



# General Assembly

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## Human Rights Council

### Fortieth session

25 February–22 March 2019

Agenda item 4

### Human rights situations that require the Council's attention

**Joint written statement\* submitted by Nonviolent Radical Party, Transnational and Transparty, non-governmental organizations in general consultative status, Women's Human Rights International Association, France Libertes : Fondation Danielle Mitterrand, non-governmental organizations in special consultative status, International Educational Development, Inc., Mouvement contre le racisme et pour l'amitié entre les peuples, non-governmental organizations on the roster**

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[11 February 2019]

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\* Issued as received, in the language(s) of submission only.



## **More than 30 years of impunity in the Islamic Republic of Iran has to end**

More than 30 years has passed since Khomeini, the previous supreme leader in the Islamic Republic of Iran, issued in 1988 a decree that called for the executions of political prisoners in Iran. The targeted prisoners were primarily affiliated with or supporters of the main opposition group, People's Mujahedin of Iran (PMOI/MEK), but also other groups like the leftists, Kurds and others were targeted. The decree mandated the mass executions, where over 30 000 people have been reported to have been arbitrarily detained and extrajudicially executed.

The evidence is overwhelmingly pointing at still serving officials as the perpetrators of these crimes against humanity, and that they have been enjoying impunity for more than three decades. In fact, an investigation by a London-based NGO, Justice for the Victims of the 1988 Massacre in Iran (JVMI) uncovered in October 2017 more than 87 persons that have been involved in these mass executions. Many of them still hold official positions in the government or the Iranian judiciary, including the current post for minister of Justice.

Amnesty International published in December 2018 a 201-pages long investigatory report "Blood-soaked secrets: Why Iran's 1988 prison massacres are ongoing crimes against humanity", unveiling further evidence on this massacre. Their investigation has analyzed testimonies from survivors, families of the victims, former prisoners, witnesses and memoirs and media reports, which confirm that thousands have been kidnapped and subjected to extrajudicial killings. The report details how the Iranian authorities have an ongoing campaign to cover up, destroy and distort any evidence and fact about the mass executions. For example, the families of the victims have discovered that the authorities in Iran are bull-dozing the burial sites and constructing buildings on some of these areas. In their rigorous report, Amnesty International lines up clearly why and which type of attacks, committed by the Iranian authorities, classify as crimes against humanity.

The mass killings in 1988 have also been high-lighted by several mechanisms of the UN and specifically the Human Rights Council special procedures. For example, the Special Rapporteur on the situation of human rights in Iran stated in a report (A/72/322):

"73. Between July and August 1988, thousands of political prisoners, men, women and teen-agers were reportedly executed pursuant a fatwa issued by the then Supreme Leader, Ayatollah Khomeini. A three-man commission was reportedly created with a view to determining who should be executed. The bodies of the victims were reportedly buried in unmarked grave and their families never informed of their whereabouts. These events, known as the 1988 massacres, have never been officially acknowledged. In January 1989, the Special Representative of the Commission on Human Rights on the situation of human rights in the Islamic Republic of Iran, Reynaldo Galindo Pohl, expressed concern over the "global denial" of the executions and called on the Iranian authorities to conduct an investigation. Such an investigation is yet to be undertaken."

The UN Secretary General's report to the Human Rights Council (A/HR/37/24) expressed concern for the families of the victims, asked for more information related to the events in 1988 and said in February 2018:

"44. OHCHR continued to receive letters from families of the victims who were summarily executed or forcibly disappeared during the events of 1988. They ask for the intervention of the OHCHR to stop the harassment, intimidation and prosecution of human rights defenders seeking truth and justice on behalf of the victims and their families"

Later on 9 March 2018, the UN High Commissioner for Human Rights, communicated to concerned NGOs that:

"The 88 massacre, the allegation of the massacres in 88, the summary executions and enforced disappearances of thousands of political prisoners – men, women and children – we have received a great deal of information from you... and the recommendations have been made to the national authorities to investigate independently and impartially of course given all the attention given to this by the victims' families."

Despite these reports and communications, and many more that have come before these, nothing has been done. It is also not reasonable to think that authorities that have been involved in the persecutions would launch an independent investigation on themselves to investigate the crimes of humanity that they have committed. The perpetrators have after all enjoyed more than 30 years of impunity. And Iranian authorities are spending resources to actively destroy any evidence that is left to find, such as the mass graves.

We therefore;

- Appeal to the UN Human Rights Council to set up a commission of inquiry into the 1988 massacre and to bring justice for the victims of that crime against humanity.
- Urge the UN High Commissioner for Human Rights to support the launch of an independent fact-finding mission into the 1988 massacre.
- Appeal to the Special Procedures of the Human Rights Council, in particular the Special Rapporteur on the promotion of truth, and the Special Rapporteur on the situation of human rights in Iran to investigate Iran's 1988 massacre as part of their respective mandates.

This is the appropriate way to end impunity after 30 years, and to stop further killings and harassment of dissidents and their families, and incentivize the Government of Iran to collaborate with the UN.

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Association des Femmes Iraniennes en France - Comité des Soutien aux Droits de l'Homme en Iran NGO(s) without consultative status, also share the views expressed in this statement.