



General Assembly

Distr.: General
30 August 2019

English and French only

Human Rights Council

Forty-second session

9–27 September 2019

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Joint written statement* submitted by Women's Human Rights International Association, Edmund Rice International Limited, France Libertes : Fondation Danielle Mitterrand, non-governmental organizations in special consultative status, Nonviolent Radical Party, Transnational and Transparty, non-governmental organizations in general consultative status and International Educational Development, Inc., a non-governmental organization 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.

[22 August 2019]

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

GE.19-14856(E)



* 1 9 1 4 8 5 6 *

Please recycle The recycling symbol, consisting of three chasing arrows forming a triangle.



UN must act against perpetrators of 1988 massacre in the Islamic Republic of Iran

In the summer of 1988, the government of the Islamic Republic of Iran massacred 30,000 political prisoners based on a fatwa by Supreme Leader Ayatollah Khomeini. His decree called for the execution of all political prisoners affiliated to the People's Mojahedin Organisation of Iran (PMOI or MEK) who remained loyal to the organisation. 'Death Commissions' were formed across the country sending political prisoners who refused to abandon their beliefs to execution. Political prisoners affiliated to other groups were executed in a second wave about a month later. The victims were buried secretly in mass graves.

An investigation in 2017¹ by London-based NGO, Justice for the Victims of the 1988 Massacre in Iran (JVMI), uncovered the identities of 87 Death Commission members. Many still hold senior positions in the Iranian judiciary or government. They include:

- Judiciary Chief: Ebrahim Raisi was in 1988 Tehran's Deputy Prosecutor and member of the Tehran Death Commission. He became Judiciary Chief in March 2019.
- Justice Minister: Alireza Avaei was Dezfoul's Prosecutor and member of the Death Commission. He is now Justice Minister.
- Deputy Speaker of Parliament: Abdolreza Mesri was a member of the Kermanshah Death Commission. He became Deputy Majlis Speaker in May 2019.
- Advisor to the Judiciary Chief: Mostafa Pourmohammadi was a member of the Tehran Death Commission. Since 2018, he is advisor to Judiciary Chief.
- Vice President of the Supreme Court: Hossein-Ali Nayyeri headed the Tehran Death Commission. He is currently Head of the Supreme Disciplinary Court for Judges and Vice President of the Supreme Court.
- Supreme Court Justice: Ali Razini sat on the Tehran Death Commission. He is now Head of the 41st Branch of the Supreme Court.

On 25 July 2019, in an interview² with the state-run Mosalas magazine, Mostafa Pour-Mohammadi defended the 1988 massacre and said newly-caught PMOI activists would face the capital punishment.

Ali Razini told the state-run Jamaran website³ on 29 July 2019 that the killings were carried out speedily on Khomeini's order to avoid "being held up by red tape".

Amnesty International's report on the 1988 massacre

In December 2018, Amnesty International published a 201-page report "Blood-soaked secrets: Why Iran's 1988 prison massacres are ongoing crimes against humanity"⁴ calling on the UN to set up an independent investigation to help bring those responsible for these abhorrent crimes to justice.

Destroying the evidence

JVMI's report⁵ listed 59 mass graves where victims are thought to be buried.

A joint report⁶ in 2018 by Amnesty International and Justice For Iran, "Criminal cover-up: Iran destroying mass graves of victims of 1988 killings", reveals that Iranian authorities are

¹ <https://iran1988.org/new-report-published-1988massacre-iran-evidence-crime-humanity/>

² <https://youtu.be/uAo6w1QOFqw>

³ <https://iran-hrm.com/index.php/2019/07/30/iranian-regime-official-admits-extra-judicial-executions-of-opponents/>

⁴ <https://www.amnesty.org/en/documents/mde13/9421/2018/en/>

⁵ <https://iran1988.org/new-report-published-1988massacre-iran-evidence-crime-humanity/>

⁶ <https://www.amnesty.org/en/documents/mde13/8259/2018/en/>

bulldozing or building over mass grave sites, thereby destroying key evidence that could be used to establish the truth about the scale of the crimes and obtain justice for the victims.

UN Special Rapporteur’s position on the 1988 massacre

The previous Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Asma Jahangir, informed the General Assembly:⁷

“Between July and August 1988, thousands of political prisoners, men, women and teenagers, were reportedly executed pursuant to 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 graves 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 Iranian authorities to conduct an investigation. Such an investigation has yet to be undertaken.”

“In August 2016, an audio recording of a meeting held in 1988 between high-level State officials and clerics was published. The recording revealed the names of the officials who had carried out and defended the executions, including the current Minister of Justice, a current high court judge, and the head of one of the largest religious foundations in the country and candidate in the May presidential elections. Following the publication of the audio recording, some clerical authorities and the chief of the judiciary admitted that the executions had taken place and, in some instances, defended them.”

“Over the years, a high number of reports have been issued about the 1988 massacres. If the number of persons who disappeared and were executed can be disputed, overwhelming evidence shows that thousands of persons were summarily killed. Recently, these killings have been acknowledged by some at the highest levels of the State. The families of the victims have a right to know the truth about these events and the fate of their loved ones without risking reprisal. They have the right to a remedy, which includes the right to an effective investigation of the facts and public disclosure of the truth; and the right to reparation.”

UN Secretary General’s report

On 26 February 2018, Secretary General António Guterres told the Human Rights Council:⁸

“OHCHR continued to receive letters from families of the victims who were summarily executed or forcibly disappeared during the events of 1988. The Secretary-General remains concerned by the difficulty the families faced in obtaining information about the 1988 events and the harassment of those continuing to advocate for further information related to these events.”

Letter by Special Procedures

On 14 June 2017, the Iranian authorities were sent a letter from the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran; the Working Group on Enforced or Involuntary Disappearances; the Special Rapporteur on extrajudicial, summary or arbitrary executions; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, stating:

⁷ <https://undocs.org/A/72/322>

⁸ https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session37/Documents/A_HRC_37_24.docx

“Please provide information about measures taken to investigate the extrajudicial killings of 1988, and to bring perpetrators to justice. If no investigations have taken place, please explain why.”

The response by the Iranian government on 11 August 2017 failed to even refer to the 1988 massacre, let alone respond to questions on holding perpetrators accountable.

Remarks by High Commissioner Zeid

A civil society hearing in Geneva on 1 February 2018 heard witnesses and legal experts and urged the UN to investigate the 1988 massacre.

UN High Commissioner for Human Rights, Zeid Ra’ad Al Hussein, told NGOs on 9 March 2018:

“The 88 massacre, the allegations 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.”

Time to act

On behalf of our respective NGOs, we appeal to the Human Rights Council to end the 31-year impunity enjoyed by Iranian officials over the 1988 massacre.

We believe that until the full truth of the 1988 massacre is unveiled and the perpetrators are held to account, there will be no incentive for the Government of the Islamic Republic of Iran to change its policy on human rights.

We therefore call on the Human Rights Council to set up a commission of inquiry into the 1988 massacre and achieve justice for the victims of that crime against humanity.

We urge UN High Commissioner for Human Rights Michelle Bachelet to support the launch of an independent fact-finding mission into the 1988 massacre.

Furthermore, we appeal to the UN Special Procedures, in particular the Special Rapporteur on the situation of human rights in the Islamic Republic of Iran, Javaid Rehman, and the Special Rapporteur on the promotion of truth, Fabian Salvioli, to investigate the 1988 massacre as part of their mandates.

Association des femmes iraniennes en France. comité de soutien au droits de l'homme en iran
NGO(s) without consultative status, also share the views expressed in this statement.