

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	794
Land:	Iran
Kilde:	Amnesty International
Titel:	Public Statement. Iran: Shocking statements by senior official highlight impunity for 1988 prison massacres
Udgivet:	30. juli 2019
Optaget på baggrundsmaterialet:	2. september 2019

AMNESTY INTERNATIONAL

PUBLIC STATEMENT

30 July 2019

Index: MDE 13/0815/2019

Iran: Shocking statements by senior official highlight impunity for 1988 prison massacres

Recent statements by Mostafa Pour Mohammadi, advisor to Iran's head of the judiciary and a former minister of justice, defending the mass extrajudicial executions of 1988 provide shocking confirmation of the authorities' wilful flouting of international human rights law both at the time and now and a stark reminder of the sense of impunity that senior officials linked to the killings enjoy, Amnesty International said today.

The organization is particularly concerned about comments by Mostafa Pour Mohammadi accusing those advocating for truth and accountability of "terrorism" and "collusion" with Iran's geopolitical enemies, and warning that they shall face prosecution. These comments, coupled with the appointment, in March 2019, of Ebrahim Raisi, who, like Mostafa Pour Mohammadi, was involved with the mass extrajudicial executions of 1988, to the position of the head of the judiciary, put survivors, family members of those executed and human rights defenders at increased risk of harassment and persecution simply for seeking truth and justice.

Current and former Iranian officials must not be allowed to shield themselves from accountability for the mass extrajudicial executions through campaigns of disinformation and threats of reprisals against anyone looking to shed light on them.

Amnesty International therefore renews its call on the UN and its member states to speak firmly and openly about the systematic impunity surrounding the crimes against humanity related to the mass extrajudicial executions of 1988. Amnesty International's December 2018 report [*Blood-soaked secrets: Why Iran's 1988 prison massacres are ongoing crimes against humanity*](#) concluded that, in addition to murder, these crimes against humanity include the ongoing systematic concealment of the fate of the victims or the whereabouts of their remains, which amounts to the crime of enforced disappearance under international law.

The international community must explore concrete pathways to truth and justice, with a view to ensuring that those suspected of responsibility are prosecuted in fair trials without imposition of the death penalty and to providing families of victims with reparations in accordance with international standards. The reparations should include facilitating both the return of the human remains of deceased victims to family members and the performance of funeral and cultural rites for the dead.

Grotesque distortion of the nature and context of 1988 prison massacres

In an interview published by the weekly magazine *Mosalas* on 25 July 2019, Mostafa Pour Mohammadi was asked about the criticisms that the Islamic Republic continues to receive about the executions that it carried out following the July 1988 armed incursion into Iran of the People's Mojahedin Organization of Iran (PMOI), an opposition group based in Iraq at the time, targeting prisoners who had not "repented" for their political opinions and activities.

In response, he lashed out, saying that those killed were "criminals and terrorists" who had "temporarily" qualified for commutation of their death sentences, but had to be "fought with" after they started colluding with the PMOI secretly from inside prison to support and join its armed

incursion. He proceeded to focus on the military co-operation of the PMOI with Saddam Hossein, Iraq's president at the time, during the Iran-Iraq war.

Mostafa Pour Mohammadi's comments propagate the same false narratives that Iranian authorities have used for decades to hide the truth that, between July and September 1988, they forcibly disappeared and extrajudicially executed several thousand unjustly imprisoned political dissidents in secret as part of a systematic effort to eliminate political opposition.

Contrary to these narratives, which demonize the victims as "terrorists" and "murderers", those forcibly disappeared and extrajudicially executed in 1988 were mostly young men and women, some just teenagers, unjustly imprisoned because of their political opinions and non-violent political 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.

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".

It should be emphasized that enforced disappearances and extrajudicial executions are prohibited under all circumstances, irrespective of what the victim is suspected of or has been convicted of doing.

The mass enforced disappearances and extrajudicial executions of 1988 constitute crimes against humanity under international law

Beyond this, the authorities have never provided any explanation of how thousands of prisoners held in Iran's high-security prisons could possibly have communicated with PMOI members outside the country or been involved in the armed incursion. Testimonies from survivors at the prison and leaked official records all confirm that prisoners being interrogated between July and September 1988 were not asked about accusations of secret collusion with the PMOI.

In addition, the mass executions did not only target prisoners with PMOI ties; hundreds affiliated with leftist and Kurdish opposition groups were among the victims.

Contempt for international law and standards

In his comments, Mostafa Pour Mohammadi compared, without any logic, the mass extrajudicial executions of 1988 to deaths occurring on the battlefield and asked mockingly, "Are we really expected to talk about legal debates and civil and humanitarian protections when we are in the middle of a war?"

These comments are emblematic of the Iranian authorities' contempt for international law and standards, and inadvertently confirm the horrific truth, long established by survivors and human rights defenders, that the proceedings leading to the mass extrajudicial executions of 1988, were extremely arbitrary in nature and had none of the characteristics of a judicial proceeding, as required by international law. The executions followed interrogation sessions before committees which survivors refer to as "death commissions"; they consisted of prosecution, judicial and intelligence officials, who aimed to discover the political opinions of the prisoners and order the execution of those not willing to "repent".

Threats against those seeking truth and justice

In his interview, Mostafa Pour Mohammadi likened documentation and condemnation of the mass extrajudicial executions of 1988 to support for "terrorism" and the PMOI, and stated that "now is the time to conduct prosecutions... and put the criminal world that defends terrorism in its place."

He also emphasized the need to keep official documents and records related to the executions secret, and claimed that the release in 2016 of the audio recording of a high-level official meeting that took place in August 1988 and included himself and several other officials responsible for overseeing the extrajudicial executions in Tehran was part of a “joint operation by the USA, the CIA, Mossad and Saudi Arabia” aimed at “overthrowing the Islamic Republic system”.

These statements put survivors, family members of victims and human rights defenders seeking truth and justice on behalf of individuals who were forcibly disappeared and extrajudicially executed in 1988 at increased risk of harassment, intimidation, arbitrary arrest and detention, and prosecution on spurious national security charges.

Systematic impunity

In his interview, Mostafa Pour Mohammadi described calls for accountability regarding the mass extrajudicial executions of 1988 as foreign elements “blowing their propaganda horns” in order to create a hostile “psychological atmosphere” and exploit “the ignorance and stupidity of some people”.

When asked about his own role in the executions, he compared his position to that of a combatant who was obliged to fire gunshots at the enemy and said that he must not be questioned or criticized if some of his shots were directed at people who mistakenly appeared in his line of fire or if his grenades hit a nearby village by mistake. He added: “Because of *monafeqin* [a pejorative term used by the Iranian authorities to refer to members and supporters of the PMOI], many were martyred. We suffered many casualties and defeats. And now you want me to come forward and answer, in legal terms, why I threw a grenade into the wrong place?”

These comments highlight the systematic impunity prevailing in Iran, where senior officials linked to the mass extrajudicial executions feel confident that they will never face justice. They hold crucial positions of power, including, ironically, in key judicial and government bodies responsible for upholding the rule of law and ensuring truth and justice. They are also given ample opportunities to spread disinformation, deflect criticism and reinforce impunity.

This situation makes it all the more urgent for the UN and its member states to speak openly and firmly against the systematic impunity surrounding the mass extrajudicial executions of 1988 and the ongoing concealment of the fate of the victims and the whereabouts of their remains.

Their failure to do so only serves to embolden the authorities to persist in their disavowal of the truth, and further abuse survivors, family members of victims and others seeking truth and justice. This has 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.

Amnesty International therefore renews its call on the UN and its member states to explore concrete pathways to truth, justice and reparation. These pathways should ensure that the truth regarding the mass extrajudicial executions of 1988 is disclosed, including the number of those killed in 1988, their identities, the date, location, cause and circumstances of each enforced disappearance and extrajudicial execution and the location of the remains; that those suspected of responsibility are prosecuted in fair trials without imposition of the death penalty; and that survivors and families of victims are provided reparations in accordance with international standards.