since been strongly reflected in state media with proliferation of articles portraying the victims of the mass executions of 1988 as "murderers" and "executioners" and presenting the state and its officials as victims of violence. These articles often use phrases such "the events of 1988" or "what took place in the summer of 1988" for referring to the mass prisoner killings of 1988. They praise the authorities for taking "decisive and appropriate measure" to "cleanse the disgraced stain of *monafeqin* from the country" and liken criticisms of the authorities' actions in 1988 to support for "acts of treasons committed by *monafeqin*". Disturbingly, those responsible for the mass killings are described as worthy of earning "a medal of honour".[377]

GLORIFICATION OF 1988 MASS KILLINGS AS "A HISTORIC AND REVOLUTIONARY DECISION"

Assembly of Experts for Leadership. © Fars News Agency/Mehdi Bolourian

On 28 August 2016, the Assembly of Experts for Leadership issued a statement saying:

"Perhaps for some it is still hard to grasp the historic and revolutionary decision of His Eminency Imam Khomeini in confronting *monafeqin* in a decisive and uncompromising manner and fairly prosecuting the leaders and some members of the grouplet of *monafeqin* in 1988… The late Imam aborted the sedition through his timely decision at that critical juncture."[378]

The statement proceeded to "condemn" the publication of the audio-recording:

"Which earnest human being and awakened conscience would not concur that the publication of the contents of a meeting after nearly three decades is taking place with evil goals?… Is it not the case that the criminal US tries every once in a while and with various excuses to instigate its agents and mercenaries so that it could succeed in its false ambitions to undermine the Islamic system… and at the same time redeem the current of *nefaq* [the PMOI] by presenting them as victims. Yet they are blind to the fact that resuscitating a failed and isolated current through claims such as defending human rights is a sloppy plot and one that is doomed to fail."[379]

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[375] The Office of the Supreme Leader, "Ayatollah Khamenei gives 7-point recommendations to Rouhani admin", 25 August 2016, www.leader.ir/en/content/16138/Ayatollah-Khamenei-meeting-with-the-cabinet-members-of-president-Rouhani

[376] The Office of the Supreme Leader, "Leader: Revolutionarism is refusal to give in to bullying", 5 June 2017, www.leader.ir/en/content/18420/leader.ir

[377] See *The Persecuted Decade of 80s: Why the 80s is a Persecuted Decade and How the Roles of Executioners and Martyrs are Reversed?*, 2017; Fars News, "The Story of Fatally Shooting an 18 Year Old Teenager in 'the Executioner of the 80s'", 3 July 2017, https://bit.ly/2RewMgq; Basij News, "The Book 'Executioner of the 80s Published'", 3 July 2017, https://bit.ly/2QharBv

[378] The Secretariat Assembly of Experts for Leadership, "The statement of the Assembly of Experts for Leadership on condemning the publication of Mr. Montazeri's audio file and the activities of monafeqin", 28 August 2018, www.majlesekhobregan.ir/fa/NewsView.html?ItemID=1967&SearchText=%D9%86%D9%88%D8%A7%D8%B1%20%D8%B5%D9%88%D8%AA%DB%8C&LPhrase=

[379] The Secretariat Assembly of Experts for Leadership, "The statement of the Assembly of Experts for Leadership on condemning the publication of Mr. Montazeri's audio file and the activities of monafeqin".

10.3 INACTION AND REPISALS IN RESPONSE TO FAMILIES COMPLAINTS

> **"Time and again we have sought response from our government authorities, but there has been none… We seek no revenge… What we do seek is justice. What we do demand is a transparent and fair court that will openly try those involved in this crime against humanity."**
>
> Speech by the Mothers and Families of Khavaran, May 2014[380]

Despite the release of the Hossein Ali Montazeri audio recordings in 2016, the systematic impunity continues to prevail. Survivors and family members of the victims of the mass prisoner killings and enforced disappearances of 1988 still have no prospect of accessing truth, justice and reparations in Iran.

Survivors and family members, including those interviewed by Amnesty International, have consistently expressed a strong desire to see the perpetrators charged, arrested, tried and sentenced to appropriate penalties. At the same time, they have decried the impossibility of bringing the perpetrators to account in the Iranian justice system as it lacks independence and impartiality, and includes individuals who were allegedly involved in or supported the mass prisoner killings and see any effort for truth, justice or reparation as a "criminal activity" meriting severe punishment.

The families' struggle to seek truth, justice and reparation began soon after they learned about the mass execution and secret burial of their loved ones. A group of families in Tehran first tried to submit a letter of complaint to the Minister of Justice on 26 December 1988. The families gathered in front of the Department of Justice in Tehran but were forcibly dispersed by the authorities. The families subsequently published the complaint as an open letter.

They wrote:

"As the parents, spouses, children, siblings and relatives of the victims, we are left wondering why our loved ones were so mercilessly and brutally killed. The absurd accusations that the political prisoners were in communication and working with various military groups along the borders are completely unfounded given the strict conditions prevailing in prisons."

The families then asked a series of questions, including:

- If the executions were lawful, why were they hidden from the public?
- If the executions were justifiable, why weren't they announced?
- Why were prison visits cancelled?
- Which court, based on what charge and on what date sentenced our loved ones to death?
- Which law allowed an order of mass executions to be issued?

The letter concluded with a series of demands, including:

- Announce, for every victim, the date of their trial, the length of time taken by the court to consider each file, the justification for a retrial, and the location where the trial took place.
- Notify families of the burial location and the execution date of all the victims.
- Return to families the last letters of wishes written by the victims.
- Announce the total number of those killed and their names.
- Arrest and prosecute those responsible for these serious crimes in a public trial.[381]

The authorities did not acknowledge the complaint.

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[380] Justice for Iran, *2014 Gwangju Award for Human Rights Presented to Mothers of Khavaran in South Korea*, 19 May 2014, www.justice4iran.org/reports/2014-gwangju-award-for-human-rights-presented-to-mothers-of-khavaran-in-south-korea/

[381] The full text of this letter of complaint is available in English at Jafar Behkish, *I never forget you… Complaint in General Courts and to Hassan Rouhani*, 1 September 2018, pp. 45-48, Appendix B: Letter of Complaint to Mr. Hassan Habibi, www.jbehkish.blogspot.com/2018/09/i-never-forget-you-complaint-in-general_16.html

On the 10th anniversary of the mass prisoner killings, a group of families published another letter of complaint, addressed to then President Mohammad Khatami. The letter recalled that the majority of the victims had already been convicted and sentenced and noted that "the only conceivable reason for their retrial was their political beliefs and convictions."

It reiterated the grievances of the families about the secret nature of the mass prisoner killings, the refusal of the authorities to inform them about the burial location of the victims, and the issuance of death certificates that listed "fake reasons for the death" of their loved ones.

The letter concluded with a list of demands, including the prosecution of those responsible in a public trial and with the presence of the victims' families as plaintiffs; the posthumous exoneration of those executed; and the recognition of the burial location of the victims as memorial sites. This letter also went unacknowledged.

More recently, Amnesty International learned of the efforts of two family members who submitted complaints regarding specific cases to the authorities. Neither complaint was answered or processed by the Iranian authorities.

MARYAM AKBARI MONFARED

Prisoner of conscience Maryam Akbari Monfared submitted a complaint to the prosecutor's office in Tehran from inside prison on 14 October 2016.[382] The complaint concerns the extrajudicial execution and enforced disappearance in 1988 of her sister Roghayeh Akbari Monfared and her brother Abdolreza Akbari Monfared, who was 17 years old at the time of his arrest in 1980.

In her complaint, Maryam Akbari Monfared requested "an official investigation into the extrajudicial execution of her siblings" and sought "detailed information about the executions including the location of the mass graves, and the identity of the perpetrators. To date, the authorities have not processed her complaint. Instead, they have subjected her to reprisals. They have refused to take her to medical appointments outside prison to receive adequate treatment for her rheumatoid arthritis and thyroid problems. As a result, she has suffered severe pain in her legs. They have also repeatedly threatened to stop her family visits. On 13 May 2017, her husband Hassan Jafari Hatam was summoned to the ministry of intelligence office in Tehran and told that his wife would face an additional three-year prison term and exile to a remote prison in Sistan-Baluchestan province, southeastern Iran, if she did not stop writing open letters about her complaint and pursuing the fate and whereabouts of her siblings.

ADD PHOTO
Roghayeh Akbari Monfared and Abdolreza Akbari Monfared © Private

Maryam Akbari Monfared has been imprisoned since December 2009, serving a 15- year prison sentence for "enmity against God" (*moharebeh*). Her conviction is solely based on the fact that she had made phone calls to her relatives, who are members of the PMOI, and had visited them once in Iraq.[383]

[382] A copy of the complaint is published in *Justice for Iran*, "Maryam Akbari Monfared's complaint to the judiciary about executions of 1988", 17 October 2016, www.justice4iran.org/persian/reports/akbari-monfared-shekayat/
[383] Amnesty International, "Iran: Further Information: Reprisal for Speaking for Speaking Out Against 1988 Massacre: Maryam Akbari Monfared" (Index: MDE 13/6267/2017)

JAFAR BEHKISH

Jafar Behkish © Private

Iranian-Canadian human rights defender Jafar Behkish, who lost six members of his family during the mass executions of the 1980s, submitted a complaint to the prosecutor's office in Tehran on 1 June 2018.[384] He had to submit the complaint by mail as no lawyer in Iran was willing to take the risk to file the complaint in person.[385]

The complaint concerns the extrajudicial execution and enforced disappearance of his brothers Mahmoud Behkish and Mohammad Ali Behkish, and brother-in-law Mehrdad Panahi Shabestari, during the mass prisoner killings of 1988; the arbitrary execution and enforced disappearance of his brother Mohsen Behkish in 1985; and the enforced disappearance of his sister Zahra Behkish in 1983 and his brother Mohammad Reza Behkish in 1982.

Jafar Behkish's deceased mother, Omolbanin Jalali Mohajer, and his siblings and brother-in-law who were unlawfully killed and forcibly disappeared in the 1980s, Mohsen Behkish, Mohammad-Reza Behkish, Siyamak Asadian, Zahra Behkish, Mahmoud Behkish and Mohammad-Ali Behkis (from left to right) © Private

The complaint also addresses the decades-long harassment, intimidation, arrest, detention, interrogation and persecution of his family members, including his deceased mother, Omolbanin Jalali Mohajer, his deceased mother-in-law, Najiyeh Peyvandi, his deceased father, Ali-Asghar Behkish, and his sister, Mansoureh Behkish, who was sentenced to seven and a half years in prison in January 2017 for "gathering and colluding to commit crimes against national security" and "spreading propaganda against the system" stemming solely from her peaceful human rights activities (see section 8.3).[386]

This complaint followed three letters of grievance that Jafar Behkish had sent to President Rouhani and the Permanent Mission of the Islamic Republic of Iran to the UN on 1 September 2017, 1 March 2018 and 1 June 2018. In these letters, he asked President Rouhani to establish "a public and independent inquiry under the supervision of the Human Rights Council of the UN". He stressed that:

"… the head and members of this public inquiry should be independent individuals and should not be affiliated with the State. The inquiry should be accepted by International human rights advocacy organizations such as Amnesty International and of course, families of the victims of state brutalities. The findings of such an inquiry should be publicly published in full and will serve as a base for a thorough and fair trial of the masterminds and main perpetrators."[387]

On 1 September 2018, Jafar Behkish sent a follow-up letter to President Rouhani for the fourth time, which included the details of his complaint. As before, he also sent a copy of the complaint to the Permanent Mission of the Islamic Republic of Iran to the UN in New York and asked that it be referred to the Head of the Judiciary, Sadegh Amoli Larijani. However, in the second week of September, the package was returned to him by mail, with a note from Canada Post indicating that the recipient had refused to accept it.

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[384] Jafar Behkish, *I never forget you … Complaint in General Courts and to Hassan Rouhani*, 1 September 2018, pp. 26-27, www.jbehkish.blogspot.com/2018/09/i-never-forget-you-complaint-in-general_16.html

[385] Jafar Behkish, "The mass killings of the summer of 1988 and the Bar Association of Tehran (the report of an experience)", *Gooya News*, 26 August 2018, www.news.gooya.com/2018/08/post-17986.php

[386] Jafar Behkish, *I never forget you … Complaint in General Courts and to Hassan Rouhani*, 1 September 2018, pp. 38-43. www.jbehkish.blogspot.com/2018/09/i-never-forget-you-complaint-in-general_16.html

[387] Jafar Behkish, *I never forget you … Complaint in General Courts and to Hassan Rouhani*, 1 September 2018, www.jbehkish.blogspot.com/2018/09/i-never-forget-you-complaint-in-general_16.html, pp. 18-24.

The Permanent Mission of the Islamic Republic of Iran to the UN in New York City refused to accept Jafar Behkish's complaint about the mass killings and enforced disappearances of the 1980s. © Private

The systematic refusal of the Iranian authorities to conduct independent investigations into the extrajudicial killings and enforced disappearances of 1988, and respect the rights of victims to truth, justice and reparations, constitutes a serious and separate violation of their human rights obligations.[388]

10.4 SUSPECTS IN POSITION OF POWER

For the last 30 years, many of those alleged to have been involved in the 1988 enforced disappearances and extrajudicial executions have held positions of power in Iran. The Shari'a judges, prosecutors general and assistant prosecutors, and ministry of intelligence representatives who participated in the "death commissions" have held and in some cases continue to hold senior positions in the judiciary or the government, including the following individuals identified in this report:

- Alireza Avaei. He was tasked with participating in the Dezful "death commission" as the prosecutor general of Dezful and is currently the minister of justice.[389]

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[388] Human Rights Committee, *General Comments No. 31 on the Nature of the General Legal Obligation Imposed on States Parties to the Covenant*, UN Doc. CCPR/C/21/Rev.1/Add.13, 26 May 2004, para. 15.

[389] Deutsche Welle, "Protests at the introduction of a "person accused for crimes against humanity" for the post of ministerial post", 11 August 2017, https://www.dw.com/fa-ir/%D8%A7%D8%B9%D8%AA%D8%B1%D8%A7%D8%B6-%D8%A8%D9%87-%D9%85%D8%B9%D8%B1%D9%81%DB%8C-%DB%8C%DA%A9-%D9%85%D8%AA%D9%87%D9%85-%D8%A8%D9%87-%D8%AC%D9%86%D8%A7%DB%8C%D8%AA-%D8%B9%D9%84%DB%8C%D9%87-%D8%A8%D8%B4%D8%B1%DB%8C%D8%AA-%D8%A8%D8%B1%D8%A7%DB%8C-%D9%BE%D8%B3%D8%AA-%D9%88%D8%B2%D8%A7%D8%B1%D8%AA/a-40055284; BBC, "The Minister of Justice: Who is Alireza Avaei?", 20 August 2017, http://www.bbc.com/persian/iran-features-40994024; Voice of America, "Protests and walking out during the speech by the Iranian Justice Minister at the Human Rights Council", 28 February 2018, https://ir.voanews.com/a/un-iran-human-rights/4273926.html; Radio Farda, "A number of diplomats walked out during the speech by the Minister of Justice for Iran", 28 February 2018, https://www.radiofarda.com/a/avaei-iran-human-rights/29066818.html
The fact that he was the Prosecutor of Dezful in the 1980s has also been cited by numerous state media outlets and is included in his biography: Radio Zamaneh, "Changing seats between executives: Who will sit as the Minister of Justice?", 10 August 2017, https://www.radiozamaneh.com/353708; Hamshahri Online, "Biography: Seyyed Alireza Avaei" (1335-)", 23 August 2017, http://www.hamshahrionline.ir/news/380039/%D8%B2%D9%86%D8%AF%DA%AF%DB%8C%D9%86%D8%A7%D9%85%D9%87-%D8%B3%DB%8C%D8%AF-%D8%B9%D9%84%DB%8C%D8%B1%D8%B6%D8%A7-%D8%A2%D9%88%D8%A7%DB%8C%DB%8C-%DB%B1%DB%B3%DB%B3%DB%B5; IRNA, "Avaei from the Prosecutor's office in

- Hossein Ali Nayyeri. He acted as the Shari'a judge in the Tehran "death commission". He was promoted to the position of the deputy head of Iran's Supreme Court in 1989 and remained in this post until September 2013. He was subsequently appointed as the head of the Supreme Disciplinary Court for Judges, a position which he holds today.
- Ebrahim Raisi. He was the deputy prosecutor general of Tehran in 1988 and a member of the Tehran "death commission". He was later the prosecutor general of Tehran between 1989 and 1994, the first deputy head of the judiciary from 2004 to 2014 and the country's prosecutor general from 2014 to 2016.
- Mostafa Pour Mohammadi: He was the representative of the ministry of intelligence in the "death commission" in Tehran. He was later the minister of justice between 2013 and2017.
- Mohammad Hossein Ahmadi. He was the Shari'a judge of Khuzestan province in 1988 and a member of the Khuzestan "death commission". He is currently a member of the Assembly of Experts. For nearly a decade in the 2000s, he was also the head of the body in charge of selecting and appointing judges across the country.

The participation of these and other suspects in senior roles of the government and judiciary understandably has effectively left families with no prospect of receiving justice and effective remedies inside Iran.

Dezful to candidate for Minister of Justice", http://www.irna.ir/fa/News/82624797; Young Journalists Club, "The Biography of Alireza Avaei + Pictures", 8 August 2017, https://www.yjc.ir/fa/news/6195350/%D8%A8%DB%8C%D9%88%DA%AF%D8%B1%D8%A7%D9%81%DB%8C-%D8%B9%D9%84%DB%8C%D8%B1%D8%B6%D8%A7-%D8%A2%D9%88%D8%A7%DB%8C%DB%8C-%D8%AA%D8%B5%D8%A7%D9%88%DB%8C%D8%B1

11. VICTIMS' RIGHT TO EFFECTIVE REMEDIES

As a state party to the International Covenant on Civil and Political Rights (ICCPR), Iran is obliged under Article 2(3) to provide victims of human rights violations with effective remedies.[390] This obligation includes three elements:

- justice: investigating violations and, if enough admissible evidence is gathered that crimes under domestic or international law have been committed, prosecuting those suspected of responsibility;
- truth: establishing the facts about violations of human rights;
- full reparation: taking measures to address the harm suffered by victims and their families, including, as appropriate, restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition.[391]

The right to effective remedies applies to all victims of human rights violations in the ICCPR. Victims are recognized in international standards as "persons who individually or collectively suffered harm, including physical or mental injury, emotional suffering, economic loss or substantial impairment of their fundamental rights, through acts or omissions".[392] This includes the immediate family or dependants of the direct victim and persons who have suffered harm in intervening to assist victims in distress or to prevent victimization.[393]

11.1 THE RIGHT TO TRUTH

Victims and their families, as well as other members of society, have the right to know the truth about human rights violations.[394]

According to Principle 24 of the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International

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[390] See Human Rights Committee, *General comment no. 31, The nature of the general legal obligation imposed on States Parties to the Covenant*, UN. Doc. CCPR/C/21/Rev.1/Add.13, 26 May 2004.

[391] See UN General Assembly, *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law*, 21 March 2006, UN. Doc. A/RES/60/147, Principle VII, https://www.ohchr.org/en/professionalinterest/pages/remedyandreparation.aspx; Commission on Human Rights, *Independent study on best practices, including recommendations, to assist states in strengthening their domestic capacity to combat all aspects of impunity, by Diane Orentlicher*, UN. Doc. E/CN.4/2004/88, 27 February 2004, http://ap.ohchr.org/documents/dpage_e.aspx?si=E/CN.4/2004/88

[392] UN General Assembly, *Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power*, UN. Doc. A/RES/40/34, 29 November 1985, Principle 1, http://www.un.org/documents/ga/res/40/a40r034.htm; *Basic Principles and Guidelines on the Right to a Remedy and Reparation*, Principle 8.

[393] UN General Assembly, *Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power*, Principle 2; UN General Assembly, *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law*, Principle 8; Human Rights Council, *Report of the Working Group on Enforced or Involuntary Disappearances*, UN. Doc. A/HRC/22/45, 28 January 2013, p. 10, para. 51, http://www.un.org/en/ga/search/view_doc.asp?symbol=A/HRC/22/45

[394] Office of the UN High Commissioner for Human Rights, *Study on the right to the truth*, UN Doc. E/CN.4/2006/91, 8 February 2006, https://www.ohchr.org/EN/Issues/RuleOfLaw/Pages/RightToTheTruth.aspx

Humanitarian Law (Basic Principles): "victims and their representatives should be entitled to seek and obtain information on the causes leading to their victimization and on the causes and conditions pertaining to the gross violations of international human rights law and serious violations of international humanitarian law and to learn the truth in regard to these violations."[395] Principle 4 of the Updated Set of Principles for the Protection and Promotion of Human Rights through Action to Combat Impunity (Updated Set of Principles to Combat Impunity) states: "Irrespective of any legal proceedings, victims and their families have the imprescriptible right to know the truth about the circumstances in which violations took place and, in the event of death or disappearance, the victim's fate."[396]

The UN Working Group on Enforced or Involuntary Disappearances has stated that the right to the truth in relation to enforced disappearances "means the right to know about the progress and results of an investigation, the fate and whereabouts of the disappeared persons, and the circumstances of the disappearances, and the identity of the perpetrators".[397] It emphasizes that "[t]he right to know the truth about the fate and whereabouts includes, when the disappeared person is found to be dead, the right of the family to have the remains of their loved ones returned to them, and to dispose of those remains according to their own tradition, religion or culture. The remains of the person should be clearly and indisputably identified, including through DNA analysis."[398]

The right to truth has both an individual and a collective dimension. The Inter-American Commission on Human Rights has stated: "The right to know the truth is a collective right that ensures society access to information that is essential for the workings of democratic systems, and it is also a private right for relatives of the victims, which affords a form of compensation".[399] Principle 2 of the Updated Set of Principles to Combat Impunity states: "Every people has the inalienable right to know the truth about past events concerning the perpetration of heinous crimes and about the circumstances and reasons that led, through massive or systematic violations, to the perpetration of those crimes. Full and effective exercise of the right to the truth provides a vital safeguard against the recurrence of violations." Both in its individual and collective dimensions, the right to truth is an inalienable and non-derogable right, which stands alone and should not be limited.[400]

In terms of how states fulfil their obligations to give effect to the right to truth, Principle 5 of the Updated Set of Principles to Combat Impunity states: "States must take appropriate action, including measures necessary to ensure the independent and effective operation of the judiciary, to give effect to the right to know. Appropriate measures to ensure this right may include non-judicial processes that complement the role of the judiciary. Societies that have experienced heinous crimes perpetrated on a massive or systematic basis may benefit in particular from the creation of a truth commission or other commission of inquiry to establish the facts surroundings those violations so that the truth may be ascertained and to prevent the disappearance of evidence."

11.2 THE RIGHT TO JUSTICE

Article 2 of the ICCPR requires states to conduct prompt, thorough, effective, independent and impartial investigations in relation to alleged violations and to bring those responsible to justice, including in cases of torture and other cruel, inhuman and degrading treatment; summary, arbitrary and extrajudicial killings; and enforced disappearances.[401] International standards confirm that ensuring victims have access to justice is a

[395] UN General Assembly, *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law*, 21 March 2006, UN. Doc. A/RES/60/147, Principle 24, https://www.ohchr.org/en/professionalinterest/pages/remedyandreparation.aspx
[396] Commission on Human Rights, *Updated Set of principles for the protection and promotion of human rights through action to combat impunity*, UN. Doc. E/CN.4/2005/102/Add.1, 8 February 2005, https://undocs.org/E/CN.4/2005/102/Add.1
[397] Working Group on Enforced or Involuntary Disappearances, *General Comment on the Right to the Truth in Relation to Enforced Disappearances*, para. 1, http://www.ohchr.org/Documents/Issues/Disappearances/GC-right_to_the_truth.pdf
[398] Working Group on Enforced or Involuntary Disappearances, *General Comment on the Right to the Truth in Relation to Enforced Disappearances*, para. 6, http://www.ohchr.org/Documents/Issues/Disappearances/GC-right_to_the_truth.pdf
[399] Inter-American Commission on Human Rights, Report No. 136/99, case 10.488, *Ignacio Ellacuría et al. (El Salvador)*, 22 December 1999, para. 224.
[400] Office of the UN High Commissioner for Human Rights, *Study on the right to the truth*, UN Doc. E/CN.4/2006/91, 8 February 2006, para. 38 and summary, https://www.ohchr.org/EN/Issues/RuleOfLaw/Pages/RightToTheTruth.aspx
[401] Human Rights Committee, *General Comment No. 31 on the Nature of the General Legal Obligation Imposed on States Parties to the Covenant*, UN. Doc. CCPR/C/21/Rev.1/Add.13, 26 May 2004, para. 18.

vital component of states obligations to provide effective remedies.[402] They are also essential elements of the state's positive obligation to prevent the arbitrary deprivation of life and ensure human rights.[403]

An effective investigation must give due attention to the rights and needs of victims.[404] This includes the rights to:

- file a complaint;
- be informed of the progress of the investigation;
- name and interrogate witnesses;
- receive legal and psychological support;
- be informed of the outcome of the investigation;
- protection of privacy;
- protection against threats and intimidation; and
- full reparation.

The investigation results should be transparent and open to the victims' families and the general public.[405]

Article 2 of the ICCPR requires that, where investigations reveal violations of certain Covenant rights, states parties must ensure that those responsible are brought to justice. The UN Human Rights Committee has emphasized that "these obligations arise notably in respect of those violations recognized as criminal under either domestic or international law, such as torture and similar cruel, inhuman and degrading treatment, summary and arbitrary killing and enforced disappearance".[406] Moreover, all states have a duty under international law to investigate and, where sufficient evidence exists, prosecute crimes under international law, including extrajudicial execution,[407] enforced disappearance,[408] torture[409] and crimes against humanity.

Such prosecutions should seek to bring all of those responsible for such crimes to justice, where sufficient admissible evidence exists.[410] This includes superiors who ordered, aided or abetted, or were otherwise complicit in, the commission of such crimes, as well as superiors who knew or should have known that a subordinate was committing or about to commit a crime and did not take all the reasonable and necessary measures within their power to prevent, repress or punish the crime.[411]

Inappropriate defences – such as invoking superior orders[412] as a defence to such crimes – or other barriers to justice prohibited by international law – such as prescription and amnesties for crimes under international law[413] – must not be applied.

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[402] UN General Assembly, *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law*, 21 March 2006, UN. Doc. A/RES/60/147, Principle 12, https://www.ohchr.org/en/professionalinterest/pages/remedyandreparation.aspx; Commission on Human Rights, *Updated Set of principles for the protection and promotion of human rights through action to combat impunity*, UN. Doc. E/CN.4/2005/102/Add.1, 8 February 2005, Principle 32, https://undocs.org/E/CN.4/2005/102/Add.1; UN General Assembly, *Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power*, UN. Doc. A/RES/40/34, 29 November 1985, Principle 5, http://www.un.org/documents/ga/res/40/a40r034.htm

[403] Amnesty International, *Amnesty International's preliminary observations on the proposed general comment on the right to life* (Index: IOR 40/1644/2015), p. 29.

[404] UN General Assembly, *Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power*, UN. Doc. A/RES/40/34, 29 November 1985, http://www.un.org/documents/ga/res/40/a40r034.htm

[405] Office of the High Commissioner for Human Rights, *The Minnesota Protocol on the investigation of potentially unlawful death*, 2016, para. 32, https://www.ohchr.org/Documents/Publications/MinnesotaProtocol.pdf

[406] Human Rights Committee, *General Comments No. 31 on the Nature of the General Legal Obligation Imposed on States Parties to the Covenant*, UN. Doc. CCPR/C/21/Rev.1/Add.13, 26 May 2004, para. 18.

[407] See for example UN Economic and Social Council, *Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions*, Resolution 1989/65, 24 May 1989, UN. Doc. E/1989/89 (Annex), Principles 9 and 18, https://www.ohchr.org/Documents/ProfessionalInterest/executions.pdf

[408] See for example UN General Assembly, *Declaration on the Protection of All Persons from Enforced Disappearance*, UN. Doc. A/RES/47/133, 18 December 1992, Articles 13 and 14, http://www.un.org/documents/ga/res/47/a47r133.htm

[409] See for example UN General Assembly, *Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, UN. Doc. A/RES/30/3452, 9 December 1975, Articles 9 and 10, https://www.ohchr.org/en/professionalinterest/pages/declarationtorture.aspx

[410] See for example UN General Assembly, *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law*, 21 March 2006, UN. Doc. A/RES/60/147, Principle 4, https://www.ohchr.org/en/professionalinterest/pages/remedyandreparation.aspx

[411] See for example Commission on Human Rights, *Updated Set of principles for the protection and promotion of human rights through action to combat impunity*, UN. Doc. E/CN.4/2005/102/Add.1, 8 February 2005, Principle 27(b), https://undocs.org/E/CN.4/2005/102/Add.1

[412] See for example *Updated Set of Principles to Combat Impunity*, Principle 27(a).

[413] See for example *Updated Set of Principles to Combat Impunity*, Principles 23 and 24.

Beyond fulfilling the rights of victims to effective remedies, bringing perpetrators to justice is essential if states are to uphold the rule of law and protect the human rights of all persons.

11.3 THE RIGHT TO REPARATION

Victims of human rights violations have the right to full and effective reparation to address the harm they have suffered, including measures of restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition.[414] In determining such measures, authorities should consult with victims and their representatives to fully assess the harms they have suffered and to identify the most appropriate and effective measures to address them.[415] Victims should be treated with humanity and respect for their dignity and human rights throughout the process.[416] Reparation can be provided though judicial and administrative mechanisms.[417] In situations where violations have been committed on a large-scale, the state should establish an accessible and effective national reparation programme.

11.3.1 RESTITUTION

Restitution is the act of restoring the victim, to the extent possible, to the original situation before the violation occurred. The Working Group on Enforced or Involuntary Disappearances has underlined that, as full restitution is normally not possible in the case of enforced disappearance owing to the irreversible nature of the harm suffered (which will in many cases also apply to other human rights violations), other forms of reparation, such as compensation, rehabilitation and satisfaction, should complement restitution.[418]

11.3.2 COMPENSATION

Compensation should be provided for any economically assessable damage, appropriate and proportional to the gravity of the violation and the circumstances of each case.[419] Economically assessable damage may include: (a) physical or mental harm; (b) lost opportunities, including employment, education and social benefits; (c) material damages and loss of earnings, including loss of earning potential; (d) moral damage; or (e) costs required for legal or expert assistance, medicine and medical services, and psychological and social services.[420] In most cases, financial compensation is not sufficient in itself to address the harm caused by human rights violations and should be accompanied by other forms of reparation.

11.3.3 REHABILITATION

Rehabilitation measures should include medical and psychological care as well as legal and social services to address physical and mental harms caused to victims.[421]

11.3.4 SATISFACTION

Measures of satisfaction should include, where applicable, any or all of the following:

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[414] See for example UN General Assembly, *Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power*, UN. Doc. A/RES/40/34, 29 November 1985, Principles 8-17, http://www.un.org/documents/ga/res/40/a40r034.htm; Human Rights Committee, *General Comments No. 31 on the Nature of the General Legal Obligation Imposed on States Parties to the Covenant*, para. 16; *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law*, Principles 18-23; *Updated Set of Principles to Combat Impunity*, Principle 31.
[415] See for example *Updated Set of Principles to Combat Impunity*, Principle 32.
[416] See for example *Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power*, Principle 4; *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law*, Principle 10.
[417] See for example *Updated Set of Principles to Combat Impunity*, Principles 32.
[418] Human Rights Council, *Report of the Working Group on Enforced or Involuntary Disappearances*, UN. Doc. A/HRC/22/45, 28 January 2013, p. 11, para. 55, http://www.un.org/en/ga/search/view_doc.asp?symbol=A/HRC/22/45
[419] *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law*, Principle 20.
[420] *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law*, Principle 20.
[421] *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law*, Principle 21.

a) effective measures aimed at the cessation of continuing violations;

b) verification of the facts and full and public disclosure of the truth to the extent that such disclosure does not cause further harm or threaten the safety and interests of the victim, the victim's relatives, witnesses, or persons who have intervened to assist the victim or prevent the occurrence of further violations;

c) the search for the whereabouts of the disappeared, for the identities of the children abducted, and for the bodies of those killed, and assistance in the recovery, identification and reburial of the bodies in accordance with the expressed or presumed wish of the victims, or the cultural practices of the families and communities;

d) an official declaration or a judicial decision restoring the dignity, the reputation and the rights of the victim and of persons closely connected with the victim;

e) a public apology, including acknowledgement of the facts and acceptance of responsibility;

f) judicial and administrative sanctions against persons liable for the violations;

g) commemorations and tributes to the victims; and

h) inclusion of an accurate account of the violations that occurred in international human rights law and international humanitarian law training and in educational material at all levels.[422]

11.3.5 GUARANTEES OF NON-REPETITION

Guarantees of non-repetition should include, where applicable, any or all of the following measures, which will also contribute to prevention:

a) ensuring effective civilian control of military and security forces;

b) ensuring that all civilian and military proceedings abide by international standards of due process, fairness and impartiality;

c) strengthening the independence of the judiciary;

d) protecting persons in the legal, medical and health-care professions, the media and other related professions, and human rights defenders;

e) providing, on a priority and continued basis, human rights and international humanitarian law education to all sectors of society and training for judicial and law enforcement officials as well as military and security forces;

f) promoting the observance of codes of conduct and ethical norms, in particular international standards, by public servants, including law enforcement, correctional, media, medical, psychological, social service and military personnel;

g) promoting mechanisms for preventing and monitoring social conflicts and their resolution; and

h) reviewing and reforming laws contributing to or allowing gross violations of international human rights law.

[422] *Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law*, Principle 22.

12. CONCLUSION AND RECOMMENDATIONS

> **"I have a grievance against the UN because they [Iranian authorities] killed so many of our children yet there was no sound from the UN… [The Iranian authorities] killed six of my children and the UN did not even raise its voice. It is still not raising its voice while they are persecuting my daughter. Enough is enough. How much more cruelty? How much longer? I expected the UN to hear my words, to record my voice, to note the names of my children."**
>
> Omolbanin Jalali Mohajer (known as Mother Behkish), who lost her children during the mass killings and enforced disappearances of the 1980s[423]

12.1 CONCLUSION

The enforced disappearances and extrajudicial executions of thousands of political dissidents in Iran in 1988, as well as the decades of cover-up involving the denial of truth and ill-treatment of victims' families, form part of a widespread and systematic attack against civilians by the Iranian authorities aimed at persecuting and eliminating political dissidents, silencing dissent and erasing all voices that promoted a different political vision for post-revolutionary Iran.

The Iranian authorities perpetrated thousands of secret extrajudicial executions in 1988 pursuant to at least one fatwa issued by the Supreme leader. Those killed were subjected to enforced disappearance – they were removed from the protection of the law in order to be executed – and, 30 years later, the authorities continue to refuse to fully disclose the fate of the victims, including the causes and circumstances of the killings, and locate unmarked individual and mass graves containing the remains of the victims so that they are identified and returned to the families. As a result, the enforced disappearances continue to be committed today. The untold anguish caused to the families by this situation, as well as the other ill-treatment to which they have been subjected, violates the absolute prohibition of torture and other cruel, inhuman or degrading treatment or punishment. Given the widespread and systematic manner in which these crimes have been and continue to be committed, Amnesty International considers that they amount to crimes against humanity, including of murder, extermination, enforced disappearance, torture, persecution and other inhumane acts (see chapter 9).

Official documents and statements confirm that these crimes have been ordered, overseen and approved by the highest authorities within the establishment and the authorities responsible at all level are continuing to conceal, condone and even celebrate them today. Indeed, ministry of intelligence officials, Shari'a judges, prosecutors general and assistant prosecutors who participated in the "death commissions" have held and, in some cases, continue to hold senior positions in the judiciary or the government. Since 2016, the authorities have increasingly made statements glorifying the perpetrators of the mass killings as "national heroes" and likened any criticism of the atrocities to support for "terrorism". As a result, there is no immediate domestic possibility for victims to access justice, truth and reparation in Iran.

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[423] A video-recorded statement by Omolbanin Jalali Mohajer addressed to the UN Special Rapporteur on the situation on Iran and published in November 2011 at https://www.youtube.com/watch?v=_R2je_pd6oM&feature=player_embedded

In this situation, it is essential that an effective international mechanism(s) are established to address the impunity.

Although the politics of the UN may result in some states opposing such measures, the international community as a whole must no longer ignore these crimes against humanity and allow them to go unaddressed and unpunished.

Crimes against humanity are exactly what the term suggests: crimes so serious that they concern not only their victims, survivors and the state in question but also humanity as a whole. Accountability for such crimes is essential, not only to ensure truth and justice for victims and their families, but also to provide a vital safeguard against the recurrence of such crimes.

The international community has grossly failed the survivors and families of the victims of the mass extrajudicial executions and enforced disappearances of 1988 in Iran. This failure has had a devastating impact not only on survivors and victims' families but also on the rule of law and respect for human rights in the country.

In August 2017, after decades of silence by the international community, the UN Special Rapporteur on the situation of human rights in Iran dedicated a section of her report to the issue of the "1988 massacres". The report criticized the Iranian authorities for failing to "ensure that a thorough and independent investigation into these events is carried out" and highlighted the harassment, intimidation and prosecution that families risk facing for seeking the truth about the fate of their loved ones and demanding justice. The Special Rapporteur concluded with a call for "effective investigation of the facts and public disclosure of the truth".[424]

The gravity of the crimes committed, the clear unwillingness of the Iranian authorities to investigate them in order to deliver justice, truth and reparation, and the ongoing suffering of survivors and victims' families demands that the international community, through the UN, step up its efforts to address the injustice.

The enforced disappearances and extrajudicial executions perpetrated in 1988 were the culmination of a decade of gross and systematic human rights violations following the 1979 revolution. They were followed by a series of extrajudicial executions that targeted intellectuals, writers, artists and dissidents between 1988 and 1998 and came to be known in Iran as the "Chain of Murders" for which the ministry of intelligence claimed responsibility.[425]

These crimes and violations have been perpetrated in a broader context where for decades the authorities have heavily suppressed the rights to freedoms of belief, expression, association and peaceful assembly; conducted systematically unfair and predominantly secret trials; committed torture and other ill-treatment on a widespread basis; executed hundreds of people every year; and kept thousands more on death row.

Today, Iran is in the grip of a multifaceted crisis that is rooted in a confluence of severe political, economic, environmental and human rights problems. Protests against poverty, inflation, corruption and political authoritarianism have been on the rise, and intensified expressions of anger and dissatisfaction against the establishment abound on social media. In response, the authorities have been widening the net of repression. Hundreds of peaceful political dissidents, journalists, online media workers, students, filmmakers, musicians and writers, members of religious and ethnic minorities as well as human rights defenders including lawyers, women's rights activists, trade unionists, minority rights and environmental activists, and anti-death penalty campaigners have been targeted for harassment, interrogation, arbitrary arrests and detention, and prosecution. Many are languishing in jail.

The succession of atrocities in Iran is intractably linked to the impunity that has been enjoyed by the Iranian authorities since 1979, leading them to believe that they can commit human rights violations without repercussions.

The damage caused to Iranian society by this legacy is an open wound that can only be healed if the state commits to adopt a comprehensive strategy to address impunity, at the insistence and with the support of the UN. That strategy must combine effective, fair and human rights compliant accountability measures as well as effective remedies for victims, including full and effective reparation, independent and effective truth-seeking measures, profound institutional reforms, and comprehensive history learning and human rights education campaigns. Only then can Iran break with its tragic and painful past, satisfy the right of the victims to truth, justice and reparation, and ensure that such crimes will never happen again.

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[424] *Report of the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran*, UN Doc. A/72/322, 14 August 2018, paras. 71-74, 109, http://ap.ohchr.org/documents/dpage_e.aspx?m=183

[425] Amnesty International, "Iran: Detainees arrested at commemoration for murdered writers must be released" (Index: MDE 13/5267/2016).

The brave survivors, family members and human rights defenders who are struggling for this vision deserve to know that they are not alone.

12.2 RECOMMENDATIONS

TO THE AUTHORITIES IN IRAN

Truth

- Publicly acknowledge that thousands of imprisoned political dissidents were subjected to enforced disappearances and extrajudicial executions in prisons across Iran in July-September 1988 and make public all available information and records regarding the number of those killed; their identities; the location, cause and circumstances of their disappearance and extrajudicial execution; and the location of their remains.
- Establish a competent, independent and impartial truth commission, commission of inquiry or other appropriate mechanism to establish fully the truth regarding the mass enforced disappearances and extrajudicial executions of July-September 1988, including the number of those killed; their identities; the date, location, cause and circumstances of each disappearance and extrajudicial execution; and the location of their remains. The mechanism should have effective powers to conduct its investigations, including to: compel co-operation from all government authorities; compel testimony from those suspected of involvement in the enforced disappearances and extrajudicial executions and other witnesses; exhume grave sites; and conduct autopsies and DNA analysis in order to facilitate the return of the remains of deceased victims to family members.
- Protect survivors, the families of victims and others seeking truth, justice and reparations on behalf of the victims of the mass enforced disappearances and extrajudicial executions of July-September 1988 against threats, harassment, intimidation, arbitrary arrests and detentions, and other reprisal by state authorities or other actors.
- Grant independent international monitors, including NGOs, unhindered access to the country.
    - More specifically in this regard, grant the Special Rapporteur on the situation of human rights in Iran unhindered access to the country and respond favourably, without further delay, to the requests made by the Working Group on Enforced or Involuntary Disappearances, the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, and the UN Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, to visit the country. Invite the UN Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence to carry out a visit.
- Publicly acknowledge and identify all individual and mass grave sites that contain the remains of the victims of the mass extrajudicial executions of July-September 1988.
- Ensure the preservation of archives including information relating to the mass enforced disappearances and extrajudicial executions of July-September 1988, and facilitate access to them in the interest of historical and human rights research, subject to reasonable restrictions aimed at safeguarding the privacy and security of victims and their families.
- Publish all reports and findings of any and all internal investigations into the mass enforced disappearances and extrajudicial executions of July-September 1988 and other allegations of abuses.
- Provide to victims' families statements of the last wishes written by victims before their execution.
- Establish an accessible registry that accumulates and centralizes data on the victims of the mass enforced disappearances and extrajudicial executions of July-September 1988 to assist in the process of establishing their identities, the location and circumstances of their disappearances and executions, and the location of their graves. The data entered into the registry should be subject to independent, impartial and thorough verification of their accuracy.

- Ensure that for every victim of the extrajudicial executions of July-September 1988, a declaration of death and a death certificate is issued, setting out accurately the date, location and cause of death.

Justice

- Ensure that prompt, thorough, independent and impartial criminal investigations are conducted into all allegations of enforced disappearances, extrajudicial executions, torture and crimes against humanity relating to the mass killings carried out in July-September 1988. Where sufficient admissible evidence exists, prosecute those suspected of criminal responsibility before civilian courts in proceedings that conform to international fair trial standards and do not involve seeking or imposing the death penalty. Any independent and impartial investigation would preclude state agencies accused of involvement in alleged violations from investigating their own personnel or affiliates.
- Ensure that investigations, and any prosecutions, are not limited to direct perpetrators but also address the criminal liability of those suspected of ordering, soliciting, planning, instigating, conspiring to commit, aiding or abetting, or otherwise assisting or facilitating the commission of such crimes (including the concealment of the fate of those disappeared and the location of their remains), as well as superiors who knew or should have known that a subordinate was committing or about to commit a crime but did not take all the reasonable and necessary measures within their power to prevent, repress or punish the crime.

Exhumations, identifications and reburial

- Immediately disclose information on the location of individual and mass graves containing the remains of the victims of the mass enforced disappearances and extrajudicial executions of July-September 1988.
- Immediately stop the destruction and damaging of sites that are suspected or known to contain the remains of the victims of the mass extrajudicial executions of July-September of 1988. Ensure that the sites are preserved and protected until proper, independent investigations can be carried out to determine the identity of the remains and the cause and circumstances of death.
- Ensure that all suspected and confirmed individual and mass grave sites related to the mass extrajudicial executions of July-September 1988 are marked and registered.
- Ensure that grave sites are protected against desecration, vandalism and sacrilege.
- Publicly recognize and treat mass graves as crime scenes that require professional forensic expertise to undertake exhumations, preserve evidence and accurately identify remains.
- Where exhumations and autopsies are required, consult with and inform families of victims and ensure that the human remains are treated with respect and dignity and the identity and cause of death are determined and recorded with due diligence by fully qualified forensic specialists in accordance with international standards.
- Facilitate the return of the human remains of deceased victims to family members and allow for the performance of funeral and cultural rites for the dead.
- Support and facilitate other forms of memorialization requested by relatives.
- If the remains of a person are found but not identified, a record should be kept active to allow for future identification and subsequent notification to relatives and interested parties.

Reparation

- Establish a competent, independent and impartial reparation mechanism to ensure that the survivors of the mass extrajudicial executions and enforced disappearances of 1988 and victims' families are provided with full and effective reparation in accordance with international standards to address the harm they have suffered, including restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition (see section 11.3).
- Issue an official declaration or a judicial decision restoring the dignity, reputation and rights of the victims of the mass extrajudicial executions and enforced disappearances of 1988 and of people closely connected with the victim.
- Issue a public apology, including acknowledgement of the facts and acceptance of state responsibility.

- Hold commemorations for the victims of mass extrajudicial killings and enforced disappearances of 1988 and other gross human rights violations committed during the 1980s.
- Publish and publicly disseminate the report of the truth commission or commission of inquiry recommended above and ensure that it is reflected in human rights training and educational material.
- Establish a vetting system to ensure that, pending investigation, public officials and employees who are suspected of committing serious violations of human rights and crimes under international law, in particular those involved in the security, police, intelligence and judicial sectors, do not remain, or are not placed, in positions where they could repeat such violations.
- Ensure that no one may be detained or imprisoned solely for the peaceful exercise of the human rights guaranteed under the ICCPR, including the rights to freedom of expression, association, peaceful assembly, belief, religion and privacy, and release immediately and unconditionally anyone so detained.
- Repeal or amend, with a view to bringing into conformity with international law, vaguely worded provisions of the penal code that unduly restrict the rights to freedom of expression, association and peaceful assembly.
- Ensure that measures are taken to ensure justice, truth, reparation and guarantees of non-recurrence for victims of other crimes under international law and human rights violations committed in Iran since 1979.

Legal framework

- Sign and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty; the International Convention for the Protection of All Persons from Enforced Disappearance; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol; and the Rome Statute of the International Criminal Court.
- Enact legislation making enforced disappearance and disappearances by non-state actors crimes in Iranian law, in accordance with Articles 2 and 3 of the International Convention for the Protection of All Persons from Enforced Disappearance.
- Enact legislation making crimes against humanity, as defined in customary international law, crimes in Iranian law.
- Enact legislation criminalizing torture, as defined in the Convention Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, ensuring that the prohibition of torture is not restricted to when it is “for the purpose of extracting confession or acquiring information” as it currently is under the Constitution, and encompasses pain or suffering that is inflicted on an individual as a form of punishment or intimidation or for any reason based on discrimination.
- Preclude the application of amnesties, statutes of limitations, immunities and other barriers to justice, truth and reparation.

Assistance and co-operation

- Seek assistance and co-operation from states, international bodies and relevant expert bodies in support of the above objectives.
- Request technical assistance from the UN Special Rapporteur on the promotion of truth, justice and reparation and guarantees of non-recurrence consistent with the Rapporteur’s mandate.

TO UN POLITICAL BODIES

- Establish an independent, impartial and effective international mechanism(s) to address impunity for the crimes against humanity and other crimes under international law identified in this report including by: documenting and investigating the crimes; gathering and preserving evidence; and identifying effective pathways to justice, truth and reparation with a view to ensuring that those suspected of responsibility are prosecuted in fair trials without imposing the death penalty, including before national courts of states exercising universal jurisdiction and victims are provided with effective remedies.

TO INDIVIDUAL UN MEMBER STATES

- Devote increased multilateral attention and focus to the issue of extrajudicial killings and enforced disappearances in Iran, including in collaboration with UN human rights processes and mandates, with a view to acknowledging and supporting the victims of these crimes and the right to truth, justice and reparation.
- Use all available bilateral, multilateral and regional platforms to urge the Iranian authorities to address mass enforced disappearances and the extrajudicial killings of 1988 and accept and implement the recommendations directed at it, and, where appropriate, to provide all technical assistance and support in fulfilment of these objectives related to truth, justice, and reparations.
- Support the establishment of an independent, impartial and effective international mechanism(s) by the UN to address impunity for the crimes against humanity and other crimes under international law identified in this report.
- Exercise extra-territorial, including universal, jurisdiction to investigate the crimes against humanity and other crimes under international law, identified in this report and, where there is sufficient admissible evidence, issue arrest warrants and seek to prosecute those suspected of responsibility before national courts in proceedings that meet international standards of fairness and do not involve seeking or imposing the death penalty, or extradite a suspect to a jurisdiction that will do so.

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