



Inquiry into the 1988 mass executions in Iran

JUSTICE FOR THE VICTIMS OF THE 1988 MASSACRE IN IRAN

REPORT 2017

JVMI www.iran1988.org

INQUIRY INTO THE 1988 MASS EXECUTIONS IN IRAN

JUSTICE FOR THE VICTIMS OF THE 1988
MASSACRE IN IRAN (JVMI)

REPORT 2017

Copyright © 2017 Justice for the Victims of the 1988
Massacre in Iran (JVMI)

All rights reserved.

ISBN 978-0-9957687-1-0

www.iran1988.org

Contents

Abbreviations	1
I. INTRODUCTION	2
II. METHODOLOGY	9
III. EXECUTIVE SUMMARY	15
IV. THE ISLAMIC REPUBLIC OF IRAN AND THE OPPOSITION	20
V. ORDERING THE MASSACRE.....	57
VI. REPORTS BY INDEPENDENT BODIES	81
VII. REPORTS BY THE UNITED NATIONS	105
VIII. INTERVIEWS OF SURVIVING PRISONERS	142
IX. THE CALL FOR JUSTICE	232
X. ANALYSING IRANIAN LAW	259
XI. APPLICABLE INTERNATIONAL LAW	268
XII. MAKING THE CASE FOR THE HIGH COMMISSIONER FOR HUMAN RIGHTS	297
XIII. CONCLUSION.....	303
ANNEX I	306
ANNEX II	344

Abbreviations

Bassij	Bassij-e Mostaz'afin - paramilitary force affiliated to the IRGC
CRC	Convention on the Rights of the Child
Dadyar	Assistant Prosecutor
Evin	Evin Prison, northern Tehran
Fatwa	Religious edict
FFM	Fact-Finding Missions
Ghezelhessar	Ghezelhessar Prison, Karaj
Gohardasht	Rajai-Shahr Prison, Karaj
ICC	International Criminal Court
ICCPR	International Covenant on Civil and Political Rights
IRGC	Islamic Revolutionary Guards Corps
IRP	Islamic Republican Party
Komite(s)	Committees of the Islamic Revolution
MEK	People's Mojahedin Organisation of Iran / Mujahedin-e Khalq
MOIS	Ministry of Intelligence and Security / Vezarat-e Ettela'at va Amniyat-e Keshvar
NCRI	National Council of Resistance of Iran
NGOs	Non-Governmental Organisations
OHCHR	Office of the UN High Commissioner for Human Rights
PMOI	People's Mojahedin Organisation of Iran / Mujahedin-e Khalq
Rajai-Shahr	Rajai-Shahr Prison, Karaj
UN	United Nations
UPR	Universal Periodic Review
Vali-e Faqih	Supreme religious leader
Velayat-e Faqih	Supreme religious rule
VEVAK	Ministry of Intelligence and Security / Vezarat-e Ettela'at va Amniyat-e Keshvar

I. INTRODUCTION

“There shall be thorough, prompt and impartial investigation of all suspected cases of extra-legal, arbitrary and summary executions, including cases where complaints by relatives or other reliable reports suggest unnatural death...”¹

The decade of 1979-1989 was a period when the politicized clerics in Iran began establishing the absolute rule of the *Velayat-e Faqih*, Ayatollah Ruhollah Khomeini’s vision of the world. The vision of an old mullah, confined to seminaries in the holy city of Qom studying and teaching obsolete centuries-old religious texts.

In 1971, Khomeini published what is considered by many to be his blueprint for his future “system of government”. A book titled *Islamic Government* which originated in a series of lectures given at the holy Iraqi city of Najaf in 1970. The book seemingly bears a striking resemblance to Adolf Hitler’s description of the German Third Reich: one State [Islamic], one Supreme Leader [*Vali-e Faqih*] and one people [Islamic Umma]. The fact that he chose to call his “Islamic Government” an “Islamic Republic” does not change the fact that what he really had in mind was an “Islamic State” with one Supreme Leader at its head. With his limited knowledge of modern world politics, he considered a republic simply as a non-monarchical entity. He thought that by adding the “Islamic” prefix, he had made his point. However the “Islamic Republic” carries an enormous contradiction between his conception of the “supremacy and dominion of the religious jurist over all citizens” and the term “Republic” with the main principle being the sovereignty of the people. This contradiction

¹ Principle 9 of the Principles on the Effective Prevention and Investigation of Extra-Judicial, Arbitrary, and Summary Executions, recommended by the United Nation Economic and Social Council Resolution 1989/65 of 24 May 1989.

continues today and is best exemplified in a permanent clash between the Supreme Leader and the “elected” President with the prevalence of the former. In addition, the social and political situation in Iran and the people’s demand to overthrow the Shah to achieve freedom and democracy would not allow him to go as far as declaring an “Islamic State” in the way that Daesh did.

It is noteworthy that of the dozen Shia Grand Ayatollahs alive at the time of the Iranian Revolution, many grand ayatollahs did not agree with the concept of *Velayat-e Faqih*. Grand Ayatollah Hussein-Ali Montazeri, who at the time approved of Khomeini's concept of *Velayat-e Faqih*, later disavowed it in 1988, after the massacre of thousands of political prisoners against which he protested. Khomeini dismissed him as his heir due to his protest.

Right after toppling the Shah, Khomeini’s clergy swiftly began carrying out hasty executions of military officers and high-ranking civil servants in summary and arbitrary proceedings. In a second phase, consisting of strengthening and giving a universal outlook to the divine mandate of the *Vali-e Faqih* (the supreme leader), the clerics moved on to suppress all overt opposition using barbaric medieval means, both inside and outside prisons. Scenes of bodies hanging from cranes became part of the landscape in Tehran. Pictures of young men and women blindfolded driven to the gallows began to appear daily in international newspapers, publications of Amnesty International and other independent human rights organisations.

Politically, while still benefiting from the legitimacy of the revolution and Khomeini’s true agenda not yet known to most Iranians, the emboldened and euphoric clerics seized the opportunity to adopt a constitution and institutionalised the political order based on Khomeini’s concept of *Velayat-e Faqih*, a miss-mash of principles, some of which were a distorted imitation of “western political concepts” such as ‘democracy’, ‘republic’ and ‘division of powers’. Khomeini’s democracy was explained when he angrily wrote in 1987 to Ali Khamenei, the then President, telling him he did not understand the principle of *Velayat-e Faqih*, “ordinary people did not have a say in the

running of the country; their duty is to respect Islam and the will of God”².

As to the legal order under the *Velayat-e Faqih*, the basic principles were claimed to be of divine nature, God-given and unalterable by man or subdued by international law, such as the deadly concepts of *mofsed fel ardh* (sowing corruption on earth) and *moharabeh* (waging war against God). Based on these two concepts, thousands of members and sympathisers of the opposition groups, particularly those linked to the PMOI, were executed with no consideration to due process of law.

Consequently, a fearsome security network was erected consisting of the Intelligence Ministry, the security services of the Revolutionary Guards and the *Komitehs*, the *Basij* paramilitary forces and the national police force, all interacting with the Revolutionary Courts. Their mission was to safeguard the Islamic revolution and protect *Velayat-e Faqih*, suppress its enemies and expand its mission worldwide. All those who assumed responsibility over the security agencies were clerics, directly appointed by the Supreme Leader. The end of the war with Iraq had seen hundreds of ground hardened war managers converted to security officers and transferred to different security forces.

According to press reports, prisoners memoirs and testimonies, a hard line mullah under the name of Ali Fallahian became the Intelligence Minister in 1989 in replacement of the ruthless Mohammad Mohammadi Reyshahri who was sent to supervise the prosecution of clerics who challenged the ruling of the *Velayat-e Faqih* to prevent subversion from within, and put order in the intra-clerical factionalism. A selection of hateful clerics and non-clerics was already in place as prison governors and revolutionary prosecutors. Assadollah Lajevardi was one of them. He was in charge of Evin Prison while acting as revolutionary prosecutor. He became known as the ‘butcher of Evin Prison’ for allegedly being personally responsible for the torture and

² Con Coughlin, *Khomeini’s Ghost: The Iranian Revolution and the Rise of Militant Islam*, HarperCollins Publishers, 2009, page 252.

execution of thousands of members and sympathizers of the People's Mojahedin Organisation of Iran (PMOI or MEK) and other opposition groups. From 1981 onwards, the PMOI had emerged as a possible alternative and the most serious threat to the clerics Republic. It had to be brought to its knees. To do that, a *fatwa* (a jurisprudential edict) was necessary to legitimise the action towards a 'final solution'. This had to come from the Supreme Leader, Ayatollah Khomeini himself.

The Iran-Iraq war came to an end in July 1988. For years Khomeini had vowed to continue the war to "liberate Jerusalem via Karbala." He once said he would continue the war until the last building in Tehran in order to realize that goal. However, Iran was rapidly losing the war in the spring and summer of 1988. Khomeini had no option but to accept the UN Security Council resolution for a ceasefire which had previously been rejected for a number of years, during which Iran had suffered heavy losses. Khomeini described his decision as drinking "a chalice of poison". Fearing the expected backlash, Khomeini decided to settle the score with the PMOI once and for all. A *fatwa* is believed to have been issued on 26 July 1988 to the effect that "those who are in prisons throughout the country and remain steadfast in their support for the *Monafeqin* (the regime's derogatory term for the PMOI), are waging war on God and are condemned to execution"³. In a related instruction to his son Ahmad, Khomeini decreed, "use whichever criterion that speeds up the implementation of the verdict"⁴. This order from the Supreme Leader, had immediately activated a death machine throughout

³ A hand written, undated text in Farsi had been widely circulated among those who followed the human rights situation in Iran and is published on the JVMI website: <https://iran1988.org/khomeini-decrees-execution-of-steadfast-monafeqin-mojahedin-in-prisons/>

⁴ Letter from Khomeini to his son Ahmad in reply to a letter from the latter asking whether "Those *Monafeqin* [PMOI] prisoners who have received limited jail terms, and who have already served part of their terms, but continue to hold fast to their stance in support of the *Monafeqin* [PMOI], are they also condemned to death?" <https://iran1988.org/letter-of-ahamd-khomeini-to-his-father-and-the-latters-response/>

the prisons in Iran and went on “cleansing” the country of the apostates and renegades well into autumn 1988. This machine was officially called the “Amnesty Commission”, known among the prisoners as the “Death Commission”. In advance, prison visits were stopped and a blackout had been imposed.

Despite the iron curtain of censorship imposed by the regime to ensure a complete blackout of the crime, the UN Special Representative on the Situation of Human Rights in Iran, Professor Reynaldo Galindo Pohl was inundated by communications alerting him to the ongoing mass executions. He tried to visit Iran but he was not invited until January 1990 when the smoke had dissipated. He had on his schedule a visit to Grand Ayatollah Hussein Ali Montazeri who had reportedly expressed concern regarding what was happening to political prisoners but this visit for reasons not explained, never took place. It was in December 2000 that Montazeri published his memoir⁵ when he revealed shocking documents on the atrocities committed in prisons on the order of the Supreme Leader, Ayatollah Khomeini. Montazeri’s memoir is of great significance since it came from a man who was at the time of the events the officially designated successor to Khomeini and the second highest authority among the clerics. “I told myself ‘I am after all the Imam’s successor and I took part in this revolution’,” he says in his memoir. “If an innocent man is killed, I am also responsible.”⁶

In August 2016, an audio recording was published for the first time of Montazeri acknowledging the brutal massacre in the summer of 1988 of members and sympathisers of the PMOI. The regime had been planning for the massacre for a long time, Montazeri reveals in the audio tape. He says, “(The ministry of)

⁵ <https://amontazeri.com/book/khaterat>

See also AGENCE FRANCE-PRESSE (AFP), Paris, 15 December 2000 - Dissident cleric Hossein Ali Montazeri, once in line to be Iran's supreme leader, this week dropped a political bombshell by publishing his memoirs on the Internet and provoking a cyber war with the leadership in Tehran.

⁶ *Ibid*

Intelligence wanted to do it (the massacre) and had made investments. And, Ahmad (Khomeini's son) had been personally saying for three or four years (prior to the massacre) that the Mujahedin-e Khalq members must all be executed, even those who had simply read the newspapers, publications and statements of the monafiqin." Montazeri adds, "The PMOI are not simply individuals. They represent an ideology and a school of thought. They represent a line of logic. One must respond to the wrong logic by presenting the right one. One cannot resolve this through killing; killing will only propagate and spread their ideology." The significance of the audio tape is that for the first time the perpetrators had expressly acknowledged their role in the instigation and the implementation of the crime. Following the disclosure of the tape, a former member of the Death Commission appointed Minister of Justice in Rouhani's Government, Mostafa Pour-Mohammadi, said "We are proud to have carried out God's commandment with regard to the [PMOI] and to have stood with strength and fought against the enemies of God and the people."⁷

The information provided in Montazeri's memoirs and the recent audio tape⁸ came to give more weight and credibility to the allegations persistently reported by the families of the victims. Iranian and International Non-Governmental organisations had consistently called for a thorough and independent investigation into the events of the summer of 1988, to verify the crimes, assert their scale and their extent, identify the perpetrators and hold them to account.

It is in this context that Justice for the Victims of the 1988 Massacre in Iran (JVMI) decided to undertake a compilation of existing information from reliable sources in the form of a report to:

First, keep the victims of those heinous crimes in public memory,

⁷ Tasnim news agency, affiliated to the IRGC Quds Force, 28 August 2016

⁸ <https://soundcloud.com/radiozamaneh/yakydru8jded>

Second, remind the international community that a crime against humanity has been committed in Iran,

Third, underline that the perpetrators are identifiable and that some of them are currently (as of February 2017) holding key positions in the administration of the Islamic Republic of Iran,

Fourth, remind all concerned that international criminal law provides for the prosecution of the perpetrators, stands against impunity and considers that crimes against humanity are imprescriptible,

Fifth, invite the United Nations to set up a commission of inquiry to investigate those particular events of 1988 in which thousands of prisoners perished, separately from other human rights concerns currently monitored by UN special procedures.

II. METHODOLOGY

Twenty eight years (as of February 2017) has passed since Ayatollah Khomeini of Iran issued a *fatwa*, proclaiming that members and sympathisers of the PMOI, who were in prison at the time, are a threat to the Islamic Republic and as such they are enemies of God (*moharabeh*). Historical records indicate that it was this *fatwa* that provided the theological ground for the extermination of the enemies of the Islamic Republic in 1988 and unleashed a wave of mass killing of political prisoners.

It had been reported that thousands of prisoners had been executed in the period of July-November 1988, in violation of Iranian due process of law and Iran's obligations under international law and human rights law. At the time, these executions flared a short-lived international outcry. They have been reported by the UN mandated special procedures (Special Representatives and Special Rapporteurs as well as Thematic Working Groups); by the media worldwide and by international NGOs including Amnesty International (AI), the International Federation for Human Rights (FIDH) and by Human Rights Watch (HRW). But soon after, and despite the tireless efforts of the families and relatives of the victims complaining to the UN specialised organs, those mass killings in Iran soon fell out of focus and disappeared from the reports of the international media until recently when Ahmad Montazeri, the son of the late Grand Ayatollah Hussein-Ali Montazeri, the then chosen successor of Ayatollah Khomeini, decided to make public an audio tape of his father meeting with a number of judicial officials involved in the mass executions, contesting those executions and warning that history will catch up with the perpetrators.

During the implementation of his mandate, the UN Special Representative, Reynaldo Galindo Pohl from El-Salvador, came to the belief that one of the most reliable sources providing information on the situation of human rights in Iran is the reports printed in the Iranian press. He paid great attention to the Iranian

press, which under the then existing system of control, published reports that implicitly had the authorities' approval. Thus, as far as executions are concerned, the Iranian press is taken seriously as a reliable source of information, although, as the Special Representative soon found out, "official instructions have been given to restrict reporting of such matters, with the express intention of depriving [him] of an important source of information which can hardly be disputed" (document A/48/526, para. 92). In line with the Special Representative's practice, the present report will rely on Iranian documentation be it governmental or non-governmental as a principal source of information to corroborate allegations provided by other sources.

Over the last ten years, many *ad hoc* fact-finding and inquiry commissions have been established to assess some of the most serious situations of human rights and humanitarian law violations across the world. These have not only increased public awareness of fact-finding and inquiry processes but have also highlighted the importance of their role as a key mechanism for implementing legal norms of international human rights and international humanitarian law. Non-governmental organisations (NGOs) have also significantly increased pressure for support of such missions.

It is in this context that the JVMI information gathering initiative had been launched as an *ad hoc* independent committee tasked with ascertaining relevant facts and information relating to the alleged mass executions during, before and after the summer of 1988 in Iran to determine whether or not the alleged crimes had indeed taken place and whether or not the relevant international norms had been violated by the State or its agents.

In this report the JVMI has compiled reliable information in the context of the rights and obligations contained in the International Covenant on Civil and Political Rights (ICCPR) to which Iran is a party. It has reviewed all previously published material available to it, and has held interviews with survivors who had not been heard before, or their information had not

been reflected in any of the previous reports. Additionally it has collected new information that had not been available in the past. During the second half of 2016, new information emerged which shed further light on the extent of the 1988 executions, and on the regime's efforts to destroy all evidence of its crimes particularly the demolishing of cemeteries where allegedly thousands of victims of the 1988 massacre have been buried in mass graves.

Political considerations and States interests had so far prevented the undertaking of any effective inquiry into the alleged mass executions of the summer of 1988 in Iran. The UN had been aware that serious violations of human rights had indeed taken place in Iran and still are. That was what prompted the UN to appoint Special Representatives and Special Rapporteurs on the situation of human rights in that country. Unfortunately, power politics at the time did not permit the establishment of a robust mechanism to address the matter. The UN consensus as prescribed in the UN Human Rights Commission's Resolution 1984/54, was to mandate a Special Representative "to establish contacts with the Government of the Islamic Republic of Iran and to make a thorough study of the human rights situation in that country based on such information as he may deem relevant, including comments and materials provided by the Government". As the human rights situation in Iran has been recognised as of international concern, the study of such a situation should automatically entail thorough investigation of all aspects of the violations including the nature and extent of the crimes committed and the role of the individual perpetrators. The issue of identifying and holding the individual perpetrators accountable for their crimes is of paramount importance but in this case, political expediency had prevented the inclusion of such an item in the UN agenda.

In the absence of any other official attempts to verify those allegations and to reveal the truth, at least for the families of the victims to come to terms with their grief, and to seek justice in order to prevent impunity and further occurrence, JVMI,

representing the families of the victims, took it upon itself to put together a compilation of published materials related to the alleged massacre first, to facilitate public access to the pertinent sources and second, to bring the outcome to the attention of the United Nations as a reminder that a UN inquiry into such mass extra-legal executions is overdue and that oblivion and impunity are not an option.

In examining the existing materials and the surviving witnesses, JVMI has simply compiled reliable information emanating from relevant credible sources and recorded the allegations and opinions given by the sources. Conclusions in this report do not constitute a factual finding but simply a categorisation of given information in light of internationally recognized human rights standards. Factual elements and opinions gathered will remain those of their authors. To assert its impartiality and objectivity and to prevent any subjective evaluation of the information, JVMI has endeavoured to be guided by the good practices followed by previous “*international commissions of inquiry*” or “*fact-finding missions*” (FFM). It has collected first-hand information and has interviewed former prisoners who survived the events of the summer of 1988 in Iran. It has also documented statements of the families of the victims and has compiled various governmental and non-governmental published information; media sources as well as the work of the mandated UN Special Representatives and Rapporteurs on the human rights situation in Iran, seeking to illuminate the circumstances, the scale, the causes, the consequences and the aftermath of those events.

Fact-finding missions generally applied four different standards when formulating their findings:

- 1) ‘Overwhelming’ evidence (conclusive or highly convincing evidence)
- 2) ‘Substantial’ evidence (very solid evidence)
- 3) ‘Sufficient’ evidence (more supportive than contradicting evidence)

4) 'Less than sufficient' evidence is not given any interest.

As to the International Criminal Court (ICC) it had adopted in a number of cases the criterion of "reasonable basis to proceed" as the standard for investigation.

This report aims to provide "the reasonable basis to proceed" by providing the overwhelming, substantial and sufficient evidence. Uncorroborated allegations are considered less than sufficient evidence and have not been documented.

The identification of the individuals suspected of being involved in the commission of violations is one of the most challenging aspects facing Fact Finding Missions. Victims and the wider community have a right to know who was responsible for atrocities. Meanwhile, the JVMI is aware of the risks of making an erroneous determination, or naming an individual on weak grounds, and doing so has clear implications for the person's rights, especially when the alleged crime is a grave one. It is undoubtedly important to protect individuals from being erroneously labelled as murders, torturers, war criminals, genocidaires, etc., a reason for which JVMI has applied a higher standard of proof when individuals are identified. The JVMI is committed to rely solely on credible evidence that leaves no reason for the UN and other mandated agencies not to investigate and if they abstain, they will put their own credibility at stake.

This report is meant to motivate and help the United Nations to investigate the alleged "1988 massacre" in Iran and to increase international awareness that such an undertaking is overdue. In the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity, the United Nations has recognized the principle that there is no period of limitation for war crimes and crimes against humanity. The time factor is not an acceptable motive for sending the file into oblivion. Crimes against humanity are now universally recognised imprescriptible and subject to universal jurisdiction. They are no

longer tolerated legally and morally. Tolerating impunity is a perversion of international justice.

III. EXECUTIVE SUMMARY

Gross and reliably attested violations of human rights and fundamental freedoms in the Islamic Republic of Iran have been documented by multiple and credible sources including the Special Representatives of the UN Commission on Human Rights, the UN Special Rapporteurs and the UN Working Groups appointed to monitor the situation of human rights in Iran. Such sources have confirmed that mass executions of thousands of political prisoners had taken place in the Islamic Republic of Iran in the period between July and September 1988.

Political and non-political executions, including the execution of juveniles continue to date in Iran. Iran has the highest rate of executions per capita in the world. It continues to be one of the very few countries that still use public hanging.

The UN Special Representative, Prof. Reynaldo Galindo Pohl, whose mandate covered the period of the 1980s, had repeatedly reported that extra-legal, summary or arbitrary executions of thousands of political prisoners held in jails across Iran had taken place before, during and after the summer of 1988. This mass killing, according to experts is the biggest mass crime committed against political prisoners since World War II.

- The UN Special Representative of the Commission on Human Rights had reported that “According to information available to the Special Representative, some 7,000 executions had taken place in the Islamic Republic of Iran between 1979 and the end of 1985 and according to some sources the figure was much higher”, E/CN.4/1987/23.
- The Iranian opposition, the People’s Mujahidin Organisation of Iran (PMOI/MEK), had compiled a list of over 20,000 victims; the overwhelming majority of them are alleged to have been executed in that period. The

organisation states in its publication that “this is a fraction of 120,000 executions by the Iranian regime”.

- “[A]ll the persons appearing before the Special Representative alleged that they had been arrested without any warrant, mostly by groups of revolutionary guards who had detained them in their homes or on the street, in some cases, persons were arrested while accompanied by family members, including babies or children. Most of the persons described the conditions of their arrest as brutal, accompanied by beatings and other forms of ill-treatment. In most of the cases, no explanation was given to the detainee as to the reason for his detention, in other cases, explanations were vague. Some of the persons spent months, or sometimes years, in prison without any formal accusation being brought against them. Allegations were also made of long periods of *incommunicado* detention and of denial of family visits” E/CN.4/1987/23.
- In paragraph 72 of the interim report A/42/648 it is underlined that “In the course of the informal hearings, the Special Representative reached the moral conviction that the persons appearing before him referred to facts that certainly happened to them, and that their declarations were not the product of feverish imagination or of mere fabrication guided by political or religious motivation”.
- According to information received by the 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. Most of those executed were reported to be members of the People’s Mujahidin Organisation. Interim Report A/43/705 (1988). Subsequently obtained information shows that more prisoners were executed in the following months as a cleansing policy.

- “[I]n July, August and September 1988, an increase in the number of executions, particularly of prisoners, members of various opposition groups, has been reported. Such executions justify an international concern that the provisions of the International Covenant on Civil and Political Rights regarding the rights to life are not fully adhered to by the Iranian Government”. Interim Report A/43/705 (1988).
- The mass killing is alleged to have been carried out on the basis of a *fatwa* by the regime’s then Supreme Leader Ruhollah Ayatollah Khomeini stating “*In the Name of God the Compassionate and the Merciful, it is decreed that those who are in prisons throughout the country who remain steadfast in their support for the Monafeqin are considered to be Mohareb (waging war on God) and are condemned to execution.*”
- Compelling information indicates that an “Amnesty Commission”, known among the opposition as “the Death Commission” arbitrarily and in violation of the Iranian due process of law imposed death sentences on all prisoners who refused to appear on Iranian television to denounce the PMOI or to sever their relations with the *Monafeqin* (a word used by the regime to demonize the opposition).
- The Tehran “Amnesty Commission” - “Death Commission” - allegedly comprised four members currently occupying important positions in the hierarchy of the Iranian administration of justice. Similar committees were set up in capitals of other provinces and some other major cities.
- The mass killing of political prisoners is claimed to be by no means the only crime against humanity committed by these individuals and other Iranian officials. Other crimes include, *inter alia*, systematic torture, cruel, inhuman or degrading treatment or punishment; persecutions on

ethnic, religious, political and cultural grounds; institutionalized discrimination against women; systematic rape of women and girls in prisons; and assassination of dissidents outside Iran.

- No perpetrator of the alleged 1988 mass killing or other alleged cruel, inhuman or degrading treatment or punishment in Iran have ever been brought to justice.
- A number of high profile lawyers and observers considered the alleged mass killings of the summer 1988 in Iran and other cruel, inhuman or degrading treatment or punishment in the Iranian prisons amounting to crimes against humanity.
- On 9 August 2016, an audio recording was made public for the first time of the then Khomeini's designated successor, Grand Ayatollah Hussein-Ali Montazeri. In his recorded statement, a few days after the executions started, Montazeri is heard qualifying them, as the most heinous crimes committed in the Islamic Republic of Iran. In the same medium, the alleged perpetrators are heard acknowledging their role in that mass killing in implementation of orders from the highest levels.
- It is further revealed in this audio tape that officials of the Islamic Republic of Iran, including Khomeini's son, have been pursuing the plan to execute all political prisoners, particularly those affiliated with the PMOI for a number of years. Evidence including information provided by the survivors indicates that simultaneous with the acceptance of the ceasefire in the war with Iraq, which Khomeini described as drinking a "chalice of poison", preparation for the massacre started in the prisons.
- Following this revelation, Iranian officials have acknowledged the crime. For example Mostafa Pour-Mohammadi, Minister of Justice in Rouhani's government, publically said about the mass execution

that we are proud to have carried out God's commandment.

- Other former officials had given figures of the executions. Reza Malek, who worked for the Government and was imprisoned for about 12 years after he fell out with the regime, stated that he had access to files that at least 33,700 had been executed. Mehdi Khazali, the son of a high ranking Ayatollah, who worked in the President's office, stated that he was informed that at least 20,000 political prisoners were executed in the summer of 1988.⁹ More information had also been provided by families of victims about their loved ones and the mass graves where they have been buried. Concerned families and relatives are now demanding truth and justice for the victims.
- There are several memoirs of former political prisoners that confirm what was reported to the UN Special Representative and provide a more graphic situation, including of torture and forcing prisoners to make false confessions and kangaroo trials taking not more than a few minutes.
- In the absence of any official independent inquiry into the alleged mass killing and inhumane or degrading treatment or punishment of prisoners, and given that the Iranian Government had refused to cooperate with the UN Special Procedures on this matter, JVMI was set up to follow up on the allegations and to present the outcome to the United Nations competent organs and press for the establishment of a UN commission of inquiry to investigate the alleged massacre.

⁹ Mehdi Khazali, former Presidential Official, Dorr TV, 26 August 2016
<http://www.dorrnews.com/?p=6261>
(<https://www.youtube.com/watch?v=J0okdDyHDMY>)

IV. THE ISLAMIC REPUBLIC OF IRAN AND THE OPPOSITION

Questions to Be Raised

Any investigation into the 1988 massacre ought to pose a number of fundamental questions as to the circumstances, motives and objectives behind the event. Was it 'collateral damage' resulting from the chaos brought about by Khomeini's theory of the Islamic State, or was it a calculated act of terror used by the clerics to annihilate their opposition and save a theocratic regime crumbling under the weight of the realities of running a modern state? Is there evidence to show that it was premeditated or was it a hastily spurred decision? How early a stage does the evidence suggest that the atrocity was envisioned? Was there an element of anticipation of the atrocity among other officials at any stage in the preceding days, months or years? This part of the report will shed some light on the circumstances which prompted the regime to launch a massive crackdown on the opposition from the start of the 'Islamic revolution' in 1979 until the 1988 massacre.

A Glance at Khomeini's Rise to Power

Born on 24 September 1902, Ruhollah Mousavi Khomeini was born into a family of Shi'ite religious scholars in the small Iranian village of Khomein. In 1903, just five months after Khomeini's birth, his father, Seyed Moustafa Hindi, was murdered and he was raised by his mother and an aunt. He attended a local *maktab*, a religious school. In 1920 he continued his religious studies in the city of Arak, and in 1923 he moved to the city of Qom where he eventually began teaching his concepts of Islamic religion. In 1963 Khomeini was arrested for several months after giving a speech criticising some of the Shah's policies. In 1964 Khomeini was arrested and deported to Turkey. In 1965 he took up residence in Najaf, Iraq, where he remained for 13 years.

During his years in exile, Khomeini developed a controversial theory of a state founded on a peculiar interpretation of Islam led by the clergy, called *Velayat-e Faqih* (or Supreme Rule of the Religious Jurisprudent). He taught his *Velayat-e Faqih* theory at a local Islamic school, mostly to other Iranians. In 1978 Khomeini moved to Paris, the capital of the French secular democratic republic, where he stayed until his return to Iran. A Machiavellian move since Khomeini considered secularism and democracy as *kufur* (contrary to what God has sent down). During his stay in the Commune of Neauphle-le-Château, west of Paris, he repeatedly defended himself against critics who accused him of being power-hungry as demonstrated in the following statements.

Khomeini's Statements before the 'Revolution' ¹⁰

"Personal desire, age, and my health do not allow me to personally have a role in running the country after the fall of the current system." - Ayatollah Khomeini (in an interview with the Associated Press, Paris, 7 November 1978)

"I have repeatedly said that neither my desire nor my age nor my position allows me to govern." - Ayatollah Khomeini (in an interview with the United Press, Paris, 8 November 1978)

"I don't want to have the power or the government in my hand; I am not interested in personal power." —Ayatollah Khomeini (in an interview with The Guardian newspaper, Paris, 16 November 1978)

¹⁰ Dr. Jalal Matini, an Iranian academic, published a series of quotes from various speeches of Ayatollah Khomeini and his collaborators in the early years of the revolution. His article, "The Most Truthful Individual in Recent History", appeared in the scholarly journal *Iranshenasi* (Vol. XIV, No. 4, winter 2003), published in Maryland, USA; translated by Farhad Mafie. The article gives conflicting quotes of Khomeini's statements before and after the 'revolution'. The article has a note warning that "Ayatollah Khomeini's original quotations in Farsi are often awkwardly worded, poorly structured, and grammatically incorrect. Therefore, they are difficult to translate faithfully". Reproduced in: <http://iona.ghandchi.com/Matini.pdf>.

“I don’t want to be the leader of the Islamic Republic; I don’t want to have the government or the power in my hands. I only guide the people in selecting the system.” - Ayatollah Khomeini (in an interview with an Austrian TV reporter, Paris, 16 November 1978)

“It is the Iranian people who have to select their own capable and trustworthy individuals and give them the responsibilities. However, personally, I can’t accept any special role or responsibility.” - Ayatollah Khomeini (in an interview with Le Journal newspaper, Paris, 28 November 1978)

“After the Shah’s departure from Iran, I will not become a president nor accept any other leadership role. Just like before, I limit my activities only to guiding and directing the people.” — Ayatollah Khomeini (in an interview with Le Monde newspaper, Paris, 9 January 1979)

“The Islamic regime does not have oppression.” - Ayatollah Khomeini (in an interview with France Press news agency, Paris, 25 October 1978)

“The foundation of our Islamic government is based on freedom of dialogue and will fight against any kind of censorship.” - Ayatollah Khomeini (in an interview with Reuters news agency, Paris, 26 October 1978)

“In the Islamic Republic the rights of the religious minorities are respectfully regarded.” - Ayatollah Khomeini (in an interview with an Austrian TV reporter, Paris, 6 November 1978)

“In Iran’s Islamic government the media has the freedom to express all Iran’s realities and events, and people have the freedom to form any form of political parties and gatherings that they like.” - Ayatollah Khomeini (in an interview with the Italian newspaper Paese Sera, Paris, 2 November 1978)

“Our future society will be a free society, and all the elements of oppression, cruelty, and force will be destroyed.” - Ayatollah Khomeini (in an interview with the German magazine Der Spiegel, Paris, 7 November 1978)

“In Iran’s future Islamic system everyone can express their opinion, and the Islamic government will respond to logic with logic.” - Ayatollah Khomeini (in an interview with international reporters, Paris, 9 November 1978)

“In the Islamic government all people have complete freedom to have any kind of opinion.” - Ayatollah Khomeini (in an interview with Human Rights Watch, Paris, 10 November 1978)

“My proposal for establishing an Islamic government does not mean a return to the past. I am strongly for civilization and progress.” - Ayatollah Khomeini (in an interview with international reporters, Paris, 11 January 1979; also quoted in Etlaat newspaper in Iran)

“These words that you have heard regarding women in the future Islamic government are all hostile propaganda. In the Islamic Republic women have complete freedom, in their education, in everything that they do, just as men are free in everything.” - Ayatollah Khomeini (in an interview with German reporters, Paris, 12 November 1978)

“Women are free in the Islamic Republic in the selection of their activities and their future and their clothing.” - Ayatollah Khomeini (in an interview with The Guardian newspaper, Paris, 6 November 1978)

“The ranking Shiite religious clergymen do not want to govern in Iran themselves. - Ayatollah Khomeini (in an interview with France Press news agency, Paris, 25 October 1978)

“In Islamic Iran the clergy themselves will not govern but only observe and support the government’s leaders. The government of the country at all levels will be observed, evaluated, and publicly criticized.” - Ayatollah Khomeini (in an interview with Reuters news agency, Paris, 26 October 1978)

A few months after his move to Paris, Khomeini returned to Iran on the 1 February 1979. His return was initially welcomed by the Iranian population. Once in Iran, Khomeini began laying the groundwork for the Islamic state he had sought. He tasked clerics

from his entourage to draft an Islamic constitution. He then began making assertive authoritarian moves towards building a regime based on his perception of radical Islam as can be gathered from:

Khomeini's Statements after the 'Revolution' ¹¹:

"This nation exists and clerics exist too. You all must know that in every place in this country only clerics can get the job done. Don't show so much prejudice that you want to put the clerics aside. What have you done for your country in all these years that now you're saying clerics should not be in charge? Appreciate these clerics. You do not understand correctly! If you put this group aside, no name or sign of Islam will remain. Imagine one cleric has done something wrong somewhere. Why can you do something wrong and some cleric cannot do anything wrong?" - Ayatollah Khomeini (in a meeting with the Islamic Parliament, Jamaran, Teheran, 27 May 1981).

"Don't listen to those who speak of democracy. They all are against Islam. They want to take the nation away from its mission. We will break all the poison pens of those who speak of nationalism, democracy, and such things." - Ayatollah Khomeini (in a meeting with Iranian students and educators, Qom, 13 March 1979).

"That group that due to its opposition to Islam is opposing us, with the same fist that we destroyed the regime we will destroy that group as well. Pay attention to your statements. Repent from your writings. I am warning you that you still have time to repent." - Ayatollah Khomeini (in a talk at the Fayzieah School, Qom, 5 June 1979)

"The intellectuals, the writers, those who have information and thoughts, you see some of them take their pens and in the name of democracy they write whatever they want and they cause disagreements. This group of so-called intellectuals has to correct themselves. Whatever we are suffering is from this group of

¹¹ *Ibid*, Dr. Jalal Matini "The Most Truthful Individual in Recent History".

intellectuals and judges. What we are suffering is because of them. - Ayatollah Khomeini (in a talk in Qom, 23 July 1979)

“We have to warn these intellectuals that if they don’t stop their meddling, they will be crushed. We have treated you gently so that maybe you would stop your evilness, and if you don’t stop, we will have the last word. These American sympathizers and others must know that in just a few hours we can throw them in the trashcan of annihilation any day that we wish to do so.” - Ayatollah Khomeini (in a talk to the Iranian people, 8 August 1979).

“Those who create political fronts must stop their activities. If from the beginning, as in other revolutions in the world, several thousand of these corrupt individuals had been burned and beheaded till the issues were finished, problems would have been solved. We will allow one or more parties to operate if they operate correctly. But we announce that the rest are forbidden. We will no longer allow the same freedom that we used to give, and we cannot allow these parties to continue their activities. According to religious law, we can’t give them a grace period. Canonically, it is not correct to give a grace period. We made mistakes when we gave freedom; we can’t treat these wild animals gently. We will no longer allow any of their writings to be distributed in the country. We will destroy all their writings. We have to deal with them harshly, and we will deal with them harshly. - Ayatollah Khomeini (in a meeting with selected Members of Congress, Qom, 18 August 1979)

“After the revolution the borders were left open. Pens were free, expression was free, political parties were free. Even if these people are not Moslems, it was assumed that at least they are human. But it is clear now that they are foreign puppets. For us the identity of these writers, the identity of these political parties, the identity of these nice and meaningless phrases are now very clear. We will no longer give freedom. These people are not the type who will stop their activities just from advice. We have to deal with them harshly. - Ayatollah Khomeini (in a talk at the Fayzieah School, Qom, 19 August 1979)

“Those who are trying to bring corruption and destruction to our country in the name of democracy will be oppressed. They are worse than Bani-Ghorizeh Jews, and they must be hanged. We will oppress them by God’s order and God’s call to prayer.” - Ayatollah Khomeini (in a talk at the Fayzieah School, Qom, 30 August 1979).

“Those who have not voted for the Islamic Republic, it means that they want the previous system. Those who boycott the election so no one votes for the Islamic Republic are seditious. We will treat them like enemies, and we will oppress them. You are enemies that you want to cause trouble. You are enemies that you are conspiring against Islam and against the country. Your comings and goings are controlled. We have been informed that you are in contact with those who want to bring our country back to its previous system. Now that your conspiracy has been proven, we will destroy you all. If you don’t stop your evilness, we will mobilize an even higher mobilization, and we will clean out all of you. We will not allow you groups of corrupt people to remain and continue your activities. - Ayatollah Khomeini (in a message at the end of the month-long Islamic fasting celebration, 3 September 1979)

“You all have to obey the Islamic Republic. And if you don’t, you all will vanish.” - Ayatollah Khomeini (in a speech to Iranian Air Force officers, Isfahan, 19 September 1979)

“Those who are against us are like cancer tumours that need to be removed surgically; otherwise they will corrupt everything.” - Ayatollah Khomeini (in a talk to the Representatives from Tabriz, Qom, 19 September 1979)

“These writings, these speeches, these wrong activities, these democratic programs are separations from Islam. All these voices are blasphemy and are atheistic.” - Ayatollah Khomeini (in a talk to the Representatives from Tabriz, Qom, 19 September 1979)

“We have to identify those who are not in line with Islam and the Islamic movement by their articles, speeches, and activities. You the clergy, thank God, who has control over the Islamic nation

have to warn people of the devils who arrange gatherings and lectures. They are all afraid of one thing, which is Islam. They might criticize many things, but the key point is that they are attacking Islam itself. Their pens are the same old bayonets that have become like pens ... [sic]. They all have to understand that as long as there is a pulpit and an altar, and as long as these homily readers [that is, Mullahs] exist, they cannot do anything. To all of you who oppose us, I recommend that you don't gather so much, don't send so many fliers, don't publish so much; have you now become brave enough to stick out your neck? I will slap you on your mouth. You think that you have power? Stop all these words and all this gibberish." - Ayatollah Khomeini (to a group of clergymen, Qom, 22 October 1979).

"In the revolution that was achieved in Iran, people were screaming that they wanted Islam; these people did not rise up so their country could have democracy." - Ayatollah Khomeini (in a meeting with the Islamic Republic Television and Radio Committee, Qom, 10 December 1979).

"These criminals that have been arrested are not accused, but their crimes have been proven. We only have to prove their identity and then kill them all. There is absolutely no need for a trial. No compassion for them will be allowed. We believe that the guilty party does not need a trial and must be killed." - Ayatollah Khomeini (in a message to the Iranian people, 30 June 1980).

Khomeini's above mentioned remarks, which are all but one related to 1979, clearly provide the context in which gross violations of human rights and mass executions were carried out in the following years. Indeed, these remarks show that what happened in Iran in the 1980s and continued to date, was neither spontaneous nor related to any action by this or that group. It was all in accordance with what Khomeini had written in his book the "Islamic Government".

The Aftermath of the 'Islamic Revolution'

Iran's 1979 revolution brought an end to the era of the monarchy. Iranians, who at first welcomed this change, soon realised that their fundamental rights and freedoms were quickly eroding and that a theocratic dictatorship was being installed by a group of clerics under Khomeini's leadership.

Once in power, Khomeini was no more sympathetic to the cries of the democratic groups than the Shah had been to Khomeini's cries for reform. Khomeini's first undertaking was to introduce the teaching of his fundamentalist doctrine in public schools and imposing the fundamentalist dress code, which was met with widespread protests by Iranian women. Within months of the revolution, the authorities began to close down independent newspapers and in an unprecedented move, Khomeini decided in June 1980 to shut down all Iranian universities under the guise of a cultural revolution. The reality was that University campuses at the time were the central recruiting ground for secular groups. Soon after, the new regime embarked on a campaign to execute dissidents while ensuring that clerics sympathetic to Khomeini's beliefs filled the government ranks, from the smallest town all the way to his own office.

The clerics' rise to power also saw the establishment of numerous official and semi-official security forces that in tandem with the Islamic Republican Party played a key role in suppressing any form of dissent. They included the Revolutionary Guards, Bassij, Komiteh, and Hezbollah. Furthermore, Khomeini believed that the ideas on which the new Iran had been built needed to be, in his words, "exported".

A chronology of Landmark Events

16 January 1979	In the midst of incessant nationwide uprisings, the Shah and his family fled Iran
-----------------	---

21 January 1979	Political prisoners, including the PMOI's leader Massoud Rajavi, were released a week after the Shah fled
1 February 1979	Khomeini returns to Iran from exile
4 February 1979	Khomeini appoints Mehdi Bazargan as Prime Minister of the Interim Government of Iran
12 February 1979	The <i>Khomitehs</i> (committees) of Islamic revolution were charged
18 February 1979	Foundation of Islamic Republican Party by clerics comprising Mohammad Beheshti, Mohammad-Javad Bahonar, Ali Khamenei, Ali-Akbar Hashemi Rafsanjani and Abdul-Karim Mousavi Ardebili
1 April 1979	Islamic Republic of Iran is proclaimed following a referendum
5 May 1979	Islamic Revolutionary Guards Corps (IRGC) established by a decree issued by Khomeini
5 June 1979	Early indication of split between Khomeini and non-theocratic intellectuals. In a speech, Khomeini asked: "Who are they that wish to divert our Islamic movement from Islam? ... Intellectuals, do not be Western-style intellectuals, imported intellectuals". ¹²
14 June 1979	Official preliminary draft of the constitution published. Draft constitution states that Guardian Council can veto un-Islamic legislation.

¹² Said Amir Arjomand, 'The Turban for the Crown' (1988), p.137

- 15 June 1979 Khomeini attacks liberal and democratic groups as 'counter-revolutionaries' against Islam. Groups had advocated the election of a Constituent Assembly to write the new constitution. "No 'Westernized jurists' are needed to write the constitution, only 'noble members of the clergy.'" ¹³ "Campaign launched to popularise the idea of the Velayat-e Faqih," hitherto virtually unknown to most Iranians. ¹⁴
- 17 June 1979 "Construction Jihad" was established by the order of Khomeini.
- 7 August 1979 Ayandegan, "the daily newspaper with the widest circulation" in Iran, but "which had agitated against *velayat-e faqih*" is banned under new press law for "counter-revolutionary policies and acts". ¹⁵
- 10 August 1979 Khomeini denounces opponents of the Assembly of Experts and defenders of Ayandegan newspaper calling them "wild animals" and saying, "We will not tolerate them any more ... After each revolution several thousand of these corrupt elements are executed in public and burnt ... We will close all parties except the one, or a few which act in a proper manner ..." ¹⁶

¹³ Baqer Moin, 'Khomeini: Life of the Ayatollah' (2000), p.217

¹⁴ Baqer Moin, 'Khomeini: Life of the Ayatollah' (2000), p.218

¹⁵ Kayhan, 20.8.78-21.8.78, quoted in Asghar Schirazi, 'The Constitution of Iran' (1988), p.51 (closing of Ayandegan). In the next three days 41 newspapers and periodicals are banned under the press law.

¹⁶ From a speech before the delegates of the Assembly of Experts, quoted in Moin, 'Khomeini' (2000), p.219

12 August 1979	More demonstrations. National Democratic Front schedules a mass demonstration to protest the closure of newspapers like Ayandegan. Demonstration is "viciously attacked by Hezbollah thugs". Shortly thereafter, a warrant is issued for the arrest of a leader of the National Democratic Front. ¹⁷ Hundreds are injured by rocks, clubs, chains and iron bars. The next day, Khomeini supporters attacked and looted offices of leftist groups in retaliation for the demonstrations. ¹⁸
15 August 1979	Revolt in Paveh in the Kurdish region.
18 August 1979	The Assembly of Experts for Constitution gather to write a new constitution.
9 September 1979	Mahmoud Taleqani, the high-ranking revolutionary cleric and member of the revolutionary council, dies. A friend of the students and intellectuals and particularly the PMOI, Taleqani is considered the second most popular ayatollah after Khomeini. He was critical of the new regime's conduct.
14 October 1979	The Assembly of Experts approves draft of new constitution. In it, Khomeini holds the position of <i>Vali-e Faqih</i> (Supreme Leader), which includes "command of the armed forces".
4 November 1979	U.S. Embassy hostage crisis begins.
2 December 1979	Khomeini became absolute ruler for life.

¹⁷ Moin, 'Khomeini' (2000), p.219-20

¹⁸ The New York Times, 13 August 1979

December 1979	Referendum was held to approve the new Constitution
January 1980	Massoud Rajavi, the PMOI candidate in the Presidential elections was banned following a decree by Khomeini because the PMOI had not voted in favour of the Constitution.
25 January 1980	Abolhasan Bani-Sadr elected first President of the Islamic Republic of Iran.
15 March 1980	First round of elections of first Islamic parliament. Islamic Republican Party mobilises its network among clergy, komitehs and the Revolutionary Guards. Hezbollah attacks rallies and offices of opposition parties, primarily the PMOI, as most other parties have been effectively repressed. ¹⁹
21 March 1980	'Cultural Revolution' begins. In Persian New Year's speech, Khomeini inveighs against "imperialist universities" where those "cloaked with the West" teach and study. He declares universities must "become Islamic" ²⁰ .
12 June 1980	Formation of the university jihad by decree of Khomeini and the 'Cultural Revolution' to Islamise universities.
June 1980	Major speech by Khoemini attacking the PMOI in a radio broadcast, declaring the resistance organisation to be the "main enemy." Khomeini said "Our enemy is neither the United States, nor the Soviet

¹⁹ Moin, 'Khomeini' (2000), p.234

²⁰ Cheryl Benard & Zalmay Khalilzad, 'The Government of God' (1984), p.116

	Union, nor Kurdistan, but sitting right here in Tehran under our nose." ²¹
July 1980	Islamisation of state bureaucracy begins. Approximately 20,000 teachers and nearly 8000 military officers are discharged.
22 Sept 1980	Start of Iran-Iraq war which lasts for eight years.
20 January 1981	American hostages are released after 444 days in captivity.
May 1981	150,000-strong demonstration by PMOI supporters against growing number of attacks by Basij on PMOI supporters
20 June 1981	PMOI hold half-a-million-strong peaceful protest in Tehran; IRGC opens fire on the protest killing and injuring hundreds; <i>fatwa</i> by Khomeini read out on state radio outlawing the PMOI.
20 June	Mass executions started
21 June 1981	Bani-Sadr is dismissed
21 June 1981	State controlled dailies published photographs of executed, asking their families to identify them.

Writing of the Constitution

To write the new constitution and prevent democratic forces having any say in the process, Khomeini decreed that in the place of a 'Constituent Assembly', a 73-member 'Assembly of Experts for the Constitution' ought to be established to oversee the new system of governance. Critics complained that "vote-rigging,

²¹ Enemies of the Ayatollahs," by Mohammad Mohaddessin, Zed Books, London, 2004

violence against undesirable candidates and the dissemination of false information" was used to "produce an assembly overwhelmingly dominated by clergy loyal to Khomeini."²²

The 73-member body included 55 clerics, 50 of whom were candidates of the Islamic Republic Party. Khomeini (and the assembly) now rejected the draft constitution – its correctness notwithstanding – and Khomeini declared that the new government should be based "100% on Islam."²³

The assembly made considerable changes to the draft constitution to establish the basis for a state dominated by Islamist clerics. In addition to establishing the position of President, the new constitution included a more powerful post of supreme religious leader (*Vali-e Faqih*) intended for Khomeini²⁴, with control of the military and security services, and power to appoint several top government and judicial officials. It increased the power and number of clerics on the Guardian Council and gave it control over elections²⁵ as well as laws passed by the legislature. The new constitution was also reportedly approved by referendum, but with more opposition and smaller turnout.

The Islamic Republican Party

The Islamic Republican Party was formed on Khomeini's orders just weeks after the 1979 revolution. Its five co-founders were Mohammad Javad Bahonar, Mohammad Beheshti, Ali-Akbar Hashemi Rafsanjani, Ali Khamenei, and Abdolkarim Mousavi-Ardabili. The party was distinguished by "its strong clerical component, its loyalty to Khomeini, its strong animosity to the liberal political movements, and its tendency to support the revolutionary organisations," such as the *komiteh*. It also supported the state takeover of large capital enterprises and the

²² Moin, 'Khomeini' (2000), p. 218

²³ Shaul Bakhash, 'Reign of the Ayatollahs', (1984), pp. 74–82

²⁴ Manou & Associates Inc. "Iranian Government Constitution, English Text". iranonline.com. Retrieved 18 October 2014

²⁵ Articles 99 and 108 of the constitution

establishment of an Islamic cultural and university system.²⁶ The party was used to form a monopoly over the post-revolutionary theocratic Iranian state. In its struggle with civilian opponents the party made use of its ties to the Revolutionary Guards (IRGC) and the paramilitary Hezbollah.

Komiteh

The Committees of Islamic Revolution – known in Iran simply as the *Komiteh* – came into existence during the revolution phase. Armed members of the *Komitehs* confiscated property and arrested those they believed to be counter-revolutionaries. In Tehran alone there were 1500 committees set up after the revolution. Inevitably there was conflict between the *Komitehs* and the other sources of authority, particularly the Provisional Government.²⁷ Khomeini put Ayatollah Mahdavi Kani in charge of the *komiteh*²⁸ which also served as "the eyes and ears" of the new regime. The *komitehs* are credited by critics with "many arbitrary arrests, executions and confiscations of property".²⁹ In 1991 they were merged with the conventional police in a new organisation known as the Niruha-ye Entezami (State Security Forces).³⁰

Islamic Revolutionary Guards Corps (IRGC)

The Revolutionary Guards or Pasdaran-e Enqelab, was established by a decree issued by Khomeini on 5 May 1979 "to protect the revolution from destructive forces and counter-revolutionaries",³¹ i.e. as a counterweight both to the armed groups of the left, and to the Iranian military, which had been part of the Shah's power base. Some 6,000 persons were initially enlisted and trained,³² but the IRGC eventually grew into "a full-scale" military force "with air force and navy branches". Its work

²⁶ Shaul Bakhash, 'Reign of the Ayatollahs', (1984), p. 67

²⁷ Bakhash, 'Reign of the Ayatollahs', (1984), p.57

²⁸ Said Amir Arjomand, 'The Turban for the Crown' (1988), p.135

²⁹ Moin, 'Khomeini' (2000), p.211

³⁰ Schirazi, 'The Constitution of Iran' (1997), p.152

³¹ Moin, 'Khomeini', (2003), p.211-2

³² Bakhash, 'Reign of the Ayatollahs', (1984) p.63

involves both conventional military duties, helping 'Islamic forces' abroad, such as Lebanese Hezbollah, and internal security, including the suppression of riots by the discontented and un-Islamic behaviour by members of the public.³³

Bassij

The *Bassij-e Mostaz'afin* was founded on the order of Khomeini in 1980, to be organised by the IRGC. The Bassij is a domestic paramilitary body, still in existence, which was routinely used in the years after the revolution to attack opposition demonstrators and ransack opposition newspaper offices, who were believed to be enemies of the revolution³⁴.

Hezbollah of Iran

The *Hezbollahi*, or members of the 'Party of God', were the "strong-arm thugs" who attacked demonstrators and offices of newspapers critical of Khomeini and later clamped down on a wider variety of activities found to be undesirable for "moral" or "cultural" reasons.³⁵ Hezbollah is/was not a tightly structured independent organisation but more a movement of loosely bound groups usually centred around a mosque.³⁶ Although in the early days of the revolution those in the Islamic Republican Party denied connection to Hezbollah, maintaining its attacks were the spontaneous will of the people over which the government had no control, in fact Hezbollah was supervised by "a young protégée of Khomeini", Hojjat al-Islam Hadi Ghaffari³⁷.

Kurdish Conflict Begins

Iranian Kurds, who belong mostly to the Sunni branch of Islam as opposed to the Shi'a Islam which is the predominant religion, took part in the revolution that ousted the Shah. However, they

³³ Sandra Mackey, 'The Iranians' (1996), p.371

³⁴ Nikki R. Keddie, 'Modern Iran', (2003) p.275

³⁵ Schirazi, 'Constitution of Iran', (1987) p.153

³⁶ Schirazi, 'Constitution of Iran', (1987) p.153

³⁷ Moin, 'Khomeini' (2000), p.211

were soon disenchanted by the fact that their representatives were barred from joining the new regime due to their Sunni faith. In essence the Kurds were deprived of equal political rights under Iran's new regime and constitution.

Protests demanding greater rights for the Kurds began as early as March 1979 in Iran's north-western Kurdistan Province. In mid-August 1979 a large Kurdish rebellion began in the town of Paveh. Khomeini ordered the Revolutionary Guards to crush that uprising and similar ones in Mahabad, Marivan, Saqqez and other predominantly Kurdish cities. The deadly conflict and clashes continued until at least 1983, with some reports suggesting that as many as 10,000 Iranian Kurdish opponents of the regime were killed.³⁸

Suppression of the Opposition

In early March 1979 Khomeini announced, "do not use this term, 'democratic.' That is the Western style," giving pro-democracy liberals (and later leftists) a taste of disappointments to come.³⁹

In succession the National Democratic Front was banned in August 1979, the provisional government was disempowered in November 1979, the Muslim People's Republican Party was banned in January 1980, the PMOI came under attack right from the beginning in 1979 but this reached new heights in February 1980, a purge of universities began in March 1980, and Abolhasan Banisadr, the first President of the Islamic Republic, was impeached in June 1981.

After the revolution, brief trials lacking defence attorneys, juries, transparency or opportunity for the accused to defend

³⁸ "The Kurds: new perspectives?" Ben Smith, House of Commons Library, 14 August 2013, p. 12, <http://researchbriefings.files.parliament.uk/documents/SN06708/SN06708.pdf>

³⁹ Bakhsh, p. 73.

themselves,⁴⁰ were held by revolutionary judges such as Sadeq Khalkhali, the Sharia judge.

Newspapers Shut Down

In mid-August 1979, shortly after the election of the constitution-writing assembly, several dozen newspapers and magazines opposing Khomeini's idea of theocratic rule by jurists were shut down.⁴¹ When protests were organized by the National Democratic Front (NDF), Khomeini angrily denounced them saying, "We thought we were dealing with human beings. It is evident we are not."⁴² He added: "After each revolution several thousand of these corrupt elements are executed in public and burnt and the story is over. They are not allowed to publish newspapers."⁴³ Hundreds were injured by "rocks, clubs, chains and iron bars" when the *Hezbollahis* attacked the protesters⁴⁴, and shortly after, a warrant was issued for the arrest of the NDF's leader.⁴⁵

Muslim People's Republican Party

In December 1979 the Muslim People's Republican Party (MPRP), and its spiritual leader Mohammad Kazem Shariatmadari came under attack. Riots broke out in Shariatmadari's Azeri home region with members of the MPRP and Shariatmadari's followers seizing the Tabriz television station, and using it to "broadcast demands and grievances." The regime reacted quickly, sending Revolutionary Guards to retake the TV station, mediators to defuse complaints and activists to stage a pro-Khomeini counter-demonstration.⁴⁶ The party was suppressed⁴⁷ and in 1982

⁴⁰ Bakhsh, p. 61

⁴¹ Schirazi, p. 51; Moin, pp. 219–20; Kayhan, 20.8.78–21.8.78, quoted in Schirazi, p. 51, also New York Times, 8 August 1979

⁴² Moin, p. 219

⁴³ Moin, p. 219

⁴⁴ Moin, pp. 219–20

⁴⁵ Bakhsh, p. 89

⁴⁶ Bakhsh, pp. 89–90

⁴⁷ Moin, p. 232

Shariatmadari was "demoted" from the rank of Grand Ayatollah and many of his clerical followers purged.⁴⁸

PMOI, a Credible Opposition to the Regime

Virtually all historians who have covered the immediate post-revolution drama in Iran point to the PMOI as the main political current that stood against Khomeini between 1979 and the summer of 1981.

Massoud Rajavi's first public speech on 24 January 1979, inspired little support for the PMOI in the political climate of the time. Instead of unconditionally endorsing Khomeini like other groups, Rajavi insisted on safeguards for democratic freedoms, as the most important achievement of the revolution.⁴⁹ He refused to call the anti-monarchic revolution an 'Islamic revolution' and called for a democratic revolution instead.

The PMOI also called for public participation in the establishment of a nationalist, democratic government. This demand formed the basis of their political strategy and was reiterated in their "Minimum Expectations" program in early 1979,⁵⁰ and later in Rajavi's platform during the presidential elections.

⁴⁸ Arjomand, p. 156

⁴⁹ "Massoud Rajavi, a Mujahedin leader: Coup d'état cannot prevent nation's victory," Kayhan, Tehran, 25 January 1979, p. 4: "Massoud Rajavi, one of the leaders of the People's Mujahedin Organization of Iran, who was freed from prison only a few days ago, spoke at the Tehran University mosque: '... I have not come here to praise this spontaneous trend of events. We have not come to endorse the status quo. We must think about things that need to be accomplished... It should be plainly stated that struggle is the right of any person and any group. If man does not struggle, he is no longer human... Our Islam is not the type that restricts struggle to a special force or group. Did not our leader [Imam Hussein] say, if you do not believe in any religion, at least be free-minded? The sanctity of freedoms and the right to struggle must be safeguarded. The right to struggle is the natural, inherent right of every human being. So we must respect one another and prevent divisiveness. Division is nothing but a reflection of the enemy and its internal agents within our ranks.'"

⁵⁰ "People's Mujahedin: Parties, Press and Political Gatherings Must Be Free," Kayhan, Tehran, 20 March 1979, p. 8.

Historian Ervand Abrahamian, himself a detractor of the PMOI, says the group came into the fore with a "reputation as a modern secular organisation."⁵¹

Khomeini had come to power with popular support, and the PMOI did not dispute this fact in the early days of the revolution. Despite its opposition to many of the new policies, the PMOI initially recognized the new regime's political legitimacy in recognition of the demonstrated popular will. From the PMOI's literature and statements at the time it is reasonable to state that the organisation continued to recognise the regime as legitimate as long as the people continued to support it, and as long as it allowed peaceful dissent. The PMOI, however, was almost immediately recognised as the regime's opposition, because it refused to collaborate with Khomeini. In a dramatic expression of dissent, it boycotted the new regime's constitutional referendum in late 1979.

According to Abrahamian, by late 1980, the Mujahedin were brazenly accusing Khomeini's entourage, especially the IRP, of "monopolizing power", "hijacking" the revolution, trampling over "democratic rights", and plotting to set up a "fascistic" one-party dictatorship. By early 1981, the authorities had closed down Mujahedin offices, outlawed their newspapers, banned their demonstrations, and issued arrest warrants for some of their leaders; in short they had forced the organisation underground.

In the economic sphere, they denounced the regime for having failed not only to raise the standard of living, but also to tackle the unemployment problem; to control the spiralling inflation, especially in rents and food prices; to diminish the dependence on the West, particularly in the vital arena of agriculture imports; to diversify the exports and lessen the reliance on the oil

⁵¹ Ervand Abrahamian, *The Iranian Mujahedin*, (New Haven: Yale University Press, 1989), p.

industry; to distribute land to the landless; to build homes for the homeless; to deal with the ever-increasing growth of urban slums; and, even more sensitive, to stamp out corruption in high places. These complaints read much like those previously levelled at the Pahlavi state. In raising the question of corruption, the Mujahedin published internal documents from the Mostazafin Foundation showing that it was subsidizing clerical newspapers, providing jobs for amiable functionaries, and at ridiculously low prices quietly selling off expropriated royalist properties to IRP friends in the bazaar. The Mostazafin Foundation, they charged, was as corrupt as its predecessor - the Pahlavi Foundation.

In the social sphere, the Mujahedin argued that the regime had failed to solve any of the country's major problems: illiteracy, ill health, malnutrition, prostitution, gambling, drug addiction and, of course, inadequate educational facilities. Moreover, they argued that the "medieval-minded" regime had resorted to primitive remedies to deal with the problem of urban crime. The macabre Law of Retribution, they stressed, violated human rights, insulted true Islam, ignored the social causes of crime, unthinkingly revived the tribal customs of seventh-century Arabia and, being based on "feudal principles", institutionalized inequality - especially between rich and poor, between believers and non-believers, and between men and women. Furthermore, they argued that the regime, being wedded to the traditional notion that the two sexes should have separate spheres, had drastically worsened the general condition of women. It had purged women from many professions, lowered the marriage age, closed down coeducational schools, eliminated safeguards against wilful divorce and polygamy and, most detrimental of all, perpetuated the "medieval" myth that women were empty vessels created by God to bear children, obey their husbands, and carry out household chores. True Islam, the Mujahedin argued, viewed men and women as social, political and intellectual equals, and thus advocated absolute equality in all spheres of life: in the workplace, at home, and before the law... The concept of sexual equality, which had been implicit in their earlier works, was now explicit.

In the political sphere, the Mujahedin attacked the regime for disrupting rallies and meetings; banning newspapers and burning down bookstores; rigging elections and closing down universities; kidnapping, imprisoning, and torturing political activists; favouring clerics who had collaborated with the previous regime, even those who had participated in Mosaddeq's overthrow; venerating the arch-reactionary Shaykh Fazlollah Nuri who had fought against the 1905-9 constitutional revolution; grossly distorting Shariati's teachings; covering up the fact that courtiers had helped Beheshti gain control of the mosque in Hamburg; making a mockery of the promise to create grass-root councils; violating the rights of the national minorities, especially the Kurds; reviving SAVAK and using the tribunals to terrorize their opponents.⁵²

The PMOI's gatherings attracted hundreds of thousands of people. More than half a million people took part in its protest in June 1981.⁵³ By mid-1981, "the circulation of Mojahed [the PMOI's newspaper] had reached 500,000",⁵⁴ far surpassing the official newspapers. For Khomeini, this was a serious force to be reckoned with.

To confront the PMOI, he alleged that the organisation was not truly Islamic. Claiming that it had an "eclectic" ideology, which mixed Islam with Marxism, he called them "the Monafeqin" (literally, "hypocrites"), a derogatory term which is still used by the regime (most notably in their gatherings with the chants of "Death to America, Death to Monafeqin").

By doing this, Khomeini wanted to pave the way for the violent crackdown on the organisation's activities. In other words, his

⁵² Ervand Abrahamian, 'The Iranian Mujahedin' (New Haven: Yale University Press, 1989), pp. 206-208

⁵³ *Ibid.* p. 218

⁵⁴ *Ibid.* p. 207

plan was to delegitimize the PMOI first on religious grounds and then proceed to eliminate it.⁵⁵

In a 1981 interview, Massoud Rajavi, then the PMOI's leader, said: "Every high school student knows that believing in God, Jesus Christ and Muhammad is incompatible with the philosophy of Marxism. ... But for dictators like Khomeini, 'Islamic Marxist' is a very profitable phrase to use against any opposition. If Jesus Christ and Muhammad were alive and protesting against Khomeini, he would call them Marxists, too."⁵⁶

An example of how Khomeini's decrees against the PMOI violated the basic rights of the group's supporters was in a verdict handed down by the President of the Islamic Revolutionary Court of Bam, south-west Iran.

On 24 July 1980, supporters of the PMOI in Bam wrote to the court President Hojjatolislam Allameh complaining that during the day Islamist vigilantes had attacked them:

"Respectfully, we would like to bring to your attention that on Wednesday, 24 July 1980, after the evening prayers, a group of hooligans attacked the Abuzar bookstore and stationary store in Buali Street, opposite of Saadoldolet Mosque. They destroyed the place with their savage acts. They tore up the majority of the books and threw them in the middle of the street. They also stole a considerable amount of the books including the Quran, interpretation of Quran, and cassettes. With such anti-Islamic and anti-human actions they made the hooligans of the Shah's reign look benign. We condemn this anti-human act and request prosecution from the Islamic Revolutionary Court and the trial of the perpetrators of this crime. We believe that in the Islamic

⁵⁵ "Reality Check: Understanding the Mujahedin-e Khalq (PMOI/MEK)", Ali Safavi, President of Near East Policy Research, 2 May 2010, http://www.huffingtonpost.com/ali-safavi/mujahedin-e-khalq-pmoimek_b_482770.html

⁵⁶ Massoud Rajavi, interview, "We Are on the Offensive," Time Magazine, 14 September 1981

Republic system no right should be trampled on even the right of a disbeliever.

Respectfully,

Young Muslims of Bam, Supporters of the People's Mojahedin Organisation of Iran

Nasser Rajabzadeh

Signature"

Bam's religious judge, Allameh, in his verdict stated:

"According to Imam Khomeini, the Mujahedin-e Khalq [PMOI] are worse than heretics and infidels. There should be no respect given to them either financially or in terms of their lives. Therefore the Islamic Revolutionary Court must take no notice of their false complaints."

سبالة امر علی ادره

۵۹ - ۵۰۲

بیت حکم دادگاه اشکاب اسلامی شریعتی بم:

حکومت بجز بر آنست که هر چه در پی برشته دم مولودان و غیر از نماز شرب و غیره همه امورهای بجهت بفرمان
 و لازم التزم فرموده اند و آنچه در خیابان برعی در بروی مسجد سما لوله هم کرده و با ایلی
 و حتی نه خرد آینه ما به و بر آنم از همه کس که از آنه و اکثر کس که برودند با ما با کرده و بر کس
 خیابان ریخته اند و قند از زیر رخت ب، قرآنی، و بر آن از قرآن، فرموده اند و بر کس که در
 دهن را فشارت برده اند، و با این معنی خدا ساطی و خدا فانی خود و همه خدا را در دوران
 ش و با سفید کرده اند و ضمن کلام قرآن این معنی خدا فانی و زاده شده اشکاب اسلامی شخصی
 مادرش و بی، که کشته ای، عین این جزای را خدا است بریم و معتقدیم که در نظام
 صیحه روی اسلامی بنا بر هیچ معنی و لواط، کافری ضایع گردد

دم مردان و پناه در کتف به تقدیم اقرار بر آن معنی ایم - در دادان بعدین حقوق بر آن

بطل حضرت محبت امام و کلمتین در باب او عنده بیت دادگاه اشکاب

۵۹، ۵۰۲

سبالة امر علی ادره

بیت حکم دادگاه اشکاب اسلامی شریعتی بم:

۵۹ - ۵۰۲

Complaint by PMOI supporters in Bam and verdict by religious judge

In a 1979 report from Tehran, the Washington Post wrote about the PMOI's "large public following," adding that the "Mujahideen owe much of their impact to their unquestioned religious

credentials, which make them acceptable — if sometimes only barely — to Khomeini's followers in contrast to the Marxists, Maoists, Trotskyites and other atheist splinter groups."⁵⁷

The PMOI's Islamic ideology, however, was also sharply distinct from the fundamentalist Islamic ideology of the likes of Khomeini. Its interpretation of Islam is one which gives solid ideological grounds for embracing science and modernity, and advancing modern social causes such as gender equality, participatory democracy and popular sovereignty. Currently, the entire leadership council of the PMOI is comprised of women.

The PMOI slate of candidates for the first Assembly of Experts (which Khomeini had substituted for the Constituent Assembly) and then for the parliamentary elections was a coalition slate of all democratic forces.⁵⁸ Well aware of the reactionary nature of the regime to come, the PMOI strategy emphasised a political campaign that increasingly highlighted the need for democratic freedoms and exposed the ruling clerics. Although it had refused from the outset to collaborate with the mullahs, the PMOI wanted to avoid any sort of confrontation.⁵⁹ Shortly after the new government took power, however, the PMOI again came under attack. The regime organised hoodlums - the forerunners of the *Hezbollah* - to heckle and harass PMOI supporters and disrupt peaceful political activities. The PMOI's offices, meetings and supporters were assaulted by the *Hezbollah*.⁶⁰ Not a day went by without attacks somewhere in the country on their gatherings. But, the hostility only served to bolster the popularity of the Mujahedin. They had become known for standing firm

⁵⁷ "Iranian Leftists Emerge From Isolation," Jonathan Randal, The Washington Post, 3 December 1979

⁵⁸ Mojahed, Special Issue No. 5, 7 March 1980, p. 8.

⁵⁹ Foreign Affairs Committee of the National Council of Resistance of Iran, 'Democracy Betrayed', March 1995, p. 83

⁶⁰ "Mujahedin centers attacked and disarmed," Kayhan, Tehran, 4 March 1979, p. 8. See also Mojahed, Special Issue No. 4, 31 January 1980, pp. 3&6. See also Mojahed, No. 15, 17 December 1979, p. 1, "Mujahedin's statement explaining the recent attacks of the Guards Corps on members and buildings of the Mujahedin."

against religious fanaticism and the mullahs' bid at monopolising the religion.⁶¹ In a short period, the movement became Iran's largest organised political force.

In 1980, the PMOI nominated Massoud Rajavi for President of the Republic. Less than a year after the Shah's fall, all the major political opposition groups supported Rajavi's candidacy. In his book, *The Iranian Mujahedin*, Ervand Abrahamian writes:

"Rajavi's candidacy was not only endorsed by the Mujahedin-affiliated organisations...; but also by an impressive array of independent organisations including the Feda'iyān, the National Democratic Front, the Kurdish Democratic Party, the Kurdish Toilers Revolutionary Party (Komula), the Society of Iranian Socialists, the Society for the Cultural and Political Rights of the Turkomans, the Society of Young Assyrians, and the Joint Group of Armenian, Zoroastrian and Jewish Minorities. Rajavi also received the support of a large number of prominent figures: Taleqani's widow; Shaykh Ezeddin Hosayni, the spiritual leader of the Sunni Kurds in Mahabad; Hojjat al-Islam Jalal Ganjehi...; fifty well-known members of the Iranian Writers' Association, including the economist Naser Pakdaman, the essayist Manuchehr Hezarkhani and the secular historians Feraydun Adamiyyat and Homa Nateq; and, of course, many of the families of the early Mujahedin martyrs, notably the Hanif-nezhads, Rezais, Mohsens, Badizadegans, Asgarizadehs, Sadeqs, Meshkinfams, and Mihandusts. The Mujahedin had become the vanguards of the secular opposition to the Islamic Republic."⁶²

Fearful of the PMOI's nationwide support, Khomeini issued a *fatwa* in January 1980 declaring Rajavi ineligible as a candidate in

⁶¹ "Monopolists take advantage of the phrase 'Imam's Line' to legitimize their monopoly," *Mojahed*, No. 91, 18 June 1980, p. 4. See also "Dissolution of the monopolist ruling party, the first fundamental step to save [the country]," *Mojahed*, No. 112, 5 March 1981, p. 1.

⁶² Ervand Abrahamian, *The Iranian Mujahedin*, (New Haven: Yale University Press, 1989), p.198.

the election because he had not voted for the principle of *Velayat-e Faqih* and the constitution based upon it.⁶³

The French daily *Le Monde* wrote:

... According to diverse estimates, had Imam Khomeini not vetoed his candidacy in the presidential election last January, Mr. Rajavi, would have gotten several million votes. He was, moreover, assured of the support of the religious and ethnic minorities - whose rights to equality and autonomy he defended - and a good part of the female vote, who seek emancipation, and the young, who totally reject the "reactionary clergy"...

The Mujahedin have not ceased denouncing, documenting and issuing calls about "the irregularities, pressures, fraud and violence" surrounding the first round of elections. 2,500 of their supporters were wounded, 50 of them gravely, by armed bands of "Hezbollah" in the course of the election campaign... Observers appointed by the Mujahedin who protested the election fraud were expelled from the premises, beaten, and sometimes arrested...⁶⁴

Ervand Abrahamian describes the PMOI's political behaviour as "non-confrontationalist"⁶⁵ despite the numerous attacks carried out against its supporters with Khomeini's blessing. He also refers to the occupation of PMOI offices in Abadan, Ahwaz, Bushehr and Isfahan in the first year of Khomeini's rule, noting that the Hezbollahis attempted to take over the PMOI headquarters in Tehran, but failed due to popular support for the movement.⁶⁶

Highlighting a March 1980 speech by Khomeini, Abrahamian states:

⁶³ Ervand Abrahamian, 'The Iranian Mujahedin', (New Haven: Yale University Press, 1989), p. 198; Shaul Bakhash, 'The Reign of the Ayatollahs' (New York: Basic Books, 1984), p. 90

⁶⁴ Eric Roleau, a report from Tehran, *Le Monde*, 29 March 1980

⁶⁵ Abrahamian, *op. cit.*, p. 194

⁶⁶ *Ibid.*, pp. 195-196

“The hezbollahis, no doubt prompted by the IRP, waged war on the Mujahedin. They assaulted Mujahedin offices, printing presses, and election rallies in Tehran, Rasht, Gorgan, Hamadan, Mianeh, Mashhad, Shiraz, Isfahan, Kermanshah, Khomein, Malayer, and Qiyamshahr (Shahi). These attacks caused three deaths and over 1000 casualties. The attack on the Tehran rally, which drew 200,000 participants, left twenty-three Mujahedin sympathizers seriously injured”.⁶⁷

The PMOI, however, refrained from confrontation and “participated eagerly in the parliamentary elections.”⁶⁸ However, electoral fraud reportedly prevented even one PMOI member from being elected to parliament. Rajavi, a parliamentary candidate from Tehran, received over 530,000 votes (25 percent of the total cast).⁶⁹ Despite the reported widespread rigging that took place, the PMOI candidates came in second in every case.

Subsequent weeks saw continued attacks on PMOI offices and gatherings, in which many of the group's supporters were killed or injured.

On 12 June 1980, in a famous speech - “What’s to be done?” - in Tehran’s Amjadieh Stadium, Massoud Rajavi exhorted a crowd of 200,000 gathered in and around the centre to “defend freedoms... freedom of speech, associations and gatherings.”⁷⁰

Reporting this, *Le Monde* wrote:

... The objective of the popular gathering on Thursday afternoon, called by the People’s Mujahedin, was to protest against attacks on their supporters and activists in the past few days...

Tens of thousands of the party’s sympathizers had lined up at the entrance gates an hour before the gathering [at Amjadieh

⁶⁷ *Ibid.*

⁶⁸ *Ibid.*, p.199

⁶⁹ "IRP's rigging and influencing of the presidential and parliamentary elections," *Mojahed*, No. 28, 20 March 1980, p. 5. See also *Mojahed* issues no. 83, 114, and the special issue no. 9 (17 March 1980) for the documents and positions of the PMOI on the election fraud.

⁷⁰ *Mojahed*, No. 87, 14 June 1980

Stadium] when groups of Hezbollah began loudly protesting against the Mujahedin... chanting, "There is only one party, the Party of God, and only one Leader, Imam Khomeini."

The Hezbollah claims no precise political organisation. They are notorious among the public as the shock troops... and serve as the tool of the extreme right faction of the Islamic Republic Party, directed by Beheshti... The Hezbollah tried to prevent the gathering from taking place... They attacked the entrances to the stadium... The police and Revolutionary Guards for once observed strict neutrality. They did not turn their forces on the attackers, but they did protect them from the Mujahedin, 10 to 20 times more numerous...

Things as they stand, the choice, according to observers, is between conciliation and civil war.⁷¹

The non-violent resistance by thousands of PMOI supporters effectively frustrated the Revolutionary Guards' efforts to disrupt the meeting with tear gas and live ammunition. Their assault left one dead, hundreds wounded and thousands beaten up, arousing the public's sympathy for the PMOI and disdain for the authorities' crime. Even Khomeini's son, Ahmad, condemned the Revolutionary Guards' action as "treachery to Islam." The Police Chief, Deputy Interior Minister and a number of Majlis deputies condemned the assault. Numerous letters and telegrams of condemnation from various political organisations, sectors of society, and members of the business community were reprinted in the media, alarming Khomeini. He was left with a choice of either allowing the PMOI to continue its thorny campaign or stepping up the political onslaught against the group. A week later, the PMOI revealed a tape-recording of a speech by Hassan Ayat, one of the leaders of the ruling party, in which he revealed the details of the plots. Khomeini hedged no longer and on 25

⁷¹ Eric Roleau, a Report from Tehran, Le Monde, 14 June 1980

June 1980 pointed his finger at enemy number one. The Mujahedin, he said, "are worse than infidels."⁷²

"Our enemy is neither in the United States, nor the Soviet Union, nor Kurdistan, but right here, right under our nose, in Tehran."⁷³

With these words, Khomeini drew the lines. "Death to the Mujahedin" became the regime's motto, and Hezbollah stepped up its attacks on the organisation's official centres. Even the organisation's health clinics soon came under attack. There were more deaths and injuries, and thousands of arrests.⁷⁴

Mohammad Yazdi, then-Judiciary Chief, referred to Khomeini's order to massacre the PMOI and its supporters, issued months before it became public, as follows:

The Imam's hand-written judicial order condemned the [Mujahedin] - the totality of the organisation and its infrastructure, and not individuals - so that there would be no hesitation in terming the activities by these individuals as waging war on God and corruption on Earth [and carrying out their execution orders].⁷⁵

Historian Shaul Bakhash writes about the events of that era in his book, 'The Reign of the Ayatollahs':

In February 1980, 60,000 copies of Mojahed were seized and burned. In Mashad, Shiraz, Qa'emshahr, Sari, and dozens of small towns, club wielders attacked and looted Mujahedin headquarters, student societies, and meetings. Since the Mujahedin meetings were often large, these attacks turned into huge melees. Some 700 were injured in the attack on the Mujahedin headquarters at Qa'emshahr in April, 400 in Mashad. Ten members of the organisation lost their lives in clashes between February and June 1980.

⁷² Foreign Affairs Committee of the National Council of Resistance of Iran, 'Democracy Betrayed', March 1995, p.97

⁷³ Khomeini, Tehran radio, 25 June 1980

⁷⁴ Mojahed, No. 115, 9 April 1981

⁷⁵ Ettela'at, Tehran, 30 May 1990

Preachers were often the instigators of these attacks. In Qom, anti-Mujahedin marches took place after sermons by Mohammad Taqi Falsafi and Mohammad-Javad Bahonar. In Behshahr, the Mujahedin were attacked after a sermon by Fakhr ad-Din Hejazi. Hojjat ol-Eslam Khaz'ali moved from town to town to preach against the Mujahedin. "If they do not repent," he told a crowd in Shahrud, "take them and throw them in the Caspian Sea." He accused the Mujahedin of being communists, taking part in the Kurdish uprising, killing Revolutionary Guardsmen, and misleading young girls. "Even if they hide in a mouse hole," he told a Mashad congregation, "we will drag them out and kill them... We are thirsty for their blood. We must close off their jugular."...

[Khomaini] was suspicious of the Mujahedin's growing strength and disapproved of their attempts, as laymen, to appropriate to themselves the authority to interpret Islamic doctrine. In June 1980, Khomaini publicly denounced the Mujahedin as polytheists and hypocrites and contemptuously referred to Rajavi as "this lad who calls himself the leader." The Mujahedin responded by quietly closing all their branch offices and retreating further underground."⁷⁶

Highlighting the regime's propaganda campaign against the PMOI, Abrahamian adds:

The regime used more than propaganda. The Chief Prosecutor on 2 November 1980 banned Mojahed for spreading slanderous lies; the paper did not appear regularly until early December when the organisation established a clandestine printing press. The local komitehs tried to arrest Mujahedin leaders; most had already gone underground, but many prominent sympathizers and the middle-level organizers were detained and executed after June 1981. The pasdars closed down Mujahedin offices and disrupted their rallies by shooting into crowds and making mass arrests. By early June 1981, the prisons - especially in Tehran, the

⁷⁶ Bakhshash, *op. cit.*, p. 123

central cities, and the Caspian towns - contained more than 1,180 Mojaheds...

Furthermore, the hezbollahis, most probably under IRP instructions, began a reign of terror. They shot news stand owners selling Mujahedin publications; beat up suspected sympathizers; bombed homes (including that of the Rezai family); broke into the offices of the Muslim Student Association; disrupted conferences, especially the Congress of Trade Unions; and physically attacked meetings, shouting "Hypocrites are more dangerous than infidels." By 20 June 1981 these hezbollahi attacks, together with the pasdar shootings, had left seventy-one mojaheds dead...

On 27 April, the Mujahedin organized a mass march in central Tehran to protest both the closing down of Bani-Sadr's newspaper and the killing of four demonstrators in Qiyamshahr (Shahi). The march, which attracted over 150,000... waved banners declaring, "Justice for the Qiyamshahr victims"... Clearly, the regime was losing control on the streets. The following day, the Chief Prosecutor banned all future Mujahedin demonstrations...

In an open letter to Ayatollah Khomeini the Mujahedin reiterated their past complaints; listed those killed by the hezbollahis; pointed out that not a single one of the killers had been brought to justice; and, protesting the ban on street demonstrations, warned that if all peaceful avenues were closed off they would have no choice but to return to "armed struggle." In a letter to the president the Mujahedin exhorted Bani-Sadr, as the "highest state authority", to protect the rights of citizens, especially their right to demonstrate peacefully.⁷⁷

Referring to the events of 1979-81, the U.S. State Department points to the following facts in a December 1984 report about the PMOI:

⁷⁷ Ervand Abrahamian, 'The Iranian Mujahedin', (London: Yale University Press, 1989), pp. 211-213; 216-217

[The Mujahedin have never accepted the Khomeini regime as an adequate Islamic government. When Khomeini took power, the Mujahedin called for continued revolution, but said they would work for change within the legal framework of the new regime. The Mujahedin publications emphasized their unique role as an urban guerrilla force that promised to enter candidates for the highest offices under the new political system. The Mujahedin also entered avidly into the national debate on the structure of the new Islamic regime. The Mujahedin unsuccessfully sought a freely elected constituent assembly to draft a constitution.

The Mujahedin similarly made an attempt at political participation when Mujahedin leader Masud Rajavi ran for the presidency in January 1980. Rajavi was forced to withdraw when Ayatollah Khomeini ruled that only candidates who had supported the constitution in the December referendum - which the Mujahedin had boycotted- were eligible. Rajavi's withdrawal statement emphasized the group's efforts to conform to election regulations and reiterated the Mujahedin's intention to advance its political aims within the new legal system.

In March and May 1980, Rajavi and several other Mujahedin ran in Tehran for the Islamic Assembly (Majlis). Moussa Khiabani, Rajavi's deputy, ran in Tabriz, and others ran in the north, where the group was strong. The Mujahedin attempted to demonstrate their broadened appeal by running on their ticket several moderate political figures...

Between the two election rounds, the Mujahedin announced that its members would disarm to prove that they were not initiating the clashes with the fundamentalists that had become endemic during the campaign. The fundamentalists responded by once again banning Mujahedin representatives from the university campuses. The group's allegations that vote tallies had been altered to deny Rajavi and Khiabani victories were ignored.

Rajavi then began to hint that the Mujahedin were considering active opposition to the Khomeini regime. In the early summer of 1980 the Mujahedin staged several rallies in Tehran drawing up

to 150,000 people to hear Rajavi promise to carry on the opposition to fundamentalist domination.

On June 25 Khomeini responded by a major statement against the Mujahedin, claiming their activities would derail the revolution and bring back “US dominance.”⁷⁸

For a year after Khomeini’s remarks, the PMOI continued to work for democracy through peaceful political means. This era ended on 20 June 1981 when heavily armed Guards turned a peaceful demonstration called in Tehran by the PMOI into a bloodbath. The day’s events are recounted by Abrahamian:

“On 20 June, vast crowds appeared in many cities, especially in Tehran, Tabriz, Rasht, Amol, Qiyamshahr, Gorgan, Babolsar, Zanjan, Karaj, Arak, Isfahan, Birjand, Ahwaz and Kerman. The Tehran demonstration drew as many as 500,000 determined participants. Warnings against demonstrations were constantly broadcast over the radio-television network. Government supporters advised the public to stay at home: for example, Nabavi’s Organisation of the Mojaheds of the Islamic Revolution⁷⁹ beseeched the youth of Iran not to waste their lives for the sake of “liberalism and capitalism.” Prominent clerics declared that demonstrators, irrespective of their age, would be treated as “enemies of God” and as such would be executed on the spot. Hezbollahis were armed and trucked in to block off the major streets. Pasdars were ordered to shoot. Fifty were killed, 200 injured, and 1,000 arrested in the vicinity of Tehran University alone. This surpassed most of the street clashes of the Islamic Revolution. The warden of Evin Prison announced with

⁷⁸ U.S. State Department, unclassified report on the Mujahedin, December 1984

⁷⁹ The “Organization of Mojaheds of the Islamic Revolution” was a reactionary religious group formed after the downfall of the Shah and according to the PMOI attempted to usurp the name of the Mujahedin, very popular in Iranian society. The paramilitary group consisted of IRGC members and was generally viewed as a front organization for the hezbollah. It occasionally attacked PMOI meetings under the name of hezbollah. After the start of widespread suppression and political executions in Iran, this group became defunct and was officially dissolved.

much fanfare that firing squads had executed twenty-three demonstrators, including a number of teenage girls. The reign of terror had begun.”⁸⁰

This event marked the beginning of an era of widespread suppression, arrests, torture, and mass executions. Revolutionary Guards were given power to execute dissidents on the street without any trial. The revolutionary courts handed down execution orders in trials that lasted only a few minutes. The reign of terror had started. Every day dozens were executed.

Following the initial surge in executions over a two-year period after 20 June 1981, the executions continued (at a lesser pace) until 1988. Khomeini and his close associates such as Lajevardi believed that in order to eliminate the threat of further uprisings and opposition to the regime, prisons should be used to break political prisoners who were suspected of the smallest sympathies to the PMOI. Anyone proven to have supported the PMOI would have been executed anyway.

⁸⁰ Abrahamian, *op. cit.*, pp. 218-219

V. ORDERING THE MASSACRE

Iran's Supreme Leader Ayatollah Ruhollah Khomeini issued a *fatwa* in July 1988 ordering the execution of imprisoned members and supporters of the PMOI (MEK) who remained loyal to the organisation, including those who had already been tried and were serving their prison terms. This was the beginning of what turned out to be the biggest massacre of political prisoners since World War II.

Listening to the survivors of the mass executions of 1988 or taking a glance at the events of previous years leave little doubt that the massacre was neither a spontaneous act of revenge nor a misuse of power by some uncontrolled elements of the regime. It was part of a policy that the Iranian authorities have pursued since the regime's inception. The audio tape of Ayatollah Montazeri posted on the internet in the summer of 2016 further confirms that the authorities were contemplating ways of eliminating all political prisoners several years before the 1988 massacre took place.

At the time Iran had more political prisoners than any other country in the world and perhaps more than the rest of the world. Tens of thousands were held in prisons around the country for political reasons. Political prisoners were held not only in Tehran, but in all provincial capitals and most cities.

On 18 July 1988, Iran accepted the UN Security Council resolution for a ceasefire in the war with Iraq after having rejecting it for a number of years. This was a major shift of policy by Iran. The official policy of Iran was previously symbolized in its slogan "Liberate Quds via Karbala" which simply meant to invade Iraq and then set the goal for "liberating Jerusalem." In addition, Khomeini had explicitly stated that he would continue the war until the last building in Tehran was still erected. Therefore, Khomeini's decision to accept a ceasefire was certainly a setback for the Iranian regime after having bragged about continuing the

war and having suffered enormous casualties and damages. Years later, Hashemi Rafsanjani, estimated the damage to be as high as 1 trillion dollars.

A few days after accepting the cease-fire, a *fatwa* (decree) was issued by Khomeini. It had no date on it. It was short, explicit and straight forward.

The following is the full translation of Khomeini's *fatwa* ordering the 1988 massacre in Iran:

In the Name of God, the Compassionate, the Merciful,

As the treacherous Monafeqin [PMOI] do not believe in Islam and what they say is out of deception and hypocrisy, and as their leaders have confessed that they have become renegades, and as they are waging war on God, and as they are engaging in classical warfare in the western, the northern and the southern fronts, and as they are collaborating with the Baathist Party of Iraq and spying for Saddam against our Muslim nation, and as they are tied to the World Arrogance, and in light of their cowardly blows to the Islamic Republic since its inception, it is decreed that those who are in prisons throughout the country and remain steadfast in their support for the Monafeqin [PMOI], are waging war on God and are condemned to execution.

The task of implementing the decree in Tehran is entrusted to Hojjatol-Islam Nayyeri, the religious judge, Mr. Eshraqi, the Tehran prosecutor, and a representative of the Intelligence Ministry. Even though a unanimous decision is better, the view of a majority of the three must prevail. In prisons in the provinces, the views of a majority of a trio consisting of the religious judge, the revolutionary prosecutor, and the Intelligence Ministry representative must be obeyed. It is naive to show mercy to those who wage war on God. The decisive way in which Islam treats the enemies of God is among the unquestionable tenets of the Islamic regime. I hope that with your revolutionary rage and vengeance toward the enemies of Islam, you would achieve the satisfaction of the Almighty God. Those who are making the decisions must

not hesitate, nor show any doubt or be concerned with details. They must try to be “most ferocious against infidels.” To have doubts about the judicial matters of revolutionary Islam is to ignore the pure blood of martyrs.

Ruhollah Moussavi Khomeini

بسم الله الرحمن الرحيم

در اینجا که منافقین خائن بی‌سویجه به اسلام مستعد بزند و بر پرده سکوت و خفا صد ذراتی است و در آرزوی اینها
 که بسم الله را بر سر کرده اند و با تعبیر به محراب بودن آن و جفا کردن به آن در شایسته و غیره مجرب گردیدند
 با وجود این در حقیقت عداوتی که با آن برادر صمیم علیه ملت مسلمان ما و با تعبیر به ارتباط آن با
 انگار جهان و صفات نامجز داشته آن لذت بسیار شیرین تمام جمعی است که در آن کاف که در دنیا
 سر بر کرده در موضع خفا خود با فساد کردن میکنند محراب و کعبه به اهدام میکنند و دشمنان موضع برزخ
 مدون با راهزنی کفریت قویان همه بر سر هم میزنند و جانب بر سر راه و نمایندار از ذرات طرد است
 اگر چه چنانچه در جماعت است و در این طرد در زندان مرکز آنها که در راهزنی کفریت قویان قاضی شرع
 داران است و با داد و بار در زمانه ذرات طرد است منم بدست میباشند و هم بر جای
 ساد انزوشی است و تا طریقت اسلام در برابر دشمنان خدا از هر طرفی تودیه نابینانند که
 است و بر اسلام چشم و کینه نهند به خود نسبت دشمنان اسلام و صفات خداوند متعال را
 قویان که در تحریف موضوع بر عهدت آنانست و کفر و کذب و کینه و کینه استوار
 با انگار و همیشه تودیه در آن فرقه است اسلام نهند به نادیده گرفتن خون پاک و طهر
 شهادت میباشند و اسلام را در راه
روح الله خومینی

Khomeini's fatwa ordering the execution of all PMOI affiliates in 1988

The decree is arbitrary but the content is clearly reflecting a policy pursued by Khomeini right from the beginning of his rise to power in 1979. It was not out of step with the previous policy and conduct of the Islamic Republic regarding the opposition, particularly the PMOI.

The decree condemned political prisoners not based on what they have done but because they are in Khomeini's judgement "*Monafeqin*" (hypocrites) and "do not believe in Islam and what they say is out of deception and hypocrisy." He also talks about "*waging war on God*" as the core of their charges, even though these people were already in prison and had already been sentenced - albeit unfairly - to prison terms following kangaroo trials lasting only a few minutes. Furthermore, the decree stipulated that "*and as they are engaging in classical warfare in the western, the northern and the southern fronts,*" which clearly is not making to any specific incident let alone about involvement of any particular individual. The charge is so broad that it could have been made at any time, without having any merit. Moreover, his allegation is against the PMOI as an organisation, rather than naming any individual who happens to be serving time in prison for supporting the group. The charges based on which Khomeini issued the decree also include "*being tied to the World Arrogance,*" - the regime's lexicon for describing the U.S. - which is unbelievably vague and politically oriented.

Finally, it is said that "*it is decreed that those who are in prisons throughout the country and remain steadfast in their support for the Monafeqin [PMOI], are waging war on God and are condemned to execution.*" Therefore, it can be definitively concluded that the only crime for which such prisoners have been executed is remaining "*steadfast*" in their belief, and that supporting the PMOI is considered to be tantamount to "*waging war on God*" for which prisoners are "*condemned to execution.*" There is no other case in recorded history that shows a ruler to have issued such an explicit written order of execution while instructing the executors *not to "be concerned with details."*

Also unprecedented is the formation of the so-called court, or 'Amnesty Commission', that was established to adjudicate cases of prisoners already judged for the same charges and sentenced to serve prison terms. This court was made up of a religious judge, a prosecutor and a representative of the Ministry of Intelligence and Security (MOIS). Both the prosecutor and the

representative of the MOIS had a dual function. The first acted as prosecutor and judge while the second acted as a witness in support of the prosecutor and a judge at the same time. A court thus composed and given the power of issuing the death penalty is simply a mockery of justice.

Khomeini further orders the immediate implementation of the *fatwa*

The *fatwa* was so outrageous that even the Chief Justice who had been part of the judiciary system right from the beginning, including during the mass executions of the 1980s, found it difficult to digest. Accordingly, following the issuance of the *fatwa*, Ahmad Khomeini, the son of Iran's Supreme Leader, conveyed a message to his father on behalf of Iran's then-Chief Justice, Ayatollah Abdul-Karim Mousavi Ardebili, who raised some ambiguities about Khomeini's death decree and how it should be carried out. The elder Khomeini's answer was that his decree must be carried out as quickly as possible, wherever it is workable. The following is the full translation of the exchange:

My Pre-eminent Father, His Eminence the Imam,

With greetings, [Chief Justice] Ayatollah Mousavi Ardebili has telephoned to raise three ambiguities about Your Eminence's recent decree on the Monafeqin [PMOI]:

- 1. Does the decree apply to those who have been in prison, who have already been tried and sentenced to death, but have not changed their stance and the verdict has not yet been carried out, or are those who have not yet been tried are also condemned to death?*
- 2. Those Monafeqin [PMOI] prisoners who have received limited jail terms, and who have already served part of their terms, but continue to hold fast to their stance in support of the Monafeqin [PMOI], are they also condemned to death?*
- 3. In reviewing the status of the Monafeqin [PMOI] prisoners, is it necessary to refer the cases of Monafeqin [PMOI] prisoners in*

counties that have an independent judicial organ to the provincial center, or can the county's judicial authorities act autonomously?

Your son,

Ahmad

Khomeini's response was short and sharp. He wrote on the bottom of the note he had received from his son:

In the name of God, the Most High,

In all the above cases, if the person at any stage or at any time maintains his [or her] support for the Monafeqin [PMOI], the sentence is execution. Annihilate the enemies of Islam immediately. As regards the cases, use whichever criterion that speeds up the implementation of the verdict.

Ruhollah Moussavi Khomeini

بسم الله

پدر گرامی و محترم (ام سرمد) سلام بر از طرف من آیت الله العظمی در رد حکم اخیر حضرت امام در باره منافقین ابواب
داشته که تلفظ در سران مطرح کردند

- ۱- آیا این حکم از حیث است بانه که در زمان کودکی کرده اند که شده اند حکم با امام شده اند و که تفسیر موضع شده اند
- ۲- حکم در مورد آنها اجراء شده است یا آنها که تفسیر آن حکم شده اند حکم با امام اند
- ۳- آیا منافقین که قبلاً حکم بران کرده اند که از روز زشتان امام کشیده اند و که بر موضع منافقین باشند
- ۴- حکم با امام می باشد
- ۵- در مورد منافقین با موضع منافقین آیا پرونده هر منافق که در زشتانها که خود استعدال تعالی دادند و تابع در آن

نیستند باید بر زبان درسان گفتو یا فراموش شده اند شکرگزار

فرزند شاکر

بسم الله

در تمام موارد فوق اگر در هر چه
اگر بر منافق باشد حکم با امام است
بر منافقین مسلم را با توبه
در رد و کشیده بر موضع بزنده در
در هر صورت که حکم بر منافقین اجراء شود
همان سرود نظر است



Ahmad Khomeini's letter to his father, and Ayatollah Khomeini's response

In these few lines, Khomeini reiterates once again that:

- the PMOI and its supporters are considered as “*enemies of Islam*” and must be “*annihilated*”;
- maintaining support for the PMOI is punishable by “*execution*”;
- the sentence must be carried out “*immediately*”;
- and as for the method and place, “*whichever criterion that speeds up the implementation of the verdict*” ought to be used.

This short exchange shows that at the time, political prisoners were being held in prisons all over the country and that the Chief Justice was concerned if the prisoners in the towns should be transferred to the provincial capital. Khomeini’s response clearly opened the way for speedy executions in every city.

Montazeri’s first letter to Khomeini in protest to the mass executions

On 31 July 1988, only a few days after the decree was issued, Khomeini’s deputy, Ayatollah Hossein-Ali Montazeri, wrote to him to express his grave concern over the mass executions of political prisoners in Iran, namely members of the PMOI, which he said could not be justified in any way. While trying to convince Khomeini to withdraw his death decree, he appealed to him to at least spare the lives of women and children with a supplementary decree.

It is significant to stress that at the time of writing his letter, the executions had commenced only a few days earlier in absolute secrecy, but Montazeri was shocked by the numbers and speed of the executions and referred to several thousand having been executed as of 31 July 1988.

The following is the full translation of his letter:

Date: 31 July 1988

In the Name of God, the Compassionate, the Merciful,

His Exalted Eminence Imam Khomeini,

With greetings, I would like to apprise Your Eminence that following your recent decree for the execution of the Monafeqin [PMOI] who remain in prisons, the nation tolerates the execution of the detainees of recent events and they apparently have no adverse consequences, but the execution of those who were already in prison has the following consequences:

These executions are perceived as an act of vengeance and a vendetta, considering the present state of affairs;

Many families, even those who are pious and revolutionary, are distressed and aggrieved by these executions, and have turned their backs to our regime;

Many of the prisoners who are not holding fast to their views are being treated by the officials as if they were;

At a time when under the attacks and pressures of Saddam and the Monafeqin [PMOI], we are attracting some sympathy around the world and many newspapers and personalities are defending us, it is unwise for the regime and yourself to have the propaganda turn against us;

While these people have been sentenced by our courts to prison terms, to execute them without any process and new activity is a complete disregard for all judicial standards and judges' rulings. This will not reflect well on our regime;

Our judicial officials, prosecutors and intelligence officials are not perfect and there is plenty of opportunity for mistakes and unduly influenced decisions. With Your Eminence's recent decree, many people who have light charges or are innocent are executed;

We have not so far benefited from these killings and violence. We have only stirred more propaganda against ourselves and we have increased the appeal of the Monafeqin [PMOI] and the counterrevolutionaries. It is appropriate to treat them with mercy for a time so as to attract the sympathies of many of them;

If you insist on your decree, then at least issue an order so that the judge, the prosecutor and the intelligence official would have to reach a consensus for execution. They must particularly spare women with children. The execution of several thousand prisoners in a few days will not have positive repercussions and will not be mistake-free. Even some of our religious judges were very distressed by this.

Hossein-Ali Montazeri

بسم الله الرحمن الرحيم
 محضر بنام روح‌الله العظمی امام خمینی مدظله العالی
 بر سر اسلام و حکمت برضی مرسانه . راجع به دستور اخیر حضرت ^{صلوات} علیه من بر اقدام من بعضی موارد در زندانها
 اعدام بازداشت شدگان عادی غیر انقلابی و جامع پذیرا است نظام را امر کرده ندارد و با اقدام هم بدین اوضاع زندانها
 اولاً نظر من بر کفایت و رعایت حقوق و رعایت حقوق بشر است . و ثانیاً خانواده کسی بسیار را که گرفتار است و انقلابی است
 نداشت و اعداد بسیار در آن جدا کرده می‌شوند . و ثالثاً بسیاری از آنان سر وضع نیستند و با بعضی از مسئولین زند
 با آنان معامله سر وضع میکنند . و در احوال در شرایط فعلی که بافت رزق و حملات اخیر نظام و دنیا فائق باور دنیا هم
 نبود گرفته ایم و بسیاری از رسانیها در محضتها از مداخله میکنند مصالح نظام و بعضی نیت که در بعضی تبلیغات
 علیه ما شروع می‌شود . و خامساً افرادی که بر سید دادگاهها با موازین در سابق محکوم گشته از اعدام می‌شوند
 اعدام کردن آنان بدون تعدد و بدون ضمانت تازه این به اعتقاد من موازین قضایه و احکام قضایه است
 و عکس العمل قریب ندارد . و سادساً مسئولین قضایه و دادستانان و اطلاعات ما در سطح متعدد سر در تبلیغات
 و اشتباهات است و تأثیرات بسیار در جوانان است و با حکم اخیر حضرت ^{صلوات} علیه من که تا آن زمان ما هم اعدام می‌شوند
 و در امروزه اقبال هم بهتر است . و سابعاً ما تا آن زمان از کشتهها و عضویتها پیروی نمی‌گرفتیم چرا که تبلیغات را
 علیه خود زیاد کرده ایم و جایزه منافعین و ضد انقلاب را بیشتر نموده ایم بجا است مگر با جهت و مصلحت بر خود نرود
 که قطعاً برای بسیاری جایزه خواهد داشت . و ثانیاً اگر فرمانبرداران دستور خودتان اصرار دارند اطلاق دستور دهید
 ملاک اتفاق نظر کافی و دادستان و دستور اطلاق شده نه اگر نیست . و زمان هم هستند و روشها مخصوصاً زمان که در
 و بالاخره اعدام چندین هزار نفر در ظرف چند روز هم عکس العمل قریب ندارد و هم خالی از خطا نخواهد بود .
 و بعضی از قضایه من بسیار راحت بردند و بجا است این حدیث شریف برود چه واقع شود :
 « قال رسول الله ص : ادرنوا المودود عن المسلمين ما تعلمتم فان كانوا لم يخرجوا فملا سبيلهم فان لا سلام ان يخطى من الغفوة
 حين من ان يخطى في المعصية . » و السلام عليكم و ارحم الراحمين ١٣٠٨ - ١٣٠٩ هـ / ١٩٨٩ م

Montazeri's letter of 31 July 1988

Montazeri's letter is certainly a strong political and juridical indictment of Khomeini and those involved in the mass execution. His reference to "*even some of our religious judges were very distressed by this*" is yet another indication of the extent of the killings and their widespread nature.

Montazeri's Second Letter to Khomeini in Protest to Mass Executions

In his second letter to Khomeini on 4 August 1988, after failing to receive a response to his earlier appeal, Montazeri once again notified him of the way his death decree was being carried out and taking the lives of thousands of political prisoners.

The following is the full translation of Montazeri's second letter:

Date: 4 August 1988

In the Name of God, the Compassionate, the Merciful,

His Exalted Eminence Imam Khomeini'

With greetings, pursuant to my letter of 31 July 1988, I write the following out of my sense of religious duty: Three days ago, a religious judge from one of the provinces, who is a trustworthy man, came to see me in Qom and was in great distress because of the way Your Eminence's decree is being implemented.

He said: The intelligence chief or the prosecutor (I forget which) was trying to ascertain if a prisoner was still holding fast to his beliefs.

He asked the prisoner if he was prepared to condemn the Monafeqin [PMOI], he said yes.

They asked, 'Are you willing to walk over mines⁸¹?' He said, 'Do you mean all the people are willing to walk over mines?'

⁸¹ By "walk over mines," the prosecutor was referring to the commonly used tactic by the Revolutionary Guards in the Iran-Iraq war of sending waves of boy soldiers across minefields to clear the way for the Guards' advance. Tens of thousands of young Iranians perished in these "human wave" attacks.

Moreover, you must not have such high expectations from someone who has just changed his views.' They said, 'It is obvious that you are still holding on to your political beliefs,' and dealt with him in the same way they dealt with those who had held onto their previous political positions (and executed him)".

The judge told me how much he insisted that the verdict be issued by consensus, or a majority, but this was not accepted, because it is the intelligence official who has absolute control and others are under his influence.

Your Eminence can see what type of persons are implementing your grave decree that affects the lives of thousands of prisoners.

Hossein-Ali Montazeri

بسم الله الرحمن الرحيم
 محضر مبارک آیه ام العظمی امام حسین عجلت الله

پس از سلام و تحیت پیرو نامه مورخه ۶۷/۵/۹ برای رفع سئوالت شرعی از خود بعرض رسانید:
 سه روز قبل قاضی شرعی کلبی از پستانهای کور کور آمد و پرسید: ما را راهنمایی فرمایید که چه اجراء
 فرمائید تا این قضیه در قلم آید بود و سئوالت: سئوالت اطلاق یا ادا است - تردید از من است -
 از یکی از مدعیان برای تحقیق اینکه سر وضع است یا نه پرسید: تو قاضی ساز تا من قضای را محکوم کنی.
 گفت: آری. پرسید: قاضی مصاحبه کنی. گفت: آری. پرسید: قاضی برای چنانکه
 با عراق مجاهده بروی. گفت: آری. پرسید: قاضی روی زمین بروی. گفت: آری.
 گفت: مگر همه مردم حاضرند روی زمین بروند و اهل و عیال از سر تا سر تا این حد نظر دارند.
 گفت: معلوم میشود تو هنوز سر وضعی و با او معامله سر وضع انجام داد
 و این قاضی شرعی سئوالت: من هر چه اجراء کردم پس ملاقات آرد با من نه که من سئوالت
 و نفس امری را هم با سئوالت اطلاق دارد و دیگران عملاً تحت تأثیر می باشند
 حضرت قاضی ملاحظه فرمائید چه کسی با ما دیدی سئوالت اجراء فرمایند حضرت قاضی که بد ما هزاران نفر
 مربوط است می باشند و السلام علیکم ورحمة الله وبرکاته



Montazeri's letter of 4 August 1988

This second letter includes some significant revelations.

Firstly, the extrajudicial and arbitrary nature of the decree and its implementation was such that even a prisoner's renunciation of his or her belief or being prepared to fight for the regime was not sufficient to save his or her life. The test was much higher - to be prepared to go over the minefields - so that the 'judges' would refrain from issuing an execution sentence.

Secondly, it reiterates the fact that executions were being conducted all over the country and that, as expressed by one of the judges, the *fatwa* was more stringently enforced in other provinces. This further explains the high numbers of executions.

Thirdly, it makes clear that the official from the Intelligence Ministry was the key official in charge who had the final say on the executions.

Letter Sent to Khomeini by an Islamic Revolutionary Court Judge in Khuzistan

The following letter was addressed to Khomeini by a judge in Khuzistan Province who was himself involved in the process and shocked by what was taking place. He approached Ayatollah Montazeri who according to his memoirs, recommended to him to make his case directly to Khomeini. Montazeri states in his memoirs that this judge met with Khomeini's son and explained in detail about the arbitrary executions. He was asked to put it in writing to be handed over to Khomeini which he did.

The following is the full translation of his letter to Khomeini:

In the Name of God, the Most High,

His Eminence Imam Khomeini, with greetings,

I would like to bring to Your Eminence's attention some points on the recent decree you issued with regard to the Monafeqin, even though I am much too humble to talk about this.

But as my religious duty requires and in a bid to seek guidance, I wish to point out that the issue of whether a person is holding fast to his support for the Monafeqin is subject to different interpretations. Different viewpoints and tastes vary between the

extremes and I have brought detailed cases to the attention of Haj Ahmad and refrain from repeating them. As an example, in Dezful prison, several prisoners named Taher Ranjbar, Mostafa Behzadi, Ahmad Assekh, and Mohammad Reza Ashou, were prepared to condemn the Monafeqin and even recant on radio and television or before other prisoners. But the Intelligence Ministry official asked them: "Are you prepared to fight for the Islamic Republic in the war or in the cities?" Some wavered and some said no. The intelligence official said they are still holding on to their positions, as they were not willing to fight for our just regime. I told the official, should we therefore say that the majority of the Iranian people who are not willing to go to the front are also supporters of the Monafeqin? He replied: "These people are different from ordinary folks." The above-named prisoners were all executed, except the last one who managed to escape on the way to the execution yard. I therefore urge Your Eminence to clarify some uniform standards so that officials would not go to the extreme and commit mistakes.

Mohammad-Hosseini Ahmadi, Religious judge of the Islamic Revolutionary Court in Khuzistan

14 August 1988

Copy: His Eminence Grand Ayatollah Montazeri

Montazeri's Letter Addressed to Members of the "Death Commission" in Tehran

Montazeri, who was shocked by the mass execution of political prisoners in Iran and that his previous letters to Khomeini about his decree and the arbitrary executions had been ignored, expressed his dismay in a letter addressed directly to members of the 'Death Commission' in Tehran on 15 August 1988. While criticizing members of the Commission, he clearly stated that their conduct had been contrary to the teachings of Islam and the practices of the Prophet Mohammad. The letter provides more evidence not only of the scale of the mass executions but also

highlights the fact that leaders of the Iranian regime were fully informed that they were taking place.

The following is the full translation of Montazeri's letter to the 'Death Commission':

To Mr. Nayyeri, [religious judge], Mr. Eshraqi, [prosecutor], Mr. Raissi, [deputy prosecutor], and Mr. Pour-Mohammadi, [Intelligence Ministry representative].

Date: 15 August 1988

In the Name of God, the Most High,

1. I have received more blows from the Monafeqin [PMOI] than all of you, both in prison and outside.

My son was martyred by them. If it was a question of revenge, I should pursue it more than you. But I seek the expediency and interests of the revolution, Islam, the Supreme Leader, and the Islamic state. I am worried about the judgment that posterity and history will pass upon us.

2. Such massacres without trial, particularly when the victims are prisoners and those in captivity, will definitely benefit them in the long run. The world will condemn us and they will be further encouraged to wage armed struggle. It is wrong to confront ideas and ideologies with killings.

3. Look at the behavior of Prophet [Mohammad] and how he treated his enemies after the conquest of Mecca and the Battle of Hawazen. The Prophet showed mercy and amnesty and was given the title of "the Mercy of both worlds" by the Almighty. Look how Imam Ali treated his enemies after defeating them in the Battle of Jamal.

4. Many of these people who are holding fast to their beliefs are doing so in reaction to the way they have been treated by interrogators and prison wardens, otherwise they might have been flexible.

5. *To argue that if we released these prisoners, they would rejoin the Monafeqin [PMOI] is not sufficient to characterize them as Mohareb (waging war on God) and of having mutinied against God. Imam Ali did not punish Ibn Moljem (his assassin), before he actually carried out the crime, even though he said before hand that he (Ibn Moljem) is my killer.*

6. *The beliefs of a person, per se, are not sufficient grounds to declare him as someone who is waging war on God or rebelling against the Almighty. Even if it is supposed that the [PMOI] leaders are renegades, their supporters cannot be given the same verdict.*

7. *Judgment must be made in an environment free of emotions. The social environment now is not conducive to justice due to sloganeering and propaganda. We are upset with the Monafeqin's crime in the west, but are taking it out on prisoners and former prisoners. Executing people who have not carried out any new activities will cast doubt on previous judges and all previous judgments. According to which standard do you execute a prisoner whom you have previously given a lesser sentence? At present, prison visits and telephone calls have been cut off, but how will you answer the families tomorrow?*

8. *I, more than anybody, care about the prestige of His Eminence the Imam as the Supreme Leader. I do not know how things are being presented to him. Should we say that all that we were studying in Islamic jurisprudence about taking caution when dealing with people's blood and properties were wrong?*

9. *I have met with a number of just and pious judges who were dismayed and complained about the way the decree is being implemented. They said there is too much extremism and cited numerous cases of people being executed without any reason.*

10. *In conclusion, the People's Mojahedin are not individuals; they are an ideology, and a world outlook. They have a logic. It takes right logic to answer wrong logic. You cannot rectify wrong with killings; you only spread it.*

خطاب آیت‌الله العظمی در اسراء
در تبریزی در ۱۵ آگوست

بسمه تعالی

تاریخ: ۱۵/۸/۱۳۶۷

شماره: ...

۱- من پیش از همه از من قضای هر چه مورد اتهام بود در زندان و چه در خارج زندان - فرزندان آنان که کشته شدند - اگر بنا بر این عقیده باشد که من بیشتر باید دنیا را کنم و نه من مصلحت اسلام و انقلاب و کشور و حقیقت و ولایت فقیه و حکومت اklam را در نظر میگیرم من قضاوت آید که آن در تاریخ را در نظر میگیرم.

۲- این گونه سلب اتهام بدون محاکمه آن هم نسبت بر من و اولاد و اسیران قطعاً در دراز مدت بیفایده است و در نهایت منافع آنهاست و در نهایت منافع آنهاست و در نهایت منافع آنهاست.

۳- روش بی غیر را با دشمنان خود در فتح مکه و جنگ هراتی به بیسند به هم نچسبیده است بی غیر با خود و اولاد برضد کرد و از خدا تعالی رحمت و مغفرت بخواهد روش امیرالمؤمنین با اهل بیت را از روش کشتن غلط است.

۴- بسیار از افراد سر موضع را در قتل با وجود که زندانیان آنها را در سر موضع کشته و اولاد بر انظار بودند.

۵- محدود کننده اگر آنان را آزاد کنیم بمنافقت من میزند نه موجب صدور عنوان مجازات و ناخوشی بر آنان می شود.

۶- امیرالمؤمنین نسبت باین بجم هم قصاص میسر از جنات انجام نداد با اینکه خود قتل و اولاد قتل است.

۷- مجرد اعتقاد خود را در اهل عنوان مجازات و باطنی نمی گزیرد و در تداوم سران موجب حکم با مراد سبنا نمی شود.

۸- قضاوت و حکم باید در حواس و عقل از ارباب است باشد (لا یقضی العاقبتی وهو غضبان)

۹- الان با قضاوت و حکم کیست ما از جنات ما از جنات منافقتی در غضب ناراضیم.

۱۰- بجان اسرا و زندانیان سابق افتاده ایم و انگیزه اعدام آنان بدون فعلیت جدید زیر سوال بودن هم قصاص و همه قصاص و بر این سابق است کسی را که میگردد اعدام محکوم کرده زید چه الا که اعدام میکنند.

۱۱- این چنین از هر بعد حکمیت حضرت امام ظهور و ولایت فقیه می بینیم و نمی دانم موضوع را به چه نحوی باید آن را نشانند این همه مادر فدیة محبت اجتماع طرد دعای و سوال کردم چه غلط بود ؟

۱۲- من چندین نفر از قضاة محافل و مدون را دیدم که ناراضی بودند در واژه اجرا و شکایت داشته و منتقد سدر و بی غیر و کمونیستی را از کلمه میگردند که به جهت حکم اعدام اجرا میکنند.

۱۳- در فایده مجازاتین خلقی است من نیستند که هیچ ذکر و برداشتن که منطق است و منطق غلط را باید با منطق صحیح جواب داد تا کسی حق نداند بلکه ترویج میگردانیم موقرین بگوید ع - م

Montazeri's letter of 15 August 1988

The letter further stresses the fact that the victims were killed for no reason other than their belief and points out that the PMOI has a vision, outlook and logic which cannot be destroyed with killings.

Montazeri also provides further evidence about the crimes by stating that he has “met with a number of just and pious judges who were dismayed and complained” about the executions. Thus it is clear that the four members of the Death Commission in Tehran were not the only officials involved in the massacre, and that the killings took place nationwide. According to Montazeri, the situation in other provinces was even more arbitrary which demonstrates the scale of the crime.

Khomeini’s Letter Dismissing Montazeri over his Criticism of 1988 Massacre

Montazeri criticized on a number of occasions the practices of the Iranian regime’s officials and the decrees by Khomeini which had led to the massacre of political prisoners in Iran. He described the massacre as being contrary to the Islamic Shari’at that the leaders of the regime had professed to uphold.

Khomeini reacted sharply and in a letter dismissed Montazeri as his designated successor.

Khomeini openly accused Montazeri of paving the way for the opposition PMOI to take over the country. The letter is further proof of the fact that Khomeini was behind all the suppressive measures and justified them under the name of Islam and God.

The following is the full translation of Khomeini’s letter dismissing Montazeri:

In the name of God, the Merciful, the Compassionate,

To Mr. Montazeri

My heart is broken and filled with blood now that I am writing a few words to you. Perhaps one day the people will realize the facts by reading this letter.

In your recent letter to me, you said that, in accordance with the Shari’ah, you give priority to my views over your own. I consider God my witness when I point out the following issues:

Since it has become clear that after me you are going to hand over this country, our dear Islamic revolution, and the Muslim people of Iran to the liberals, and through that channel to the Hypocrites [PMOI], you are no longer eligible to succeed me as the legitimate leader of the state. You, in most of your letters, speeches and stances, have shown that you believe the liberals and Hypocrites should rule this country. It is so clear that your remarks have been dictated by the Hypocrites that I did not see any point in sending a reply. For instance, thanks to your speeches and written work, the Hypocrites took advantage of your stance in defence of their ilk to promote a number of their comrades—who had been condemned to death on charges of waging an armed struggle against Islam and the revolution—to positions of authority. Can you see what valuable services you have offered to arrogance? On the issue of the murderer Mehdi Hashemi [a supporter and relative of Ayatollah Montazeri, who had been executed], you considered him to be the most religious person on earth. Despite the fact that it was proved to you that he was a murderer, you kept sending messages to me to spare his life. There are so many other examples, similar to that of Mehdi Hashemi, that I cannot be bothered to mention them all.

You no longer have the power of attorney on my behalf. Tell the people who bring you gold and money to take them to Mr. Pasandideh's [Khomeini's elder brother] residence in Qom or to me in Jamaran. Praise be to God, you yourself will not have any financial commitments from this date.

If, in accordance with the Shari'ah, you do consider my views to be superior to yours (which certainly the Hypocrites will advise you that it is against your interests to do so; and no doubt you will become busy writing things which will further deteriorate your future), then you should listen to the following words of advice I am giving you. It breaks my heart and my chest is full of agonizing pain when I see that you, the fruit of my life's labor, are so ungrateful. However, by relying on Almighty God, I give you the following words of advice, and it will be up to you whether you take note of them or not.

One: Try to change the members of your cabinet so as to avoid feeding the hypocrites, Mahdi Hashemi's clique, and the liberals from the sacred charity funds donated to the Imam.

Two: Since you are a gullible [sadeh lowh] person and are provoked easily, do not interfere in political matters, and maybe then God will forgive you for your sins.

Three: Do not write to me ever again, and do not allow the hypocrites to pass state secrets to foreign radio stations.

Four: Since you became a mouthpiece of the Hypocrites and your speeches have conveyed their wishes to the people via the mass media, you have inflicted heavy blows on Islam and the revolution. This is a great act of treason against the unknown soldiers of the Lord of the Age, may our souls be sacrificed for him, and against the sacrifices made by the illustrious martyrs of Islam and the revolution. If you wish to save yourself from hell fire, you had better confess to all your sins and mistakes and maybe then God will help you.

I swear to God that from the start I was against choosing you as my successor, but at the time I did not realize you were so gullible. To me you were not a resourceful manager but an educated person who could benefit the religious seminaries. If you continue your deeds I will definitely be obliged to do something about you. And you know me, I never neglect my obligation. I swear to God that I was against appointing Mahdi Bazargan as the first prime minister, too, but I considered him to be a decent person. I also swear to God that I did not vote for Bani-Sadr as the president either. On all these occasions I submitted to the advice of my friends. In the midst of my pain and suffering, I wish to address our dear people from the bottom of my broken heart.

I have made a pledge to my God not to forgive evil individuals ever, if I am not obliged to do so. I have made a pledge to my God that pleasing Him [God] is a much greater priority than pleasing my friends and other people. If the entire world were to rise against me, I would never abandon justice and the truth. I do not

care about history and current developments. I am only interested in performing my religious duties. In addition to my pledge to God, I have promised the decent, noble, and honest people to inform them of the facts when the time is appropriate. Islam's history is full of instances of treason by its prominent figures against Islam. Try to make sure that you are not influenced by the lies broadcast by foreign radio stations. These radio stations dictate their lies with so much joy and enthusiasm these days. I beseech Almighty God to grant patience and tolerance to this old father of the dear Iranian people. I beseech God to forgive me and to take me away from this world so that I no longer have to experience the bitter taste of my friend's treachery. We all submit to God's will. We have no power without God's will. Everything comes from Him.

Wishing you peace

Ruhollah al-Musavi al-Khomeini

Dated: Sunday 6 Farvardin 1368. (26 March 1989)

۲- در آنها که روح حسنه در آنها توجیه می شود مدح و تحسین و دعوت کفیه شایسته اند و منصفانه است تا حدود
 ۳- دیگر نه بر این نام توجیه و نه اجازه و حدیث فتن هر چه امرانگفت است را به داد و برانگیزانند
 ۴- مادر استر اینها را منصفی که برسد تا نزد خدا اگر گریه بود می رسید حضرت سئین و سیم و انصاف زد و موجب
 خیراتی بزرگ به سر آمدن تمام ۱۱ زانی مدح و در آنها و فخر با یک نموده ایم و انصاف گویید تا بر آید در قرص جنم
 سئید هر دو طرف به پشت و آن که کینه شایسته انگشتان کند.

در قسم می گذارم با انتخاب شما خانم بدم و در آن وقت شما صد روح سید استم که می روید بر خود دیدید و
 منشی بودید تعبیر که کفیه جان حده و اطمینان بود ~~.....~~ و اگر انگیزه کار آنان را ادا و در هر سیم
 کفیه و سیر طام و سیمانی که کفیه خود پر می کشیم. در قسم من با نیت وزیر با یکدیگر می افتادیم و کلام امام
 فرمودید استم در قسم من حاضر و نیت جمهور می باشد تمام و در تمام موارد نظر دشمن را بپذیریم.

منشی از سر دور و بی و بار انگشت در پلک من و دهان با مردم عزیزان دلام من با حاضر خود حس کنیم که در خبر افرادی
 که گفتند با انان آن نیت می گذاریم هر کسی که من با حاضر خود چنان باشد که رضای او را بر رضای تمام دوستانی تمام
 دلام اگر آن چنان حدیث من تمام کند همه است از حق و حقیقت بر می آید من کار به تاریخ و آنچه اتفاق می افتد تمام
 من نخواهد بود طبقه نومی خود هر کس من بعد از خدا با مردم خوب و شرفه و کینه چنان باشد که در حقیقت را در تاریخ
 من شایسته آنها در میان گذارم تاریخ استم پر است که غایت بزرگ من به استم کسی که نیت تا نیت در تاریخ است
 که این روز را داد و بار کینه آنرا با نیت و نیت استم می کشند نیت از خدا می آید که به هر چه مردم حدیث از آن
 سر و دستر مطا از یاد او را بخشید و این دنیا بر و طمع تلخ خیانت نیتان را بجز از نیت بخشه ما هر راضی هستیم
 بر ذات او از خدا که بجز سر تمام بر هر چه است و کلام استم
 کربانه ۱۸/۱/۸۹

Khomeini's order dismissing Montazeri as his heir apparent on 26 March 1989

VI. REPORTS BY INDEPENDENT BODIES

1) REPORT BY GEOFFREY ROBERTSON (QC)

“The Massacre of Political Prisoners in Iran, 1988”⁸²

In early 2009, Geoffrey Robertson was invited by an Iranian NGO, Abdorrahman Boroumand Foundation (ABF)⁸³ to examine the existing body of evidence related to the alleged 1988 secret executions of Iranian prisoners and provide an independent legal opinion on the crime and the international obligations of the state of Iran in relation to his findings.

Geoffrey Robertson (QC) is a renowned international lawyer from the United Kingdom. Barrister since 1973, Queen's Counsel since 1988, founder of Doughty Street Chambers 1990, appeal judge on United Nations Special Court for Sierra Leone, 2002-2007 and its President December 2002- March 2004, Member of the United Nations Internal Justice Council, 2008-2012. He is the author of several publications but probably the most relevant to this report are his books titled “Mullahs without Mercy: Human Rights and Nuclear Weapons”⁸⁴ and “Crimes against Humanity: The Struggle for Global Justice”.⁸⁵

When the United Nations appointed him as a judge and president of the Special Court for Sierra Leone and Member of the UN Internal Justice Council, it had put full trust in his intellectual and moral qualities, integrity, impartiality, objectivity, competence

⁸² Read the full report at <http://www.iranrights.org/library/document/1380>.

⁸³ Abdorrahman Boroumand Foundation (ABF) is a non-governmental, non-profit organisation dedicated to the promotion of human rights and democracy in Iran with no political affiliation. It is named in memory of Dr. Abdorrahman Boroumand, an Iranian lawyer and pro-democracy activist who was assassinated in Paris on 18 April 1991.

⁸⁴ “Mullahs without Mercy: Human Rights and Nuclear Weapons”, Biteback Publishing Ltd, London, 2012, chapter 3 (The 1988 Massacre), pages 65 onwards.

⁸⁵ First published by Allen Lane 1999, 4th Edition by Penguin Books 2012.

and professionalism and his good judging faculties. Robertson's findings on the massacre of political prisoners in Iran in 1988 are those of an irreproachable leading legal authority. They should serve the United Nation and in due course of time the International Criminal Court as reliable evidence to activate an investigation. Furthermore, since the publication of his report, more evidence has emerged adding strength and veracity to those findings, while shedding more light on the extent of the mass executions.

From the outset Robertson went straight to the point to dissipate any possible questioning of the independence of his inquiry. He underlines that the inquiry was conducted with complete independence and that the opinions expressed are his own and he alone takes full responsibility for what is published in the Report.

Assisted by Ms Jen Robinson, an Australian solicitor, Robertson interviewed more than 40 former prisoners and their relatives at his chambers in London, also in Washington, Amsterdam, Paris, Cologne, Frankfurt and Berlin. Some interviewees had already published their accounts of the events, whilst others had spoken for the first time. "It was necessary to factor into the evaluation of their evidence matters such as whether they continued to have a political affiliation or a bias which might skew or exaggerate their testimony; whether their memory had been affected by the passage of time or by repetition of their story or by retrospective embarrassment at any position they may have taken if they 'repented' before the 'Death Committee' back in 1988. It was important to distinguish between what they had seen with their own eyes, what they had inferred from events they had witnessed and what they had been told by others, often by Morse code communication through adjoining cells and wards", he pointed out. And he adds "I considered that there were some discrepancies in their stories, a few cases of embroidery to fit facts described by others and some honest jumps to insecure conclusions (for example, in relation to the interpretation of events in late 1987 and early 1988 as

necessarily related to pre-planning for the massacre). However, making all such allowances, the gist of their narratives, which I summarise in the first two paragraphs above and in detail in Chapters 3-5 of this report, was remarkably consistent, and came across as the truth and little else but the truth".⁸⁶

Robertson asserted that "These massacres undoubtedly occurred, pretty much as alleged, in 1988, in prisons where political prisoners were detained. They took place, broadly speaking in two waves, first, the Death Committee came for the unrepentant *Mujahedin* and then, after a short break, for atheistic or agnostic communists and for leftists it assessed as apostates. There was a good deal of confusion in complying with the *fatwa*, especially in provincial prisons, which may be explained by the fact that the massacres, whether or not planned in advance, were triggered by a furious malice against the *Mujahedin*... The state destroyed all *Mujahedin* supporters it could lay its hands on, and then proceeded to eliminate, hurriedly and secretly, all male prisoners who refused to pray to the God whom the Supreme Leader represented on earth".⁸⁷

*Due to the importance of Robertson's findings, the following excerpts are integrally reproduced to summarise his opinion:*⁸⁸

[Eyewitness testimony from the survivors we have interviewed confirms the identity of the three Death Committee members before whom they appeared at the main Tehran prisons (Evin and Gohardasht) and further identifies several prison administrators who took a fanatically zealous part in the mass murder. One of them went so far as to pull at the legs of dangling prisoners to hasten their strangulation and so make way for a new set of victims. Evidence of leadership complicity at present relies mainly on inferences from the Montazeri letters and what can only be seen as "cover up" made by Ayatollahs Ali Khamenei

⁸⁶ "The Massacre of Political Prisoners in Iran: Report of an Inquiry Conducted by Geoffrey Robertson", 10 May 2010, page 10, published by Abdorrahman Boroumand Foundation.

⁸⁷ *Ibid*, page 10, 2nd column

⁸⁸ *Ibid*, page 11

(since 1989 the Supreme Leader) and Mousavi Ardebili (still a senior jurist), Ali Akbar Rafsanjani (Head of the Nation's Exigency Council) and, ironically, Prime Minister Mousavi (now the leader of opposition in Iran, although the "Green Movement" has always credited Grand Ayatollah Montazeri with its inspiration).]

Does a massacre that happened twenty years ago, really matter today? More than ever, argued Robertson.

[International law is the prisoner's only succour in times of war, when states are often especially prone to exploit popular hostility and unleash the lynch mob. Convicts make for particularly useful scapegoats, and if the temptation to slaughter them is to be kept at bay in the future, notorious cases in the recent past must be exposed and expiated. Otherwise, the weasel-worded "justifications" offered in 1988 by Mousavi and Rafsanjani will be heard again, from other statesmen at other times, and the moral courage of the more humane Montazeri will not be replicated for fear that the sacrifice will be in vain (Montazeri fell from grace partly as a result of his protest and spent some years under house arrest). It is the utter vulnerability of the prisoner in times of war that makes common Article 3 of Geneva Conventions, requiring a basic minimum of humane treatment, of such importance, and imposes a duty on the state, and failing the state on the international community, to investigate and punish whenever credible allegations are made. That duty certainly fell on the UN and on its Human Rights Commission (now the Human Rights Council) from 1988 onwards: the General Assembly and Security Council chose to turn a blind eye, and although its Special Representative was aware of what was happening, his investigation was foiled by Iran and fizzled out through lack of will. It should be revived, while witnesses are still alive whose testimony might help to bring perpetrators to justice.]⁸⁹

Robertson further asserts in his book *Mullahs without Mercy* that "In 1988, the state of Iran committed four exceptionally serious breaches of binding international law which entail both state

⁸⁹ *Ibid*, page 11

responsibility and individual accountability for war crimes and crimes against humanity”⁹⁰. Namely, arbitrary killing of thousands of male and female political prisoners pursuant to a fatwa emanating from the Iranian supreme leader; the wave of apostate killings, a breach of the right to life and religious freedom; the beating and other degrading or inhumane treatment inflicted on prisoners falling under the definition of torture which is absolutely prohibited in both conventional and customary international law; and the denial by the state of the right to know where close relatives are buried and to mourn their deaths.

2) AMNESTY INTERNATIONAL REPORTING ON THE 1988 MASSACRE IN IRAN

“Iran: Violations of Human Rights 1987-1990” [MDE 13/21/90]⁹¹

Amnesty International is a non-governmental organisation whose statements are highly valued by the United Nations as credible sources of information, and most governments take its reports very seriously. The following are excerpts from its report published on 1 December 1990 on the 1988 mass killing in Iran:

[1.2.1 The Massacre of 1988

In mid-1988 the pattern of political executions changed dramatically from piecemeal reports of executions to a massive wave of killings which took place over several months. Even now, two years after these events, it is still not clear how many people died during the six-month period from July 1988 to January 1989. Amnesty International has recorded the names of over 2,000

⁹⁰ Cited above, “Mullahs without Mercy: Human Rights and Nuclear Weapons”, page 105.

⁹¹ Read the full report at:

<https://www.amnesty.org/en/documents/mde13/021/1990/en/>

political prisoners reportedly executed during this period. Iranian opposition groups, such as the PMOI, have suggested that the total was much higher (30,000). In 2016, following new revelations their figure have been confirmed by some foreign Iranian officials. Speaking on French television in February 1989, Hojatoleslam Rafsanjani is reported to have said that "the number of political prisoners executed in the past few months was less than 1,000" (Iran Yearbook 89/90).

Since these events took place, Amnesty International has interviewed dozens of relatives of execution victims, and a number of former political prisoners who were in prison at the time when the mass killings were taking place. It has received written information from many Iranians who believe that their friends or relatives were among the victims. These accounts, taken together with statements by Iranian Government personalities, have convinced Amnesty International that during this six-month period the biggest wave of political executions since the early 1980s took place in Iranian prisons. ...

President Khamenei spoke in December 1988 of the decision taken by the Iranian authorities to execute "those who have links from inside prison with the hypocrites [PMOI] who mounted an armed attack inside the territory of the Islamic Republic". An open letter to Amnesty International from the Permanent Mission of the Islamic Republic of Iran to the UN in New York stated:

"Indeed, 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." (UN document A/44/153, 28 February 1989)

The political executions took place in many prisons in all parts of Iran, often far from where the armed incursion took place. Most of the executions were of political prisoners, including an unknown number of prisoners of conscience, who had already served a number of years in prison. They could have played no

part in the armed incursion, and they were in no position to take part in spying or terrorist activities. Many of the dead had been tried and sentenced to prison terms during the early 1980s, many for non-violent offences such as distributing newspapers and leaflets, taking part in demonstrations or collecting funds for prisoners' families. Many of the dead had been students in their teens or early twenties at the time of their arrest. The majority of those killed were supporters of the PMOI, but hundreds of members and supporters of other political groups, including various factions of the PFOI, the Tudeh Party, the KDPI, Rah-e Kargar and others, were also among the execution victims.

The first sign that something was happening in the prisons came in July 1988 when family visits to political prisoners were suspended. This was the beginning of months of uncertainty and anguish for prisoners' relatives as rumours began to spread that mass executions of political prisoners were taking place.

No news of the political prisoners was heard for about three months. Relatives would go to prisons on regular visiting days only to be turned away by prison guards. Some brought clothing, medicines or money to the prisons hoping to get a signed receipt from their imprisoned relatives as an indication that they were still alive.

Reports circulated among prisoners' relatives that execution victims were being buried in mass graves. Distraught family members searched the cemeteries for signs of newly dug graves which might contain their relatives' bodies.

One woman described to Amnesty International how she had dug up the corpse of an executed man with her bare hands as she searched for her husband's body in Jadeh Khavaran cemetery in Tehran in August 1988 in a part of the cemetery known colloquially as Lanatabad, (the place of the damned), reserved for the bodies of executed political prisoners.

"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."

She unearthed a body with its face covered in blood but when she cleaned it off she saw that it was not her husband. Other relatives visiting the graveyard discovered her husband's grave some days later. A member of a communist group, he had been arrested in early 1985, tortured over several months and convicted after a summary trial at which, as a result of his torture, he was barely conscious. He never learned what his sentence was. His wife had been turned away from Evin Prison on a regular visiting day in early August, and had then started her quest for information which led her to the unmarked grave.

In October and November 1988 the authorities began to inform families of the execution of their relatives. In a few cases prison officials informed relatives of the execution when they went to the prison for a normal family visit. This led to protests by prisoners' relatives who gathered outside prisons, so other methods were devised. The majority of relatives appear to have been informed by telephone that they should go to an Islamic Revolutionary Committee office to receive news about their imprisoned relatives. There they were informed of the execution and required to sign undertakings that they would not hold a funeral or any other mourning ceremony. Family members were not informed where their relatives were buried, and even if they managed to find out they were not permitted to erect a gravestone.

An Iranian who left Iran in late 1988 told Amnesty International how his family had learned of the execution of his brother, Hossein. In November 1988 the family received a telephone call instructing the father to go to Evin Prison to receive information about Hossein. Hossein's father and wife went to the prison where they were told that Hossein had been executed because he was not repentant and had not been improved by his imprisonment. They were not informed where his body was, and were told that they should not hold any funeral ceremony.

Hossein had been held in Gohardasht Prison in Karaj where he was serving a 15-year sentence for activities in support of the PMOI. Hossein had been arrested in 1981. His brother told Amnesty International that at that time Hossein had been involved in political activities for the PMOI: collecting money and distributing leaflets and newspapers. His brother is convinced that Hossein was not involved in violent activities.

The mother of a 39-year-old woman executed in Evin Prison wrote to Amnesty International describing a similar experience. Her daughter had been arrested in 1982 when she had been found in possession of leaflets produced by the PMOI. She had been tried by an Islamic Revolutionary Court but never informed of the sentence passed on her. For six years the mother had visited her daughter every two weeks. In early August 1988 her visits were stopped without explanation. In November 1988 she received a telephone call telling her to go to the Islamic Revolutionary Committee office near Beheshteh Zahra cemetery, where she was informed of her daughter's execution. She was instructed not to hold any mourning ceremony and was not informed where the body was buried.

Relatives of prisoners executed in Orumieh Prison in Iranian Kurdistan have described to Amnesty International a form they had to sign when they were summoned to the prison to collect their relatives' belongings. They were told where their relatives were buried, but the authorities had made sure that the 40-day mourning period had elapsed before telling the families about the executions. The form was an undertaking that they would not hold any form of funeral ceremony or erect any memorial on the graves.

Amnesty International has received accounts of similar events in many different prisons in all parts of Iran: in Rasht, Sanandaj, Mashhad, Isfahan and elsewhere. This suggests to Amnesty International that the massacre of political prisoners was a premeditated and coordinated policy which must have been authorized at the highest level of government.

The relatives of prisoners executed during this period have taken to gathering in Beheshteh Zahra cemetery in Tehran on Fridays to commemorate their dead family members. The mother of a 42-year-old man who had been arrested in 1983 and sentenced to 12 years' imprisonment before being executed in Karaj Prison, wrote to her daughter outside Iran about one of these gatherings:

"On Friday all the mothers along with 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'aa Muslims, commemorating the martyrdom of the Prophet Muhammad's grandson Hossein]. Mothers came with pictures of their sons; one has lost five sons and daughters-in-law. Finally the Committee came and dispersed us."

This gathering of bereaved relatives has reportedly become a regular weekly event in the section of Beheshteh Zahra where political opponents to the government are buried. According to reports from relatives of executed prisoners in Iran, the makeshift monuments erected by the families, which consisted of a few stones and flowers, were removed by the authorities prior to the visit to Tehran by the UN Special Representative on Iran in January 1990. 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.

Amnesty International has also collected accounts of the mass killings as they were witnessed by political prisoners who were in prison at that time. A former prisoner in Dastgerd Prison in Isfahan said that almost every day between August and December 1988 prison guards came to his section of the prison and read out a list of up to 10 names. These people were then taken out of the cell, which generally housed between 150 and 300 people, and never seen again. The prisoners did not know what was happening to those taken away, but the guards said that they were to be executed. Later, prisoners were transferred to Dastgerd Prison from other prisons and news of similar events in these prisons spread among the inmates in Dastgerd.

Prisoners in Gohardasht Prison in Karaj appear to have had a much clearer picture of the events which were taking place. Former prisoners have described to Amnesty International how a commission made up of representatives from the Islamic Revolutionary Courts, the Revolutionary Prosecutor's Office and the Ministry of Intelligence began to subject all political prisoners to a form of retrial in July 1988.

These "retrials" bore little resemblance to judicial proceedings aimed at establishing the guilt or innocence of a defendant with regard to a recognized criminal offence under the law. Instead, they appear to have been formalized interrogation sessions designed to discover the political views of the prisoner in order that prisoners who did not "repent" should be executed -- the punishment of all those who continued to oppose the government.

In Gohardasht Prison those detained for their alleged support for the PMOI were reportedly the first to go before the commission. Other prisoners received information about the "trials" from PMOI prisoners by way of messages tapped on walls in Morse code from room to room inside the prison. According to one prisoner held there at that time, the first question asked by the commission was: "What is your political affiliation?" Those who answered "Mujahedin" were sent to their deaths. The "correct" answer was "monafeqin" (hypocrites). Those prisoners who survived this first phase of interrogation were then subjected to a second series of questions. These included questions such as:

- Are you willing to give an interview on television to condemn and expose the monafeqin?
- Are you willing to fight with the forces of the Islamic Republic against the monafeqin?
- Are you willing to put a noose around the neck of an active member of the monafeqin?
- Are you willing to clear the minefields for the army of the Islamic Republic?

The majority of prisoners were reportedly unwilling to give the desired responses and were consequently sent for execution. Some 200 out of 300 PMOI prisoners in Sections 3 and 4 of Gohardasht Prison were killed following this type of interrogation. The interrogations were reportedly conducted in such a way as to trick prisoners into making statements revealing their opposition to the government.

The prisoners named the interrogators the "Death Commission". It came to Gohardasht Prison three times a week, arriving by helicopter. The same commission was also reportedly at work in Evin Prison.

At the end of August 1988 the "Death Commission" turned its attention to the prisoners from leftist groups held in Gohardasht Prison. These included supporters of the Tudeh Party, various factions of the PFOI, and others. The interrogations followed a similar pattern, with prisoners being asked if they were prepared to make public statements criticizing the political organisation with which they had been associated. The leftist prisoners were also asked about their religious faith. They were asked such questions as: Do you pray? Do you read the Qur'an? Did your father read the Qur'an?

One eye-witness of an interrogation in Gohardasht Prison described how he was taken before the "Death Commission" with five other prisoners. The six were asked if they prayed or read the Qur'an: they replied that they did not. They were then asked whether their fathers had read the Qur'an. Four of them answered "yes" and two of them "no". After some discussion between members of the commission, it was decided that those who had not been brought up in a religious family were not as guilty as those whose parents were religious, because the former group had not been brought up as believers. Consequently, the two men whose fathers had not prayed were spared, but the four others were executed.

According to another eye-witness account of this period in Gohardasht Prison, the decisions about which prisoners were to

be executed and which spared were arbitrary in the extreme. Some prisoners who had been sentenced to death by the commission were spared because prison guards sent prisoners whom they disliked to be executed in their place. There was also a great deal of confusion as prisoners were transferred from different prisons, and from section to section within the prison. As a result of such confusion, prisoners were sometimes executed by mistake.

The same eye-witness estimates that out of 900 PMOI and 600 leftist prisoners in Gohardasht Prison at the beginning of the summer of 1988, 600 PMOI prisoners and 200 leftist prisoners were executed. In Evin Prison, where the execution of prisoners was going on simultaneously, the proportion of executions carried out from the total population of political prisoners was much higher. One reason suggested for this is that in Evin there was no way for prisoners to communicate with each other, so they were unable to prepare answers to questions put to them by the "Death Commission" as prisoners in Gohardasht had done.

A similar pattern of purposeful mass killing of political opponents, beginning with the PMOI but encompassing alleged supporters of other opposition groups, took place in dozens of other prisons around the country in the second half of 1988. Among others, Amnesty International has received reports of hundreds of executions of prisoners from Kurdish opposition groups in Orumieh Prison, and of 50 being executed in Sanandaj.

Ayatollah Montazeri's letters to Ayatollah Khomeini in July 1988 reportedly criticized many of the aspects of the mass executions identified by former prisoners. Ayatollah Montazeri commented on the arbitrary way in which life and death decisions were taken:

"He [Ayatollah Montazeri] cited the case of a provincial mullah who had complained that a prisoner who had fully recanted was executed anyway. The prisoner, who was not named, said in response to the tribunal questions that he was ready to publicly condemn his past opposition, and to go to the Gulf War front as well. But when he refused to declare his readiness to go to the

minefields, the tribunal decided he had not truly changed and had him executed." (Reuters, 29 March 1989)

In a later letter, dated 15 August 1988, Ayatollah Montazeri is reported to have demanded of the Minister of Intelligence, the Prosecutor General and the Chief Justice: "On what criteria are you now executing people who have not been sentenced to death?"(Reuters, 29 March 1989)

Ayatollah Montazeri's letters show that there was awareness at the highest level of the government that "thousands" of summary executions were taking place without regard to constitutional and judicial procedures. The authorities were therefore either unable to prevent these mass killings from taking place, or they did not wish to do so.

The mass killing of political prisoners appears to have stopped at the beginning of 1989, when several hundred repentant political prisoners were included in amnesties to mark the 10th anniversary of the Islamic Republic's foundation in February 1979. Those who were released had to sign statements denouncing their earlier political activities. They were further obliged to pledge large sums of money, or in some cases the deeds of the family house, against their future good conduct and non-involvement in opposition politics. The amnesty brought to an end a period of six to eight months which saw a massive reduction in the numbers of political prisoners in Iran through executions.

Since February 1989 sporadic reports of executions of the government's political opponents in Iran have been received by Amnesty International. Some of these executions have taken place in public. For example, in March 1989 Mohammad and Saeed Khan Naroui were hanged from a crane in Abbas Ali Square in Gorgan. They had been imprisoned since 1984 for "inciting the people to revolt".

On 28 March 1990 the execution of two men described as "bandits" was announced by the Islamic Republic News Agency. Abbas Raisi and Ahmad Jangi Razhi were found guilty by the

Islamic Revolutionary Court in Zahedan of "collaborating with bandits and counter-revolutionaries in the Baluchistan area" (BBC Summary of World Broadcasts, 30 March 1990)

Secret executions of political prisoners have also been reported. Following the assassination in July 1989 of the leader of the KDPI, Abdul Rahman Ghassemlou, in circumstances which suggest the involvement of the Iranian Government, resistance to the government, including armed opposition, is reported to have been stepped up in Iranian Kurdistan. The authorities are reported to have responded by executing Kurdish prisoners in Sanandaj and Orumieh Prisons. Executions of Kurdish opponents to the government have continued in 1990.

Other political prisoners are reported to have been executed ostensibly as common criminals; they were among the hundreds of drug-traffickers and other convicted criminals executed in public in 1989 and 1990. For example, it was announced that 79 drug-traffickers were executed in different cities on 17 August 1989. Among them were Mohammad Younesi, executed in Hamadan; Mohammad Gholi Ebrahimi, executed in Rasht; Bijan Biglari, executed in Kermanshah (Bakhtaran); and Bahram Kazemi and Massoud Sabet, executed in Shiraz. All these were reportedly political prisoners. Amnesty International has received no response to its requests for information from the Iranian authorities about the offences of which these prisoners were convicted.

1.3 Extrajudicial Executions

Amnesty International opposes unreservedly the extrajudicial killing of any individual on political grounds by governments. Since 1987 a number of Iranian opposition personalities in exile have been attacked, apparently by agents of the Iranian Government. In some cases the attacks have resulted in the deaths of prominent individuals opposed to the government's policies.

For example, there were reports of Iranian Government involvement in 1987 in the killing of Hamid Chitgar in Vienna in

May and various incidents in July: a bomb attack on the car of Amir Parviz in London in which he was seriously injured; the killing of Muhammad Hassan Mansuri and the wounding of an Iraqi diplomat, Behnam Fadhel, in Istanbul and armed attacks on a number of Iranian exiles in Qetta and Karachi.

In 1989 there was a further cluster of killings of opposition personalities in circumstances which suggested the complicity of the Iranian authorities. On 4 June Atayollah Byahmadi, a former colonel in the Shah's Intelligence Service, was shot dead in his hotel room in Dubai, in the United Arab Emirates. On 13 July Dr Abdul Rahman Ghassemlou, leader of the KDPI, was killed in a Vienna apartment together with two companions. He was in Austria taking part in negotiations with representatives of the Iranian Government. In November the Austrian authorities issued arrest warrants for three suspects: they included Iranian Government agents who had left Austria or gone into hiding in the Iranian Embassy in Vienna after the killings. In August Bahman Javadi, a member of the Central Committee of the Communist Party of Iran, was killed and a companion seriously wounded when unidentified gunmen attacked them in a street in Cyprus. Bahman Javadi had apparently gone to Cyprus for a personal reunion with his mother, whom he had not seen for seven years.

In April 1990 Dr Kazem Rajavi, representative of the PMOI in Geneva and brother of the PMOI's leader, Massoud Rajavi, was shot and killed while driving his car near his home just outside Geneva. A Swiss judge investigating the murder said that preliminary investigations indicated "the direct involvement in the murder of one or more Iranian official services" and the implication in the murder of at least 13 Iranian citizens enjoying diplomatic or other official status.

The Iranian authorities may not have been involved in all these killings and attempted killings. Some of the victims had other enemies who may have wished to see them dead. However, in the killings of Dr Ghassemlou and his companions, and of Dr

Rajavi, police investigations have revealed clear evidence pointing to the involvement of the Iranian Government.

Other incidents have exposed the involvement of Iranian Government officials in illegal activity outside Iran directed against political opponents. For example, in November 1988 Iranian diplomats in Turkey were caught with a kidnapped Iranian political refugee bound and gagged in the boot of their diplomatic car. They were apparently attempting to return him to Iran against his will.

Following reports of political killings outside Iran, Amnesty International has written to the Iranian authorities urging them to condemn publicly the practice of extrajudicial executions and to make clear to all government officials and representatives in Iran and abroad that such killings will not be tolerated.

Amnesty International includes in its definition of extrajudicial executions the killing of specific individuals which can be reasonably assumed to be the result of government policy at any level. For this reason it has been concerned by the Iranian Government's continuing endorsement of threats against the life of Salman Rushdie, the British author of *The Satanic Verses*. In February 1989 Ayatollah Khomeini issued a fatwa (religious edict) to the effect that it was the duty of Muslims everywhere to put the novelist to death, as he judged the book to be blasphemous. Amnesty International is not aware of any direct attempt by agents of the Iranian Government to kill Salman Rushdie, but the repeated endorsement of Ayatollah Khomeini's edict by numerous government authorities in Iran indicates that the Iranian authorities would condone his extrajudicial execution. Amnesty International has repeatedly called on the Iranian authorities to withdraw their support for any threat to Salman Rushdie's life.

1.4 Relevant International Standards

Amnesty International is opposed to the death penalty in all cases. It regards the death penalty as a violation of the right to

life and the most extreme form of cruel, inhuman and degrading punishment.

Article 3 of the Universal Declaration of Human Rights states: "Everyone has the right to life." Article 5 states: "No-one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

In its resolution 32/61 of 1977 the UN General Assembly reaffirmed that the goal for all states should be the progressive abolition of the death penalty.

Provisions in the Law of Hodoud and Qisas do not conform to international standards governing the use of the death penalty in countries which have not yet abolished it.

Article 6(2) of the ICCPR states that in countries which have not yet abolished the death penalty it should be imposed only for "the most serious crimes". The Human Rights Committee has explained in its General Comment 6(16) that "the most serious crimes" must be read "restrictively" and that the death penalty should be "a quite exceptional measure". Safeguards Guaranteeing Protection of the Rights of Those Facing the Death Penalty, adopted by the UN Economic and Social Council in 1984 (ECOSOC Safeguards), annexed to Resolution 1984/50, and endorsed by the Seventh UN Congress on the Prevention of Crime and the Treatment of Offenders in 1985, make it clear that the scope of capital crimes "should not go beyond intentional crimes, with lethal or other extremely grave consequences". In Iran the death penalty is applied so frequently and for such a wide range of offences that it clearly cannot be considered to be applied as "a quite exceptional measure".

Article 6(2) of the ICCPR prohibits executions which are "contrary to the provisions of the present Covenant", thus incorporating the procedural guarantees for fair trial in Article 14.

General Assembly Resolution 35/172 (1980) urges Member States to respect, as a minimum, the guarantees in Articles 6, 14 and 15 of the ICCPR, and:

"to review their legal rules and practices so as to guarantee the most careful legal procedures and the greatest possible safeguards for the accused in capital cases."

The ECOSOC Safeguards require the highest possible standard of proof in death penalty cases and all possible safeguards to ensure a fair trial, at least equal to those contained in Article 14 of the ICCPR.

In Iran, violations of these standards are widespread (see Chapter Two).

ECOSOC Safeguard 9 requires that "[w]here capital punishment occurs, it shall be carried out so as to inflict the minimum possible suffering." This safeguard is flouted by such execution methods as stoning to death, which are designed to inflict the maximum possible suffering.

Under the Law of Hodoud and Qisas there do not appear to be any limitations on the execution of those who have committed offences when under 18 years of age, contrary to Article 6(5) of the ICCPR, which specifies: "Sentence of death shall not be imposed for crimes committed by persons below eighteen years of age".

The UN has shown continued concern about the problem of summary and arbitrary executions as reflected in the ECOSOC Safeguards and in the Principles for the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions, adopted by the ECOSOC in Resolution 1989/65 on 24 May 1989.]

Other Amnesty International Reports Related to the 1988 Massacre

Amnesty International presented a number of reports to the United Nations Commission on Human Rights drawing attention to the mass executions after unfair trials, arbitrary arrests, including detentions of prisoners of conscience and torture that were continuing in Iran, while no substantive measures have been taken to introduce basic safeguards for the protection of

human rights. The following are the most relevant for the purpose of this report.

- Iran: Violations of Human Rights (AI Index MDE 13/09/87) in 1987
- Amnesty International: Written Statement to the 47th Session of the United Nations Commission on Human Rights
- AI Index: MDE 13/18/92 Amnesty International October 1992

3) INTERNATIONAL FEDERATION FOR HUMAN RIGHTS (FIDH)

a) Iran: Letter to the UN Special Rapporteurs on the 1988 prison executions⁹²

Monday, 23 September 2013

To Mr. Ahmed Shaheed, UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran

To Mr. Christoph Heyns, UN Special Rapporteur on extrajudicial, summary or arbitrary executions

To Mr. Juan Mendez, UN Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

To Mr. Pablo De Greiff, UN Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence

To the UN Working Group on Enforced Disappearances

Dear Special Rapporteurs,

Dear members of the Working Group,

FIDH, jointly with the League for the Defense of Human Rights in Iran (LDDHI), wishes to refer your respective mandates to their responsibility to directly engage the Government of the Islamic Republic of Iran on the impunity that prevails 25 years after the 1988 prison executions in Iran.

⁹² <http://www.refworld.org/docid/526102b68.html>

In a report published today, “25 years on, and still no justice: 1988 prison executions remain unpunished”, FIDH and LDDHI qualify these executions as extrajudicial and arbitrary executions and crimes against humanity. As you all well know, in the span of a few months, several thousand prisoners were then executed. The scale of executions, the common pattern and proceedings and the convergence of testimonies substantiate that those killings were widespread and systematic.

FIDH and LDDHI are concerned by the fact that the Iranian authorities have so far consistently declined to open any investigations into the crimes, and bring to justice the perpetrators. In addition, they have consistently denied the families’ right to know where their beloved ones have been buried. Worst still, families trying to visit, in late August/early September each year, the sites where executed prisoners are presumably buried, are regularly harassed and threatened by security and intelligence agencies. The 25th anniversary of the massacre has been no exception.

Back in January 2003, families of executed prisoners wrote to the then UN High Commissioner for Human Rights, Mrs. Mary Robinson, and the then-chairman of the Working Group on Arbitrary Detentions, seeking their help in determining the truth behind the mass executions. The Working Group carried out a visit to Iran from 15 to 27 February 2003; however its report, published in following June, focused on ongoing arbitrary detentions and conditions of detentions at the time, as well as on the fate of some prisoners followed by the Working Group for some years, but not on past prison executions such as the ones that occurred in 1988.

As you all know, the visit by the Working Group was the first by a thematic mechanism of the then Commission since 1996, when the Special Rapporteur on freedom of religion or belief (formerly called the Special Rapporteur on religious intolerance) visited the country. The visit by the Working Group was also the first mission to the country by a Commission mechanism since February 1996, the date of the last mission by the Special Representative of the

Commission on Human Rights on the situation of human rights in the Islamic Republic of Iran. Since then, the Government of the Islamic Republic of Iran has not extended any invitation to any UN special procedure.

The March 2012 report to the UN Human Rights Council by the Special Rapporteur on the human rights situation in Iran clearly referred to requests from several organisations, calling upon the Special Rapporteur to investigate prison executions that occurred in the 1980s including in 1988, and which deserved, as observed by the Special Representative of the Commission on Human Rights on the situation of human rights in the Islamic Republic of Iran in 1989, to “be the subject of detailed investigation and information from the Government concerned in conformity with international practice”.

In the absence of the possibility of a country visit, FIDH and LDDHI believe that it is part of your respective mandates to raise specific observations and recommendations, in your next reports, regarding the 1988 executions in Iran and the on-going persecution of the victims’ families.

Should the Government of the Islamic Republic of Iran extend you an invitation for a country visit, you should explicitly demand to be granted free access to relatives of the victims of the 1988 executions and to former political prisoners, as well as to the Khavaran cemetery and other sites where executed prisoners are presumably buried, to examine the unmarked mass graves and the best way of undertaking an investigation into the executions.

We understand that it has been your constant intention to engage in a human rights dialogue with the Government of the Islamic Republic of Iran, but you are currently not in a position to examine all human rights violations, especially those requiring thorough investigations on the ground. However, as part of your respective mandates, you may urge the Government of the Islamic Republic of Iran to acknowledge these crimes, open investigations, bring to justice the perpetrators and respect the

right to truth of the victims' families. All kinds of persecution and prosecution against the families should be stopped.

More than ten years after the last country visit by a UN special procedure, we sincerely hope that the Government of the Islamic Republic of Iran will take once again the initiative of cooperating and make it possible for you to fulfil your respective mandates without any hurdle and limitation.

We remain at your disposal for any question and for further discussion.

Most sincerely,

Karim Lahidji, FIDH President, International Federation for Human Rights (FIDH)

b) “25 years on, and still no justice: 1988 prison executions remain unpunished”⁹³

Background: 1979-1988

I. The events of the summer 1988

1. Inquisition-type proceedings

2. How many were executed?

II. The State’s refusal to acknowledge

III. Families of the victims: quest for truth & justice

IV. Legal analysis

V. Conclusion and Recommendations

Appendix I: Ayatollah Khomeini’s fatwa

Appendix II: Ayatollah Khomeini’s reply to the incumbent Head of Judiciary

⁹³ Read the full report at:

https://www.fidh.org/IMG/pdf/fidh_1ddhi_report_25_years_on_and_still_no_justice_sept_2013.pdf

Appendix III: Top officials at the time of 1988 massacre

The following paragraphs summarise and recall the tragedy of the summer of 1988 in Iran:

[A quarter of a century ago, in the summer of 1988, thousands of Iranian political prisoners who had already been tried and were serving their prison sentences, stood show summary re-trials and were sent to the gallows.

As of today, the Iranian authorities, some of whom were also in power at the time, have not yet acknowledged these massive crimes that, according to International Federation for Human Rights (FIDH) and League for the Defence of Human Rights in Iran (LDDHI), ought to be qualified as extrajudicial and arbitrary executions and crimes against humanity under international law.

They have also failed to bring to justice the perpetrators, and consistently denied the victims' close relatives the right to know where their beloved have been buried and, more generally, the right to truth and mourning.

Against this backdrop, FIDH and its member organisation, LDDHI, have decided to publish the present report as a contribution to the ongoing efforts to shed light to the truth about the prison massacre, to underline the fact that 'crimes against humanity' are not subject to any statute of limitations. In the face of the Islamic Republic of Iran (IRI)'s refusal to perform its obligation under the human rights law to investigate and prosecute the perpetrators, it is the task of the international community to press for the fulfilment of those obligations.

This report has been compiled on the basis of documentary research, including data and reports published by various reliable sources, statements from senior officials, reports in domestic newspapers, media and news agencies, and by NGOs, as well as academic literature.]

VII. REPORTS BY THE UNITED NATIONS

UN Special Representatives on the Situation of Human Rights in the Islamic Republic of Iran

While it was first believed that excessive and arbitrary measures of the 1979 and 1980 were attributable to the volatile situation that usually follows mass uprisings and revolutions, soon the Iranian people came to realize that systematic violations of human rights had turned into a means of governance, targeting not only political dissidents but also religious and ethnic minorities under the banner of Islam.

In late June 1980, mass executions of political opponents started coming to the open, reaching outside Iran and landing on the United Nations desks. State controlled media would everyday publish photographs of those executed the night before. Many were executed without even being identified. Families of the victims were asked to identify their loved ones post-mortem. Revolutionary Guards and security forces of “Committees” (Komiteh) were given the power to kill anyone suspected of being involved in opposition activities particularly those affiliated with PMOI on the streets. The reign of terror was unprecedented.

At its fortieth session, in 1984, the United Nations’ Commission on Human Rights requested its Chairman to appoint a Special Representative of the Commission to monitor the human rights situation in the Islamic Republic of Iran and to submit conclusions and appropriate suggestions to the Commission at its forty-first session (Commission resolution 1984/54). The mandate of the Special Representative had been renewed annually since then till 2001 when it was interrupted to be resumed in 2011. By 2017, Iran had seen 5 successive UN Special Representatives and Special Rapporteurs mandated to monitor and report on the situation of human rights in that country and had been at the preoccupation of a number of UN Special Representatives, Special Rapporteurs and Working Groups.

In fulfilling their mandates, the Special Representatives and Special Rapporteurs had produced a large number of reports⁹⁴ which had contributed to dissipating some of the fog enveloping the situation of human rights in Iran. The following pages will summarize the findings of these specially mandated professionals with special focus on issues related to extra-legal executions, torture and inhuman or degrading treatment or punishments.

1. Special Representative Mr. Andrés Aguilar (Venezuela) 1984-1986

On 19 October 1984, pursuant to resolution 1984/54 (14 March 1984), the Chairman of the UN Commission on Human Rights, designated Mr. Andrés Aguilar as Special Representative of the Commission on the human rights situation in the Islamic Republic of Iran. He was mandated “to establish contacts with the Government of the Islamic Republic of Iran and to make a thorough study of the human rights situation in that country based on such information as he may deem relevant, including comments and materials provided by the Government, containing conclusions and appropriate suggestions, to be presented to the Commission at its forty-first session”. Resolution 1984/54 further requested the Government of the Islamic Republic of Iran to extend its co-operation to Mr. Andrés Aguilar.

Despite the repeated reassurances that the Special Representative will discharge his mandate in total impartiality and despite numerous correspondences requesting information on specific issues of concern on human rights, Mr. Andrés Aguilar received instead, through the Permanent Mission of the Islamic

⁹⁴ A compilation of these reports is to be found in: http://iranhrdc.org/files/pdf_en/UN_Reports/Table-of-UN-Special-Rapporteurs-and-Representative-involvement-in-Iran.pdf. See also http://ap.ohchr.org/documents/dpage_e.aspx?c=86&su=92

Republic of Iran to the United Nations Office in Geneva, documents published by the Public Relations Department of the Ministry of Foreign Affairs (propaganda department), dealing mainly with what was described as terrorist activities in Iran. The queries of the Special Representatives on the right to life and freedom from torture, inhumane or degrading treatment or punishments were ignored. Meanwhile, the Special Representative had, received from various sources, including non-governmental organisations with consultative status with the Economic and Social Council, communications and documents containing information on alleged serious violations of human rights in the Islamic Republic of Iran.

In his preliminary report [E/CN.4/1985/20](#), the Special Representative noted “with great concern the number and gravity of the alleged violations of human rights and, in particular, those related to the right to life as laid down in article 6 of the International Covenant on Civil and Political Rights; the right to freedom from torture or cruel, inhuman or degrading treatment or punishment (article 7) ; the right to liberty and security of person and to freedom from arbitrary arrest or detention (article 9); the right to a fair trial (article 14); the right to freedom of thought, conscience and religion and to freedom of expression (articles 18 and 19, respectively) and the right of religious minorities to profess and practise their own religion (article 27)”.

Soon after this report, and due to the lack of cooperation of the Islamic Republic of Iran, Mr. Andrés Aguilar found it impossible to fulfil his mandate by engaging with Iran in a dialogue of the deaf. To protest against the Iranian officials’ attitude, he resigned from his position as Special Representative of the Commission on Human Rights.

2. Special Representative Professor Reynaldo Galindo Pohl (El-Salvador) 1986-1995

1) Report E/CN.4/1987/23 (1986) submitted to the Commission on Human Rights, 28 January 1987, by Prof. Reynaldo Galindo Pohl

At its forty-second session, the Commission on Human Rights decided, by its resolution 1986/41, to extend the mandate of the Special Representative, as per resolution 1984/54, for a year and requested the Chairman of the Commission to appoint an individual of recognized international standing to fill the vacancy created by the resignation of Mr. Andrés Aguilar.

On 9 July 1986, the Chairman of the Commission designated Prof. Reynaldo Galindo Pohl as Special Representative of the Commission on the situation of human rights in Iran. He served in this capacity till he resigned in 1995.

The Newly appointed Special Representative submitted on 28 January 1987 to the Commission on Human Rights the report (E/CN.4/1987/23) on the human rights situation in the Islamic Republic of Iran. The Special Representative considered in his report written information from non-governmental organisations enjoying consultative status with the UN Economic and Social Council, such as Amnesty International and a large number of petitions and letters from various organisations and individuals concerning the human rights situation in the Islamic Republic of Iran in general, or particular cases of imprisoned groups or individuals. He also received a number of individuals who spent periods of various durations in Iranian prisons between 1981 and 1985, who subsequently fled the country. He reported that “the Iranian Government has so far provided no comment or information to [his] appeals for co-operation or the numerous allegations of human rights violations in that country submitted by [him] and his predecessor”.

He further underlined that the Commission on Human Rights has reiterated in its resolutions concerning this question that the Covenant on Civil and Political Rights binds the Islamic Republic

of Iran (resolutions 1982/27, para. 2; 1983/34, para. 2; 1984/54, para. 2; 1985/39, para. 4, and 1986/41, para. 4). The Commission has thus pointed out the paramount importance of this binding instrument whose provisions are relevant to most of the allegations of violations of human rights presented so far to the UN special procedures.

Previous to his report, the Special Representative (Reynaldo Galindo Pohl) had requested the Iranian Government to reply to the allegations contained in the three lists submitted to it by the former Special Representative (Andrés Aguilar), and to the list he himself prepared and transmitted on 27 October 1986. The first two lists submitted by the former Special Representative, Andrés Aguilar, contained 299 names of persons who were allegedly summarily or arbitrarily executed or who had allegedly died as a result of ill-treatment during their detention. They were attached to the interim report he had presented to the General Assembly (A/40/874, Annexes I and II). The contents of the third list prepared by Andrés Aguilar and the list prepared by Reynaldo Galindo Pohl were reproduced in the interim report, grouped in five principal sections, in line with pertinent articles of the International Covenant on Civil and Political Rights. These are: (a) right to life; (b) right to freedom from torture or cruel, inhuman or degrading treatment or punishment; (c) right to liberty and security of person; (d) right to a fair trial; and (e) right to freedom of thought, conscience and religion and to freedom of expression. The information collected in the course of informal hearings the Special Representative conducted in September 1986, is also grouped and reproduced under the same five sections.

In his report Prof. Reynaldo Galindo Pohl wrote that “According to information available to the Special Representative, some 7,000 executions had taken place in the Islamic Republic of Iran between 1979 and the end of 1985 and according to some sources the figure was much higher”⁹⁵. The interim report stated

⁹⁵ All emphases in the Special Representatives’ reports are added

further that “All the Mujahedin sympathizers alleged they had witnessed executions in prison of fellow inmates, had seen the bodies of fellow inmates who had been executed earlier, or had members of their family or friends who had been executed. Thus, Robabeh Boudaghi allegedly saw her husband's body hanged in the courtyard of Gilan prison, and witnessed several other people being executed in that prison, in the period August-November 1983. Mina Vatani alleged having witnessed 70 persons being executed in Evin prison in the early months of 1982. Among those she allegedly saw being executed there were pregnant women, and other women who had been raped before being executed. According to these persons the executions were carried out without a trial, and in most of the cases the victims were either shot dead or hanged, but many of the victims died under torture or as a result of torture or ill-treatment”.

The following are excerpts from the summary mentioned in paragraph 15 of the Special Representative's report, and relate to the right to freedom from torture or cruel, inhuman or degrading treatment or punishments.

[The six Mujahedin sympathizers alleged that they had been severely tortured in prison and had witnessed many other fellow inmates being tortured:

- Robabeh Boudaghi was allegedly tortured in Evin prison from 1983 to 1985.
- Behzad Naziri was allegedly tortured in Evin and Ghezelhessar prisons from 1982 to 1985.
- Azame was allegedly tortured in Evin and Ghezelhessar prisons from August 1982 to October 1985.
- Mina Vatani was allegedly tortured in Evin, Ghezelhessar and Gohar-Dasht prisons from November 1981 to November 1984.
- Ali Hossein-Zadeh was allegedly tortured in Khorramshahr and Amol prisons from September 1981 to February 1983.

- Hossein Hosseini was allegedly tortured in Dadgah Enghelab and Ershadgah prisons from September 1981 to September 1982.

Some of them showed the Special Representative marks and scars on their body which they claimed were the result of torture. Others alleged that they had been subjected to various sorts of physical and psychological torture, including sexual brutality and rape, beating and flogging with various instruments, hanging, denial of sleep, torture in front of family members, torture of family members' in front of the detainees and mock executions. Torture allegedly occurred immediately following arrest, in interrogation centres and in prisons, it allegedly occurred both during the pre-trial period and while serving a prison sentence].

With regard to five of the persons appearing before him, the Special Representative received medical certificates attesting to the following:

(a) Dr. Claudine Jeannet of Geneva examined Azame, Robabeh Boudaghi and Mina Vatani on 5 October 1986.

With regard to Azame, Dr. Claudine Jeannet certified that "She bears traces, in the form of scars on her feet, of the ill-treatment to which she was subjected. In addition, as a result of injuries to the abdomen and genital area and also rape, she had serious infections which required the removal of the appendix and uterus and an operation on the left ovary".

With regard to Robabeh Boudaghi she certified that "The scars she bears are entirely compatible with the injuries she said she received at the time of her arrest. Her confused state is likewise entirely compatible with the ill-treatment to which she was subjected."

In the case of Mina Vatani Dr. Claudine Jeannet certified that "The scars she bears, particularly on the feet, are certainly a secondary effect of ill-treatment. She also has neurological symptoms which are a secondary effect of blows to the head."

(b) Dr. Inge Kemp Genefke, Medical Director of the Rehabilitation Centre for Torture Victims in Copenhagen, examined Hossein Hosseini on 20 July 1985. She certified that "This patient had been in perfect health, was never hospitalized, and in his family there is no predisposition to illness. On arrival in Denmark the patient was in a very bad state both mentally and physically ... This patient suffered from anxiety and depression and complained about serious difficulties in concentration and retention."

(c) Dr. H  l  ne Jaff  , President of the Association pour les Victimes de la Repression en Exil (AVRE) in Paris, examined Ali Hossein-Zadeh on 7 October 1986 and certified that "Mr. Hossein-Zadeh refers to ill-treatment inflicted over a lengthy period - 40 days - in 1981. Upon examination, it was somewhat surprising to note the unpronounced and relatively non-specific nature of the sequelae. It was not possible to establish an indisputable cause-and-effect link between the ill-treatment and its present manifestation, but there is a possible causal link."

Considered under article 9 of the International Covenant on Civil and Political Rights which provides for a number of safeguards against arbitrary arrest or detention, the Interim report stated that "all the persons appearing before the Special Representative alleged that they had been arrested without any warrant, mostly by groups of revolutionary guards who had detained them in their homes or on the street, in some cases, persons were arrested while accompanied by family members, including babies or children. Most of the persons described the conditions of their arrest as brutal, accompanied by beatings and other forms of ill-treatment. In most of the cases, no explanation was given to the detainee as to the reason for his detention, in other cases, explanations were vague. Some of the persons spent months, or sometimes years, in prison without any formal accusation being brought against them. Allegations were also made of long periods of *incommunicado* detention and of denial of family visits".

Under the right to fair trial (article 14 of the ICCPR), the Special Representative reported allegations “it was alleged that accused persons had not been informed of the charges against them, could not communicate with counsel of their own choosing, had no legal assistance assigned to them, could not examine witnesses of the prosecution, had sometimes not been informed of the verdict and the sentence handed down to them, and had been denied the right to their conviction and sentence being reviewed by a higher tribunal”.

The following are excerpts from the summary of information obtained during the informal hearing (see paras. 13 and 15 of the report), and relate to the right to a fair trial: “persons who were put on trial alleged that in most cases trials were expeditious - some said they lasted as little as 5 minutes. In some cases the accused had their eyes covered and could not see the judge who, in most cases, was a single religious judge. None of the persons appearing before the Special Representative had been given access to a defence lawyer. In most cases the accused were not given the opportunity to speak in their defence, during their trial. There was no possibility of appealing against sentences, not even in cases of death sentences. One Mujahedin sympathizer learned, four months after his trial, that he had been sentenced to eight years imprisonment. Some religious judges allegedly ordered that accused persons be tortured - that was allegedly the case of the Mujahedin sympathizer Azame. Another Mujahedin sympathizer, Ali Hossein-Zadeh, alleged that a religious judge, called Jumei, whom he described as a "mobile prosecutor", went from prison to prison and spent 2 to 3 minutes with each of the prisoners, sentencing some of them to be executed”.

Furthermore, according to the information received by the Special Representative, “members and supporters of opposition groups who had reportedly not engaged in violent activities, and members of religious and ethnic minorities, and in particular followers of the Baha'i faith, continued to be subjected to harassment, discrimination and persecution. In the case of the Baha'is it was alleged that since the Baha'i faith was not officially

recognized, its followers had no status, rights or protection under the law. Baha'is who attempted to seek redress through the courts had allegedly been ruled ineligible for any form of compensation on the grounds that they were "unprotected infidels". Persecution of Baha'is has allegedly taken the form of summary executions (188 since 1978, including seven in the first 10 months of 1986), torture, arbitrary imprisonment, denial of education and employment, arbitrary seizure of homes and possessions, confiscation of community assets and seizure, desecration and destruction of holy places"⁹⁶.

Conclusions and Recommendations (E/CN.4/1987/23)

"The Islamic Republic of Iran, as a Member of the United Nations and party to the two Covenants and other treaties, is legally bound to observe the provisions of the Charter of the United Nations concerning human rights, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, as well as other relevant instruments such as the Vienna Convention on the Law of Treaties. In conformity with its international obligations, the Islamic Republic has to co-operate with the competent organs entrusted with the promotion and surveillance of human rights and fundamental freedoms".

"The communication to the Iranian Government of alleged violations of human rights and fundamental freedoms is part of the mechanism of joint efforts to promote the observance of human rights and fundamental freedoms throughout the world, and is intended to provide the Government with information permitting investigation in order to refute or redress the alleged wrongdoing. It is not a judicial procedure".

"The replies that the Iranian Government may give to the requests presented for its consideration would be of paramount importance in the assessment of both the general situation

⁹⁶ For further details concerning the alleged violations of other rights guaranteed by the ICCPR, see E/CN.4/1987/23, page 16 onwards.

concerning human rights and the particular cases of alleged violations of human rights. In the absence of such replies it must be concluded that even if, in some cases, the numerous and grave allegations of human rights violations in the Islamic Republic of Iran may be considered exaggerated, most of them contain a nucleus of truth. The Special Representative believes that acts continue to occur in the Islamic Republic of Iran which are inconsistent with the provisions of treaties and covenants by which the Government of that country is bound”.

On this conclusion, the Special Representative recommended that the UN Commission on Human Rights may decide to keep the situation of human rights and fundamental freedoms in the Islamic Republic of Iran on its agenda for its forty-fourth session and may continue to monitor the human rights situation in the Islamic Republic of Iran.

2) Interim Report A/42/648 (1986) submitted to the General Assembly, 12 October 1987, by Prof. Reynaldo Galindo Pohl

This interim report on the situation of human rights in the Islamic Republic of Iran was presented to the General Assembly at its forty second session, 12 October 1987.

The interim report concentrated on some items and issues that may give the General Assembly an overview of the evolution of the situation of human rights and fundamental freedoms in the Islamic Republic of Iran during the period from September 1986 to October 1987. Three documents constitute the framework of the contents of the interim report. The first one is the final report presented by the Special Representative to the Commission on Human Rights at its forty first session (E/CN.4/1987/23) above; the other two are documents that were provided by the Government of the Islamic Republic of Iran on 9 June 1987. They are entitled “The viewpoints of the Government of the Islamic Republic of Iran on Commission on Human Rights resolution 1987/55” and “The viewpoints of the Government of the Islamic Republic of Iran on the issues contained in document (E/CN.4/1987/23) of 23 January 1987”, prepared by Mr. R.

Galindo Pohl, Special Representative of the Commission on Human Rights" (referred to hereafter as "the viewpoints"). Both documents are contained in document (E/CN.4/1988/12-E/CN.4/Sub.2/1987/35.

The Special Representative wrote that on 28 July 1987, a meeting was held at the Permanent Mission of the Islamic Republic of Iran to the United Nations Office at Geneva between him and the Director of International Affairs at the Ministry of Foreign Affairs of the Islamic Republic of Iran, Mr. Sirous Nasser. The latter explained that his Government could not respond to the detailed allegations submitted to it previously by the Special Representative (Reynaldo Galindo Pohl) and by his predecessor (Andrés Aguilar), since it considered the various resolutions adopted by the Commission on Human Rights regarding the human rights situation in his country as politically biased and, therefore, totally unacceptable⁹⁷. The Government of the Islamic Republic of Iran further rejected the form in which such allegations had been submitted to it, and in particular the mention by name of certain unrecognized groups which it considers as terrorist groups and the reference to the Baha'is as constituting a religious minority.

During the reporting period, the Special Representative conducted a series of informal hearings in the course of which 14 persons who claimed to have first-hand knowledge and experience of various aspects of the human rights situation in the Islamic Republic of Iran described their experience and presented certain documents to corroborate their allegations. All the persons appearing before the Special Representative stated that they had spent periods of various durations in prisons in Iran and consequently, they described in detail the circumstances of their arrest, their interrogation methods, their trial and the conditions prevailing in the prisons in which they were held. Most of these persons left the country in the late months of 1986 and in early

⁹⁷ Interim Report A/42/648 (1986) submitted to the UN General Assembly, 12 October 1987

1987. Several of them affirmed that they had close relatives or acquaintances who were executed, or had themselves witnessed executions. The followers of the Baha'i faith also described their personal experience, and that of their co-religionists.

In paragraph 72 of the interim report (A/42/648) it is underlined that “In the course of the informal hearings, the Special Representative reached the moral conviction that the persons appearing before him referred to facts that certainly happened to them, and that their declarations were not the product of feverish imagination or of mere fabrication guided by political or religious motivation. These persons presented the traces of maltreatment, and exposed their account of events in a convincing, articulate and coherent manner”.

Paragraph 73 of the interim report (A/42/648) added that “the alleged practice in Iranian prisons is contrary to international norms and is against Iranian law, and consequently deserves to be investigated by the Government of the Islamic Republic of Iran. The Special Representative believes that this practice, which is illegal, does continue to occur in some Iranian prisons”.

3) Report E/CN.4/1988/24 submitted to the Commission on Human Rights, 25 January 1988 by Prof. Reynaldo Galindo Pohl⁹⁸

This Report was presented to the Commission on Human Rights on 25 January 1988. It contained five sections: Introduction, Action taken by the Special Representative, Recent information, both oral and written on alleged violations of human rights in the Islamic Republic of Iran, examination of contentions presented by the Government of the Islamic Republic of Iran on several important issues; and general considerations and conclusions.

⁹⁸ For names and particulars of some persons who were allegedly executed or tortured to death in Iranian prisons during the years 1986-1987 see the annex to Prof. Reynaldo Galindo Pohl's Report (E/CN.4/1988/24).

In this Report the Special Representative examined both oral and written information presented to him concerning the right to life; the right to freedom from torture or cruel, inhuman or degrading treatment or punishment; the right to liberty and security of person; the economic situation of followers of the Baha'i faith; the treatment of Kurdish civilians.

The Special Representative then addressed the views of the Iranian Government and indicated the points with respect to which he was unable to agree with the positions adopted by the Iranian Government. Differences on the interpretation of provisions of the pertinent international instruments and on the accepted international practice have added obstacles, doubts or incertitude to the discrepancies based on disparate original perceptions regarding international law and Islamic law. He concluded that the discussion of those points may therefore play a paramount role in the process leading to the satisfactory operation of the system of human rights in Iran.

The radical difference results from two significantly distant approaches: whereas the General Assembly of the United Nations and the Commission on Human Rights, and therefore the Special Representative, regard treaties and solemn declarations of the United Nations as the fundamental framework to examine the prevailing situation in respect to human rights, the Iranian Government regards Islamic law as paramount, and international law as merely supplementary to, or corroborative of Islamic law.

The Special Representative also expressed the hope that the Iranian Government will reconsider its position on some issues referred to in this report, in order to fully comply with the provisions of binding international instruments on human rights.

In his conclusions, the Special Representative informed the Commission that "Information on maltreatment and torture in prisons continues to be received and was the subject of pathetic and moving declarations by witnesses who had direct experience of the conditions prevailing and the behaviour of officers in prisons. Some witnesses presented the physical effects of

maltreatment that could be seen and interpreted by a layman. Medical doctors gave expert opinion linking those effects to torture. Moreover, information on irregularities of various kinds in the course of trials was abundant, consistent and convincing. Consequently the Government may wish to initiate an urgent investigation of those complaints in order to take measures of redress”.

The Special Representative concluded that he “continues to believe that acts still occur in the Islamic Republic of Iran which are inconsistent with international instruments on human rights, and that the situation in that country justifies continuing international concern, study and constant monitoring by the competent organs of the United Nations”.

4) Interim Report A/43/705 (1988) submitted to the General Assembly, 13 October 1988, by Prof. Reynaldo Galindo Pohl

This is the second interim report submitted by Special Representative R. Galindo Pohl to the General Assembly on 13 October 1988. This report coincides with the period during which the mass execution of political prisoners took place between July and September 1988.

The following excerpts of the report give a strong indication of the scale of the massacre and its time frame:

[47. According to information received by the Special Representative in September 1988, a large number of prisoners, member of opposition groups, were executed during the months of July, August and early September 1988. Most of those allegedly executed were reported to be members of the People’s Mujahedin Organisation, but some 20 supporters of other opposition groups, such as the Tudeh party and the People’s Fedayan Organisation of Iran (Majority) were also reported to have been executed.

49 .The Iranian Chief Justice was reported as declaring on 5 August 1988 that “the judiciary is under very strong pressure from public opinion asking why we even put them (members of

the People's Mujahedin Organisation) on trial, why some of them are jailed, and why all are not executed ... the people say they should all be executed without exception". The Chief Justice added that more members of that organisation should be executed, and that they should not benefit from any amnesty. "It was lucky that many of those who fought with the National Liberation Army were killed, this saved having to prepare files to have them executed" (published in Etelaat of 6 August 1988). It was further reported that the Government had told the revolutionary courts to be more severe against "armed and atheist" groups.

51. It was also reported that family visits to political prisoners in Evin prison in Teheran and in other prisons had been suspended since August 1988.

69. During 1987, the number of alleged violations of the right to life continued to decrease, as it had in the past few years. Nevertheless, in July, August and September 1988, an increase in the number of executions, particularly of prisoners, members of various opposition groups, has been reported. Such executions justify an international concern that the provisions of the International Covenant on Civil and Political Rights regarding the rights to life are not fully adhered to by the Iranian Government. The Special Representative shares the concern expressed by the Special Rapporteur on Summary and Arbitrary Executions who, on 24 August and 14 September 1988⁹⁹, addressed telegrams to the Iranian Minister of Foreign Affairs, transmitting to him cases of alleged violations of the right to life and recalling the provisions of article 14 of the International Covenant on Civil and Political Rights, to which the Islamic Republic of Iran is a party.

70. All the sources providing information to the Special Representative, be they Iranian individuals, non-governmental

⁹⁹ Special Rapporteur, Mr. S. Amos Wako, (Kenya) 1982-1992, Report [E/CN.4/1989/25](#), excerpts on following page.

organisations or other independent sources, converged in alleging that ill-treatment and torture, both physical and psychological, continued to be common in Iranian prisons, especially during interrogation but also immediately after arrest and before and after the final verdict.

71. Those sources also coincided in affirming the existence of extremely summary, informal and irregular proceedings, failure to inform defendants of specific accusations against them, lack of legal counsel of an appropriate instance for appeal and other irregularities that contravene the international standards on fair trial].

72. With regard to the number of political prisoners, even the figures admitted by the official Iranian sources are sufficient to provoke genuine concern ...

78. The information received from the Iranian Government, from Iranians who have recently fled their country and from non-governmental organisations and other independent sources does not contain elements that are likely to change the view expressed by the Special Representative in his report to the Commission on Human Rights. The Special Representative expressed his belief that acts continued to occur in Iran that were inconsistent with international instruments to which the Government of that country is bound. The Special Representative had reached the moral conviction that there was a nucleus of veracity in the information received thus far, and consequently, that acts continued to occur in Iran which deserved the full attention of the Government, in order to redress abuses and prevent their recurrence.

80. In the light of the foregoing, it appears that the persistence of alleged violations of human rights in the Islamic Republic of Iran, in particular, the recent reports of a renewed wave of executions in the period from July to September 1988, suffices to justify international concern and the need for the competent United Nations organs to continue monitoring the situation in that country].

5) Report E/CN.4/1989/26 submitted to the Commission on Human Rights, 26 January 1989, by Prof. Reynaldo Galindo Pohl¹⁰⁰

Following the Interim Report (A/43/705) above submitted to the General Assembly, the Special Representative submitted this report (E/CN.4/1989/26) to the Commission on Human Rights covering the period October 1987 to September 1988.

The final report (E/CN.4/1989/26) contains a description of the contacts and discussions which the Special Representative held with representatives of the Iranian Government in New York on the occasion of the forty-third session of the General Assembly, and in Geneva, as well as communications addressed by the Special Representative to the Iranian Government after the publication of the interim report. It further contains an update of the information provided to the Special Representative by the Iranian Government and by other sources, and a consideration of some issues pertaining to the legal system applicable in the Islamic Republic of Iran and related problems. The final chapter of the report consists of general considerations and conclusions. A list of persons allegedly executed in the Islamic Republic of Iran during the period July-December 1988 appears as an annex to the report.

The Following are excerpts of the pertinent statements of the Special Representative:

[66. Reiterated and concurrent reports on ill-treatment and torture during investigation, trial and imprisonment continued to be received during the period under consideration. Oral information provided by first-hand witnesses and victims was pathetic and moving. The statements of witnesses convinced the Special Representative that the treatment of political prisoners in some Iranian prisons was inconsistent with international standards. As stated before, international obligations imply a

¹⁰⁰ 20 pages of names and particulars of persons allegedly executed in the Islamic Republic of Iran during the period July-December 1988 are annexed to the Report (E/CN.4/1989/26).

duty to investigate complaints and ensure redress. The alleged facts, as described, are sufficient in number and nature to arouse suspicion that all is perhaps not as it should be, and therefore full and prompt investigation and redress are required.

67. During the period under consideration, executions were reported to have been carried out in secret, apparently in order to avoid uproar in the media and international public opinion. The trend over the past two years towards a steady reduction in the number of executions was abruptly interrupted during the months of July, August and September 1988, when a wave of summary executions took place following the invasion of the Islamic Republic of Iran by an irregular army. These events prompted the Special Rapporteur on summary and arbitrary executions to resort to the urgent appeal procedure in an effort to put an end to the anomalous situation. The Special Representative shared the concern of the Special Rapporteur and supported his action.

68. The global denial of the wave of executions which allegedly took place from July to September of last year and, according to recent information, continued in October, November and December 1988, is not sufficient to dismiss the allegations as unfounded. Within the framework of normal procedures for the international monitoring of human rights, concrete allegations should be refuted in concrete terms. Therefore circumstantiated replies are needed to clarify the facts. There is no doubt that an invasion of Iranian territory was undertaken by rebel Iranian groups in July 1988, and that bloody battles ensued in towns and villages along the border with Iraq. None the less the allegations received from several sources, including non-governmental organisations, and reported in the media, referred to summary executions in places that were not affected by military operations. Many allegations contained names, places and dates of supposed executions, and some of the referred to persons arrested long before those events had taken place and to former prisoners who were rearrested. These allegations deserve to be the subject of detailed investigation and information from the

Government concerned, in conformity with international practice. In particular, it may be expected that the application of the norms on fair trial with respect to each case should be investigated and the results of that investigation reported.

69. Independently of the motivations behind summary executions, and even on the assumption of compliance with the penal norms in force with respect to the application of capital punishment, summary executions suggest *per se* that there are flaws or loopholes in the normative system for a fair trial. Summary executions do not provide enough time to prepare the defence of the accused or to present proof, still less do they allow for the examination of such proof beyond reasonable doubt. Whenever there is a summary execution the preliminary presumption is that the norms for a fair trial have been disregarded or do not exist. Certainly this preliminary presumption may be dispelled if it is demonstrated that the norms for a fair trial have been duly applied. The preliminary presumption referred to is one of the specific reasons for the particular interest of the international community regarding summary executions, reflected, *inter alia*, in the continuous monitoring of such events by a special rapporteur.

70. The number of political prisoners is another matter of concern. Even on the basis of official figures, the number is high and has moved high-ranking officers to demand moderated zeal in the application of security means aimed at preserving order and peace. It seems that there is some veracity in the allegations that persons may be gaoled on the basis of mere suspicion of misdoing or on account of adverse political opinions or political criticism. In other words, it seems that there are indeed a number of prisoners of conscience.

72. It is not advisable to dismiss any allegation on the mere ground of the supposed political bias of the source collecting the information. The collecting of intermediary source may be distinguished from the direct source. As explained in previous reports, the Special Representative is primarily interested in individual cases, because the rights enshrined in the

International Covenant on Civil and Political Rights are individual rights. Certainly in evaluating evidence, information collected by independent sources may, in principle, have more weight than that from compromised ones. In the cases under consideration, the information was provided by various sources, such as witnesses with personal experience of the facts, Iranian newspapers, media from several countries and non-governmental organisations, and they broadly corroborated each other.

77. In order to solve the pending problems regarding the resolutions of the competent organs of the United Nations the Special Representative considers it timely and appropriate to plead with the Government of the Islamic Republic of Iran, as a matter of urgency, to take measures such as the following: (a) to extend full co-operation to the Special Representative for a total fulfilment of his mandate, including a visit to the country; (b) to investigate all allegations of human rights violations to report in detail on the result of such investigations; (c) to take legislative and administrative steps to ensure fair trials; (d) to ensure that the prison regime conforms to international standards and that prisoners are not subjected to unjustified or unnecessary hardships; (e) to suppress ill treatment and torture, during both investigation and imprisonment; (f) to limit use of the death penalty strictly to the most serious crimes, to exempt from the death penalty those under 18 years of age and to replace punishments involving torture by punishments with international instruments on human rights is adopted and enforced by the highest competent officials.

78. In conclusion, the basic pattern of the human rights situation of the past few years still prevails, with its essential features, but with changes here and there. The Special Representative maintains his belief that acts persist in the Islamic Republic of Iran that are inconsistent with international instruments on human rights, and that the prevailing situation in that country justifies international concern, study and constant monitoring by the

United Nations and its specialized organs such as the Commission on Human Rights].

6) Interim Report A/44/620 (1989) on the Human Rights Situation in the Islamic Republic of Iran to the General Assembly, 2 November 1989, by Prof. Reynaldo Galindo Pohl

As in previous reports, this interim report focuses on oral and written communications with government officials and on events involving human rights in the Islamic Republic of Iran and their repercussions in the international sphere and concludes with general observations.

First it is important for the reader of this document to bear in mind the explanation given to the Special Representative by the Iranian Ministry of Foreign Affairs to justify why it refuses to cooperate on the issues recommended by him in report No. E/CN.4./L989/26, dated 26 January 1989. The reply is self-explanatory and indicates that the Government of the Islamic Republic of Iran is determined to address issues related to the PMOI outside the realm of international law, notwithstanding the provisions of the International Covenant on Civil and Political Rights, particularly article 4 paragraph 2 which stipulates that “No derogation from articles 6 (right to life), 7 (freedom from torture or to cruel, inhuman or degrading treatment or punishment), 8 (paragraphs 1 and 2: freedom from slavery and servitude), 11, 15 (protection from the application of penal law retrospectively), 16 (Everyone shall have the right to recognition everywhere as a person before the law) and 18 (freedom of conscience and religion) may be made under this provision. The values embodied in these articles are part of the *jus cogens* and no derogation is permitted from them even in time of war.

General observations of the Special Representative

Excerpts

[91. During the period in question, the Special Representative continued to receive written and oral allegations of human rights

violations in Iran. Those allegations came from Iranians who had recently fled their country, Iranian organisations based abroad, including a militant one that utilizes armed force, press and radio reports, generally Iranian or taken from Iranian publicity media, and non-governmental organisations in consultative status with the United Nations Economic and Social Council.

110. The information emanating from various sources, including Iranian sources, and to some degree corroborated by official statements, confirmed that politically motivated mass executions took 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. The international communication media and organisations that monitor human rights agreed that those executions were the culmination of very summary judicial proceedings, where there had been any, and that they lacked the procedural guarantees instituted in the International Covenant on Civil and Political Rights.

111. During the past months of 1989, politically motivated executions were also reported. New information has supplemented the lists of executed persons of the previous years. On the other hand, the Iranian written press and the official news agency, IRNA, have announced the dramatic increase in the number of executions for ordinary offences and, in particular, for the offence of drug trafficking. In addition, allegations have been received according to which many or some of those executions were political executions disguised with the aim of avoiding the negative reaction of international opinion. Those allegations, which are extremely sensitive, merit balanced and prudent examination, and, consequently, the Special Representative proposes to continue this investigation through the means available to him.

115. According to reports, drug traffickers are tried by emergency courts, constituted by a judge, a prosecutor and an intelligence officer, and in this court the intelligence officer prevails, when

the judge should prevail. However odious the offence and however necessary it may be for a country to declare an open war on drugs, there is no exemption from observance of procedural guarantees. The speed of the proceedings, arranged for by means of two circulars distributed to all the courts and other authorities, ensures that the cases can be closed in three, four or five days and that a maximum interval of 10 days elapses between commission of the offence and the punishment. Official statements from high judicial authorities have announced that offences are being punished within the above-mentioned limits, and the time-limits are so short that they do not allow for the defence to be prepared or for applications for review or appeal or application for pardon to be made. The risks involved in extremely summary proceedings and the absence of guarantees of a fair trial are illustrated by the case of possible judicial error which has been mentioned. All this points towards the recommendation that trial of the offence of drug trafficking be taken from the emergency courts and handed over to regular courts and that professional judges should be entrusted with full responsibility for the application of procedural guarantees ensuring a fair trial.

123. During the forty-third session of the General Assembly, negotiations were conducted with a view to obtaining a consensus resolution and, at the same time, guaranteeing full Iranian co-operation, including an invitation to the Special Representative to visit the country and conduct investigations on the spot. After extensive negotiations and advances in rapprochement between the positions of the Iranian Government and the sponsors of the corresponding draft resolution, it was finally not possible to reach consensus. During the forty-fifth session of the Commission on Human Rights, that effort was not repeated.

126. The information received, both from official sources and from opposition sources and independent sources do not contain elements that would, for the moment, allow modification of the conclusions at which the special Representative has arrived in his

earlier reports, particularly in his 1988 interim report to the General Assembly and his final report for the current year to the commission on Human Rights. The special Representative maintains his conviction that acts are being committed in Iran that are incompatible with international human rights instruments that are binding on the Iranian Government.

127. Consequently, the Special Representative considers that the recommendations remain current and pertinent which he submitted to the Commission on Human Rights, in particular those relating to requesting the Government of Iran to consider, as a matter of urgency, extending its full co-operation and to adopt effective measures on the following matters:

(a) full co-operation with the special Representative, including a visit to the country to investigate *in situ* the allegations submitted;

(b) scrupulous investigation of all the allegations on possible human rights violations that have been brought to its knowledge since the Commission on Human Rights established the mandate of the Special Representative in 1984, and a circumstantiated reply on the result of those investigations to the Special Representative, so that he can take it into account in the preparation of his final reports;

(c) legislative and administrative steps to ensure fair trials;

(d) substantial reduction of the number of executions, thus complying with the text and the intention of the international Covenant on Civil and political Rights, while avoiding, at the same time, carrying out those executions in such a way that might be regarded as intimidating;

(e) total elimination of ill-treatment and physical and psychological torture during interrogations, pre-trial detention and punitive detention;

(f) crediting prisoners with the time spent in pre-trial detention so as to reduce the term of punitive detention;

(g) a substantial improvement in the prison regime by the provision of minimal hygiene conditions and adequate food, medicaments and medical care for prisoners, and permitting them family visits. On the other hand, close attention should be given to considering and investigating the allegations that political prisoners have been executed on charges of drug trafficking.

On the other hand, close attention should be given to considering and investigating the allegations that political prisoners have been executed on charges of drug trafficking.

129. In conclusion, it should be pointed out that the basic framework with regard to human rights has not changed. The Special Representative maintains his conviction that the persistence of acts inconsistent with the international instruments in force justifies both international concern and study and constant vigilance by the United Nations General Assembly and the Commission on Human Rights.]

7) Report E/CN.4/1990/24, 12 February 1990, on the Human Rights Situation in the Islamic Republic of Iran by the Special Representative of the Commission on Human Rights, Prof. Reynaldo Galindo Pohl

Excerpts

[4. This final report refers to the matters mentioned in the interim report (A/ 44/ 620), updates the events that in some way affected the human rights situation in the Islamic Republic of Iran, using the information that the Special Representative has continued to receive from October 1989 to January 1990, and adds a completely new chapter on the visit which the Special Representative made to the Islamic Republic of Iran from 21 to 28 January 1990 at the invitation of the Iranian Government.

16. On 28 January 1990, the Special Representative sent the following letter to the Minister for Foreign Affairs, Mr Ali Akbar Vilayati:

I have had occasion during my visit to express my deep concern over the continuing high number of death sentences pronounced in particular by the Islamic Revolution Courts and should like to appeal to your Government to consider granting clemency to as many convicted persons as possible; and in cases in which death sentences cannot be commuted to make sure that all safeguards stipulated in the International Covenant on Civil and Political Rights, particularly in its article 14, have been fully respected in the preceding trials.

41. The press published statements attributed to a senior member of the Judiciary to the effect that the summary executions of political opponents had produced satisfactory results. The press also published statements attributed to another prominent person holding no official functions (Ayatollah Hussein-Ali Montazeri) to the effect that the summary executions were a mistake. Other official sources denied that there had been many executions in Iran and stated that the accusations made in that regard were the result of the manipulation of information by opposition groups.

72. It is regrettable that the Iranian Government should have expressed reservations concerning the answers required in order to continue the investigation with full knowledge of the facts. However, it is to be hoped that it will return to the previous position and fulfil its promises, since the answers form an integral and essential part of the full co-operation that was embodied in the consensus resolution adopted by the General Assembly.

248. There were repetitions of allegations about prisoners completing their sentence and still being held in custody indefinitely, and persons completing their sentence and then being executed. Testimony collected privately and statements taken at Evin prison in the presence of prison officials again spoke of ill-treatment and torture. The Special Representative has also insisted that detailed replies to these and other allegations are necessary as part of the process of studying the human rights situation.

252. At the round table held at the Ministry of Foreign Affairs to sum up the visit, the Special Representative expressed the opinion that the Government's next step could consist in providing detailed replies to the allegations transmitted to it. In order for these replies to be prepared, the allegations would have to be investigated; it might well prove that some officials had failed in the performance of their duties and those disciplinary measures or punishment would be needed or, on the contrary, that it would be appropriate to demonstrate that the allegations were inaccurate, false or mistaken. Both the Government and the procedure established by the Commission on Human Rights would benefit from such concrete co-operation. The visit needs to be supplemented by these replies so that the consideration of the alleged cases may continue and conclusions may be reached on the situation as a whole.

253. In view of these facts and considerations, it is the Special Representative's conclusion that, in his view, the Commission should continue to monitor the human rights situation in the Islamic Republic of Iran and that another-visit- seems desirable, and even necessary, in order to broaden the study with many cases which it was not possible to collect, to go deeper into situations which still call for greater knowledge of the facts and to listen to many persons who felt disappointed because so little time was available].

8) A/45/697 (1990), *Interim Report on the Human Rights Situation in Iran, Submitted on 6 November 1990 to the General Assembly by Prof. Reynaldo Galindo Pohl*

This report covers the 2nd visit of the Special Representative to the Islamic Republic of Iran in addition to issues raised in his Report to the Commission on Human Rights E/CN.4/1990/24 of 12 February 1990.

Under section C of the report titled "Specific observations", the Special Representative noted that "according to estimates from non-governmental sources based, *inter alia*, on statements by the Assistant Attorney-General, the number of executions

between January and May 1990 was relatively high. Moreover, before completing his second visit to the country, the Special Representative was given an official list indicating that 113 executions had been carried out since March 1990. The figures provided by sources abroad are considerably higher than the official figures. In any case, the official figures are still higher than can be considered compatible with the restrictive and exceptional circumstances in which the International Covenant on Civil and Political Rights authorizes Governments to apply the death penalty".

On trials before the Revolutionary Courts, the Special Representative reported that he had continued to receive many reports about the absence of a lawyer at the trials heard by these courts. The Special Representative reported that he found that in many cases the constitutional obligation to inform an arrested person of the charges against him immediately after his arrest had not been fulfilled. Some of the prisoners had never been informed of any charges.

Furthermore, the Special Representative found that televised confessions had aroused considerable scepticism and they are seen as lacking spontaneity and authenticity. He considers that such a practice does not contribute to proper administration of justice. Rather, it undermines and obscures the administration of justice, particularly when the practice takes place in the course of the investigation.

This report concludes by underlining that "the enormous quantity and variety of allegations and complaints received from very different sources, even allowing for the fact that they may contain errors or exaggerations, provide a credible factual basis for the belief that human rights violations occur frequently in Iran and that the government action to prevent and remedy such violations had not been sufficient to put an end to them". The report adds that "this explains the fear shown by independent citizens who, when they talk, try to conceal their identity and what that they really think, and the uncertainty felt by private individuals and senior officials alike, which make them extremely

cautious expressing their opinions and about how they act in general”.

The Special Representative thinks that “The above observations all point to the same conclusion: that it is both useful and appropriate that international monitoring by the competent United Nations organs with a view to ensuring compliance with international human rights instruments in the Islamic Republic of Iran should continue”.

3. Special Rapporteur, Mr. S. Amos Wako, (Kenya) 1982-1992

Report E/CN.4/1989/25 by the Special Rapporteur, Mr. S. Amos Wako, pursuant to Economic and Social Council resolution 1988/38 on Summary or arbitrary executions.

Iran (Islamic Republic of)

142. Cables were sent to the Government of the Islamic Republic of Iran on 26 August, 14 September, 11 and 15 November, 1, 8, 9, 20 and 23 December 1988 concerning allegations that since July 1988 a large number of prisoners, said to be members or supporters of groups or organisations opposing the Government, had been executed and several others were facing imminent execution in various parts of the country. 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. The Special Rapporteur, mentioning a total of some 150 cases of prisoners whose names had been received, appealed to the Government on purely humanitarian grounds to ensure that the right to life of those persons was protected and requested information on the aforementioned cases.

143. On 13 January 1989, a cable was sent concerning 302 persons who might be facing imminent execution. According to the information, these persons, as in the cases communicated to the Government by the previous cables, had already served or were currently serving sentences of imprisonment. It was alleged

that many of the persons in question were tortured and deprived of visits from their families.

144. In view of persistent reports received that several thousand persons had been executed without trial or with a trial of a summary nature, the Special Rapporteur appealed to the Government to ensure that the right to life of the above-mentioned persons was protected as provided for in the International Covenant on Civil and Political Rights. He also requested information on the above-mentioned cases as well as any information on the fate of the persons mentioned in his previous cables, as follows: cable of 26 August concerning 12 persons, cable of 1 November concerning Ali Akbar Shalgoalney and Adel Talebi, cable of 11 November concerning Fereidoun Faroughi, cable of 15 November concerning 24 persons, cable of 1 December concerning 55 persons, cable of 8 December concerning Soraya Ali Mohammadi, cable of 9 December concerning Monireh Rajavi, cable of 20 December concerning 21 persons and cable of 23 December 1988 concerning 43 persons.

145. On the same day, the list of 302 persons was communicated to the Permanent Mission of the Islamic Republic of Iran to the United Nations Office at Geneva.

146. On 9 November 1988, a letter was sent to the Government transmitting the allegation that, since July 1988, a large number of prisoners had been executed in various parts of the country, without trial or with a trial of a summary nature. The victims allegedly included members and supporters of organisations and groups opposing the Government, and also Kurdish prisoners. The Special Rapporteur described by way of example the following allegations:

(a) On 10 July 1988, 10 persons accused of being "counterrevolutionaries and Iraqi spies" were executed;

(b) On 20 July 1988 about 20 persons belonging to political opposition groups were executed in Evin Prison. The victims included three members of the Tudeh Party and a member of the People's Fedaiyan Organisation of Iran (majority)

(c) Alleged collaborators with the members of the People's Mujahedin Organisation of Iran (PMOI) were publicly executed in Kangavar, Bakhtaran and Islamabad-e-Gharb. According to the official account, 15 PMOI supporters were executed on about 5 August 1988. They included seven persons executed on 1 August 1988 in Bakhtaran and one person on 3 August 1988 in Ilamj

(d) On 28 July 1988, 200 prisoners said to be PMOI sympathizers, were executed in Evin Prison. In Machad, 50 other PMOI sympathizers were executed;

(e) On 14, 15 and 16 August 1988, 860 corpses were transferred from Evin Prison to the Behecht Zahra cemetery.

(f) It was further alleged that on the night of 15/16 May 1988 a large number of Iraqi prisoners of war were found killed, their feet bound with ropes, in the Mawat region in northern Iraq.

147. The Special Rapporteur requested information on the alleged occurrence of summary or arbitrary executions and in particular the legal proceedings following which the alleged executions might have been carried out.

148. At the time of preparation of the present report, no reply had been received from the Government of the Islamic Republic of Iran.

Observations on Prof. Reynaldo Galindo Pohl's Reports

After the above reports, Special Representative, Prof. Reynaldo Galindo Pohl, continued to fulfil his mandate as established by the Commission's resolution 1984/54, "to establish contacts with the Government of the Islamic Republic of Iran and to make a thorough study of the human rights situation in that country". He presented three more reports (Report [E/CN.4/1994/50](#), Interim Report [A/49/514](#) (1994) and Final Report [E/CN.4/1995/55](#)), before his resignation as Special Representative of the Commission on Human Rights. His successive reports followed up on the previous ones in addition to the new facts and comments specific to each reporting period. Nothing of substance had materialised on the ground. Execution of political prisoners,

torture, inhumane and degrading treatment, lack of due process and discrimination against and persecution of minority groups continued as in previous years. He visited Iran three times between 1990 and 1992, but his request for a fourth visit was declined. Professor Reynaldo Galindo Pohl presented his resignation after serving the UN Commission on Human Rights for 9 years.

It is clear that Prof. Reynaldo Galindo Pohl, a refined diplomat, a skilful lawyer and a wise politician had taken up this challenging mandate “to establish contacts with the Government of the Islamic Republic of Iran and to make a thorough study of the human rights situation in that country” with the determination to win the cooperation of the Iranian authorities. His endeavour to be impartial and to be seen impartial is reflected in the open and contradictory sources he interacted with and in the cautious language he used throughout his reports. His approach seemed to focus on long term preventive action rather than urgent action to stop ongoing serious violations of human rights. He did not consider the issues of impunity, accountability and the obligation to bring the perpetrators of the gross violations of human rights to justice part of his mandate, and indeed they were not on his agenda. Still, the report contained reliable information that could serve any future undertakings of a commission of inquiry. The Special Representative did not stop at gathering contradictory information. He went as far as confirming that the government and its officials had failed to observe the international commitments of the Islamic Republic of Iran.

Evaluation of the Special Representative’s Reports and Conclusion

Prof. Reynaldo Galindo Pohl’s reports, particularly those of 1988, 1989 were instrumental in documenting the illegal and extra-judicial mass executions of the summer of 1988. Regardless of the temerity, or lack thereof, of the Special Representatives in seeking the truth, the reports remain valuable documents that could set the agenda for an international inquiry. They also

represent reliable records for circumstantiated evidence before domestic or international courts against suspect perpetrators.

Reports of Prof. Reynaldo Galindo Pohl, his predecessor (Andrés Aguilar), his successor (Maurice Copithorne) and the other Special Rapporteurs appointed for the same mandate, all concurred in asserting certain reality inherent to the nature of the theocratic regime in Iran, that of placing itself outside the realm of international law. In his report E/CN.4/1996/59 to the Commission on Human Rights, Mr. Maurice Copithorne pointed out that “much of the information provided to the Special Representative concerns the 10-year period or so following the revolution and is recorded in his predecessor’s reports. He considers that his primary responsibility is to report on the situation since the final report of his predecessor, namely the period from January 1995 to February 1996. Thus he effectively removed the issue of the mass executions of the summer of 1988 from his agenda.

The distinguished international lawyer, Geoffrey Robertson, commenting on Galindo Pohl’s reports, had vehemently criticized his naivety in assuming that the Iranian government would investigate its own abuses¹⁰¹. While this criticism was understandable given the gravity of the reported events, the real failure however was that of the UN mechanism for the protection of human rights. Resolution 1984/54 of the Commission on Human Rights mandated the Special Representative “to establish contacts with the Government of the Islamic Republic of Iran and to make a thorough study of the human rights situation in that country...”.

Keeping the door ajar is better than having it completely shut, said one of the Special Rapporteurs, when pressed to speak out openly and publically on issues of extra-legal, summary and arbitrary executions. This is an admission that the UN had effectively succumbed to the blackmail and divertive tactics

¹⁰¹ Robertson’s Report “The Massacre of Political Prisoners in Iran, 1988”, http://www.iranrights.org/attachments/library/doc_118.pdf

exercised by the Islamic Republic to remove the issue of mass executions from the UN agenda.

By note verbale, dated 26 June 1989, Mohammad Hossein Lavasani, Deputy Minister for International Affairs warned the Special Representative that: "So long as the Commission's information is virtually based on the self-serving, politically motivated allegations of certain armed terrorists... the self-proclaimed Mujahedeen, there remains no room for responding to such baseless allegations. Allegations of human rights violations can be raised only and only after the terrorists have been excluded as the source of information from the fact-finding and information-gathering system of the Commission on Human Rights, for the very holding of meeting with these groups and acquiring information from them is in effect a way of granting recognition to terrorists and sanctioning terrorism".¹⁰² This is a claim of free hand in dealing with human rights violations concerning members of a specific opposition group, in this instance the PMOI members. While it is not for this report to discuss the issue of terrorism, since reference has been made to assertions by officials of the Islamic Republic, it is fair to say that allegations of terrorism against this organisation have been investigated by competent courts in the UK, France, the European Court of Justice and in the US, the DC Court of Appeals, and in all cases the PMOI has been vindicated because the courts found no evidence to back allegations of terrorism.

In this sense Robertson is right in his criticism because the UN Special Procedures had badly failed in stopping ongoing mass executions in Iran and succeeded in giving the Iranian Government the opportunity for diverting attention and arguing for the termination of the Special Representative's mandate, instead of upholding its international obligations. By following a restrictive interpretation of the terms of reference of the

¹⁰² Interim Report A/44/620 (1989) on the Human Rights Situation in the Islamic Republic of Iran to the General Assembly, 2 November 1989, by Prof. Reynaldo Galindo Pohl, http://repository.un.org/bitstream/handle/11176/143853/A_44_620-EN.pdf

mandate in resolution 1984/54 “to make contacts with the Government of Islamic Republic of Iran” and “to make thorough study”, Professor Pohl opened a pervasive dialogue with the perpetrators and raised academic questions about the compatibility of Shar’ia law with international human rights law and the “historical quibbles about whether there had been sufficient input from Islamic jurists in the drafting of the Universal Declaration of Human Rights”¹⁰³. The UN Commission on Human Rights while repeatedly expressing its preoccupation with the human rights situation in Iran had never considered extending the mandate to look into issues such as accountability and impunity.

On 21 April 2002, in a vote of 19 in favour, 20 against, with 14 abstentions, the UN Commission on Human Rights rejected a resolution, sponsored by the European Union that would have renewed for one year the mandate of an independent expert on human rights in the Islamic Republic of Iran. "The human rights crisis in Iran is only getting worse, and this unfortunate decision will not help it to get better" said Human Rights Watch, Middle East and North Africa division. After preventing the Special Representative from visiting the country for several years, Iran has now successfully manipulated members of the international community and ended the monitoring mission of the UN representative.

Nonetheless, the combined effect of the UN reporting achieved so far had left no doubt that mass executions did take place in Iran during those reporting periods and are still taking place. The international community expects the United Nations to reject any compromising deals with the Government of Iran at the cost of the fundamental human rights of its people. The families of the victims and their representatives refuse any complaisance in this regard and expect today’s reformed UN Human Rights Mechanism (the Human Rights Council and its Special Procedures) to reconsider the matter and take a firm stand for

¹⁰³ *Ibid*, page 5

the full truth to be revealed, further recurrence to be prevented, for justice to prevail and for perpetrators to be held accountable. This is the way for the United Nations to reaffirm its authority and credibility. The burden is also on the High Commissioner for Human Rights to speak up about this issue and use its authority to initiate the right approach.

VIII. INTERVIEWS OF SURVIVING PRISONERS

JVMI reviewed dozens of testimonies of former prisoners who survived the events of 1988 and conducted interviews with 15 of them.

The following interviews took place with the help of an Iranian interpreter who is well acquainted with Iranian affairs. Despite the vigilance of both the interviewer and the interpreter, the English text can at times appear inarticulate. This is due to the nature of simultaneous interpretation and transcription of unprepared discussions. Also some discrepancies or inaccuracies might have slipped in, particularly in relation to the conversion of dates from the Iranian calendar to Gregorian calendar or due to the interviewees who might not have enough language fluency. It is however highly unlikely that this would have affected the substance of their story.

During the interviews, the former prisoners narrated the events each one according to his personal experience. Given the years that had passed since they had left prison, their memory might have betrayed some of them on some details but they all have corroborated the main issues: arrest without warrant; refusal of contact with the families during the pre-trial detention; forced disappearances; access to a lawyer denied; many prisoners kept longer periods in prison than their sentence; when released some were illegally re-arrested; torture, inhumane or degrading treatment or punishments systematically used to extract confessions; summary trials; execution in groups without the due process of law; public hanging; secret burials.

Former Prisoner Number (1)

Date of interview: 2 October 2016

Name: Mahmood Royaie

DoB: 17.05.1963

PoB: Tehran

Date and place of arrest: 30-08-1981 in Jamhoory Street, Tehran

Chronology of events as narrated by the surviving former prisoner

On the morning of the 30th of August 1981, I was arrested by an agent of what is known as Security Force Committee. I was taken to the 8th District Committee of Tehran where I remained for one week. I was then taken to Evin prison where I was interrogated.

During the interrogation, I was tied up to a bed blindfolded. I was asked to say what activities I was involved in, who were my partners in these activities, to give their addresses and to name the places I frequented. I was whipped with different type of cables. Some cables were heavy and cutting into my skin. Others were spiky and felt as if they were covered with sharp pins. They were not interested in my replies to their questions. They went on beating me and then took me out and left me listening to the cries of other people being tortured.

I have scars and broken bones on my right hand and scars on my right foot and the left hand side of my chest, from being flogged.

The interrogation accompanied by beating and flogging went on for two and a half months. During this period, I was not allowed to contact my family or a lawyer. My family eventually heard of my arrest through other released prisoners.

After two and half months of interrogation, I was charged of 15 accounts all to do with membership of the People's Mujahedeen of Iran (PMOI) including selling the PMOI's newspapers, attending meetings in PMOI safe houses.

I denied all charges and refused to sign any documents.

On 21st Aban (November 1981), I appeared before a makeshift court set in a room at the top floor of Evin prison. Three officers sat behind a desk asked me whether I am ready to confess on TV and denounce the PMOI. I replied that I have nothing to say. One of the officers (seemingly head of the court) told me, we will tell you what to say. When I refused their suggestion, I was thrown out of the room and taken back to my cell in the basement.

I remained in Evin prison for another three months at the end of which the verdict came: guilty as charged and sentenced to 10 years imprisonment.

Abuses and maltreatment continued in Evin prison after being sentenced till December 1981 when I was transferred to Karage Qezelhessar prison.

At Karage Qezelhessar prison, I was put in a room about 2x3m. Each room of this size accommodated 40-50 inmates. On the arrival to Qezelhessar, all my body hair was shaven and I was asked to eat it. This is a common practice in Qezelhessar. Inmates are shaven clean of all body hair and forced to eat it.

Cells in Qezelhessar measured about 1.5 x 2m with two sets of triple sleeper bunk beds accommodating up to 45 inmates packed like sardines.

I spent 5 years in Qezelhessar where conditions deteriorated daily. Then I was transferred to Karage Gohardasht prison where I spent two and half years.

At the beginning of 1988 (about January) interrogations resumed and inmates were divided into two categories. PMOI members were kept separately. I learnt later through contact with other inmates that this separation took place at all the country's prisons. On an occasion, I heard an officer (with a nick name of Davood Lashkary, his real name was unknown to the inmates) talking on a phone about separating the rotten eggs in reference to the PMOI members.

At this stage all concessions given to the inmates were withdrawn, such as access to TV and newspapers. Other inmates

were sent to solitary confinement and we started hearing that groups of inmates are sent out to unknown destinations. Trolleys full of ropes were observed being moving along the corridors of Gohardasht prison. Those ropes were feared to be hanging ropes.

On approximately the 1st of August 1988, I was taken out of Gohardasht prison together with about 50 others to be interrogated. We were asked to give the name and the charges and to state what we think of the *monafeqin* (hypocrites) in reference to the PMOI.

In my reply, I said I was arrested because I support “*Sazman*” (the organisation) without naming the PMOI. Then I was asked what organisation? “*Sazman*” I replied.

The inmates who replied that they supported the “*munafiqin*” were sent back to the ward and those who replied “*Sazman*” were taken to a makeshift court. I was among about 42 inmates sent downstairs and piled up in two rooms. On 7 August the 42 were called one by one to appear before the court. I was called at approximately midday and taken through a corridor where I saw a number of inmates eye folded. One of the Pasdaran known as Hamid Abbassi (deputy to the deputy prosecutor) read names to be taken to the ward (codename for execution). Soon we realized that all the names called were executed.

On my turn, I was called to be taken to a room where 4 people sat behind desks. The main person (president of the court) was Hussein Ali Nayyeri assisted by Mostafa Pour Mohammadi (representing the Ministry of Intelligence) and Morteza Eshraqi as prosecutor and a fourth person I could not identify. I was asked to give my name and the charges against me. I replied: Being a supporter. Asked what is your sentence? I replied: 10 years. Who did you support? *Sazman* and added that I spent 7 years in prison. I have no longer any contact with “*Sazman*” (the organisation). I was asked what is my position towards the Islamic Republic? I replied I was imprisoned wrongly. Asked are you prepared to appear on TV to denounce the PMOI and ask for forgiveness? I

replied that I have already spent 7 years out of 10. I am prepared to serve the three years left of my sentence.

I was given a paper to sign pledging not to engage again in any subversive activities once released. I wrote that I was arrested and sentenced for support to “Sazman” [the organisation in Persian] and I promise not to engage again in any activity. That was not enough, I was told to ask for Imam Khomeini’s clemency.

I was sent out of the room and was taken with the group of those to be released. There I met with an old friend called Siamak also to be released. Siamak informed me that he received from other inmates through Morse code confirmation that all the others were executed including a female inmate called Zohreh Khosravi who was asked to write her will before being hanged.

After 5 months I was transferred with others to Evin prison and released on the anniversary of the Revolution in February. Two weeks later, I went back to Evin to complete my release papers only to be told there was a mistake in my case and that I have to finish serving my full sentence. I was detained again and completed the full 10 years imprisonment.

Former Prisoner Number (2)

Date of interview: 03 October 2016

Name: Mohammad Zand

DoB: 17.08.1964

PoB: Tehran

Date and place of arrest: 26 July 1981 at Parkshahr Ara, Tehran.

Contact with the family on the arrest: Denied

Access to a lawyer: Denied

Chronology of events as narrated by the surviving former prisoner

On the evening of July 26th, I was in Parkshahr Ara (Tehran) when someone approached me from the back, put a pistol to my neck and told me do as told or you will be shot. I was taken from Parkshahr Ara to the Revolution Guards Centre at Islamic Republic Square where I spent the night.

At the Revolutionary Guards Centre, I was sent to the 9th floor to be interrogated. I was asked to give my name. I gave a nickname. I was asked about my activities and my relationship with the PMOI. I denied any subversive activities. While being interrogated, I noticed a number of detainees with bruises on their faces.

I was transferred the next day (27 July) to Ishrat Abad prison of the Revolutionary Guards together with about 50 other detainees. I remained in detention at Ishrat Abad prison for 25 days without being interrogated. We were kept in cells of 2x3 metres each group of 10.

During this period, no one in my family knew my whereabouts and I had no lawyer to assist me.

On the 25th day of detention, I was taken for interrogation. I was asked to identify myself. This time I gave my real name. Then I was sent back to my cell.

While moving around, I managed to establish contact with some prisoners on their way out of prison. I asked them to inform my family.

My family, through its contacts, tried to have me released. The family intervention triggered once again the process of investigating my case.

I was asked to state the activities I was engaged in. I denied having engaged in any subversive activity. So I was beaten with a thick cable which had left scars on my thighs. Then I was sent back to my cell.

2-3 days later, I was transferred to Evin prison in buses, blindfolded. There, I was placed in a cell on the second floor

where beating and verbal abuses were common currency. I was tied to a bed specially designed for flogging prisoners and was badly beaten on my feet. I still carry scars on my feet.

On 24/25th September 1981, I was taken to a makeshift court. Due to events taking place those days, the court was adjourned. I was sent back to my cell and beating continued.

On 29 September I was sent back to what they called a court. It was a room of 4x2 or 3 metres. In that room, a clergyman sat behind a desk acting as a judge and a 2nd person beside him acted as a prosecutor.

The person acting as prosecutor read the charges. He accused me of being a member of the "*monafiqin*" (regime's reference to PMOI). Based on that charge, I was sentenced to life imprisonment.

I was serving life sentence at Evin prison. During the first two months, we were subjected to ear piercing noises from loudspeakers. The living standards were inhuman. 150 inmates had half an hour access to shower. Beating the prisoners to rush them to the shower was part of the showering process.

Two months later, I was transferred from Evin prison to Qezelhessar prison. On arrival, they shaved the prisoners throughout and forced them to eat their own body hair. The person who forced people to eat their shaven hair was known as Ali Shah Abdoul Azim and the prison governor was Davood Rahmani. We were kept in cells 1.75 x 2.5 metres. Each cell accommodated between 40 and 50 people.

After a month in these conditions, I was moved to Unit 3, ward 2 of Qezelhessar prison. There I met my older brother also detained on the charge of belonging to the "*monafiqin*".

I remained in Qezaehessar prison till 1983 when an informer had given some accounts about my alleged activities with the "*monafiqin*". Based on that allegation, my sentence was switched from life to death and I was sent back to Evin prison awaiting my execution.

In 1984, my family approached Ayatollah Montazeri and solicited him to intervene to save my life. It was then that the prison officials informed me that I am going to be released. But instead of being released I was later on informed that my sentence is now reduced to 12 years imprisonment.

I remained in Evin prison till 1986 and then transferred to Gohardasht prison.

In Gohardasht, I was subjected to torture and maltreatment on a daily basis and in 1987 they broke my right hand.

Two days before the news reached us about the mass executions of the summer of 1988, the prison authorities decided to withdraw the privileges consented to the inmates like access to TV and newspapers. I guess to stop us getting outside information on the mass executions.

On Thursday, 28 July, the guards came around and read a list of names to be taken out. My name was not included but my brother's name was. On Sunday 31st July, information reached our ward that the people whose names were read out on Thursday were executed.

On August the 6th, Mohammad Moghisseh came to my ward to take me to the so-called court and asked me to answer the questions as requested to avoid being executed like my brother. It was then I realised that my brother taken out with the group of Thursday 28th, was executed.

In the so-called court, I recognised Nayyeri who is well known because of his frequent appearance on TV. I also recognised Mostafa Pour Mohammadi who was well known among the prisoners. Eshraqi too was there and other prisoners had recognised him. There were two others that I did not recognise and who could be guards.

Nayyeri asked me to identify myself with my full name and the charges held against me and whether I wish to be released.

I gave my full name and on the charges I reply: supporting

Nayeri replied, supporting what? I said you know what.

He got angry. He sent me out of the room and I was taken back to my cell then put in solitary confinement for two weeks.

Each day before meals, the guards would come to punch and kick me. They would give me a piece of paper and ask me to write down the structure of the PMOI and its rank and file.

On the 9th of August, the same three people forming the so called court (Hussein Nayeri, Pour Mohammadi and Eshraqi) came back to resume the hearing of my case. Were also present Davood Lashkari, deputy of the Prison Security and disciplinary force; Mohammad Moghisseh, prison governor.

Nayeri presiding the so-called court, asked the same questions (full name, charges and whether you wish to be released) in order to do a triage. Then Moghisseh pushed out the prisoners to queue either to the right or to the left of the corridor. One side was for execution and the other for serving the rest of their sentences. Those who confessed that they supported the “munafiqin” were selected for execution.

As I did not confess, I was sent back to solitary confinement to be called again to the makeshift court on 12 August presided by Hussein Nayeri assisted by Pour Mohammadi.

I was asked if released, what would I do? I answered that I will not engage in any activity. I was sent back to solitary confinement for about two months and then taken to a general ward for about an equivalent period and from there to Evin prison.

At Gohardasht prison, we were about 5000 inmates. Those who made it with me to Evin were only 170. The surviving inmates who reached Evin believed that the other 4830 were executed.

I stayed in Evin prison till February 1992 (Iranian calendar 1370) when Khamenei decreed amnesty on the occasion of the 12th anniversary of the Revolution.

The release was conditional upon the deposit of a cheque for 20,000 USD and a real property as a guaranty against resuming political activities.

I left the prison in April or May 1992 and I had to report monthly to Enghelab Street police state.

In 2000 I left Iran for Turkey.

Based on my personal experience, I believe that the figure of 30,000 victims of the mass executions of the summer 1988 is underestimated.

Former Prisoner Number (3)

Date of interview: 10 October 2016

Name: Gholamhossein Goudarzi

DoB: 22 May 1962 (1 Khordad 1341)

PoB: Boroujerd in Lorestan Province

Father's name: Mohammad

Date of arrest: 27 June 1981 (6 Tir 1360)

Place of arrest: In the street in Boroujerd

Total time in prison: 7 years and 7 months, from 27 June 1981 to early March 1989 (6 tir 1360 – mid esfand 1367)

Circumstances of arrest

I was arrested for distributing leaflets in support of the PMOI. I had several leaflets with me in an envelope, and the IRGC patrols saw me at night. Six agents approached me. I tried to run but they caught me. They threw me in a car and beat me for about half an hour. They did not tell me why they were arresting me. I lost a tooth from that beating. They then took me to the IRGC centre in Boroujerd.

Chronology of events as narrated by the surviving former prisoner

In the IRGC centre, they beat me again. They did not try to find out who am I. They were more interested in finding out whether I had weapons. They beat me for about an hour while asking where I lived (the 'team-house' they called it) and where I had hidden the weapons. They tied my hands and feet and threw me in a room until the next day. They did not allow me to contact my family and they didn't even try to establish my identity. Access to a lawyer was not something one would think of in those circumstances. The next day the interrogation resumed. They were asking about where I had hidden the weapons, the where about of the 'team houses' and where I had obtained the leaflets. I said I found them in the street. They beat me again for that answer.

At the time, there were a huge number of arrests, and they did not have enough room to house political prisoners. Between 10 and 12 persons were kept in rooms measuring about 3x4m each. I was kept in the IRGC detention cells for two weeks. They interrogated me on a daily basis, each time they beat me and said that I was lying.

After two weeks, when they saw I had nothing to give them, they sent me to the general prison in the city. I was kept in the political prisoners' ward of the general prison (Zendan-e Shahr bani). They were continuously prosecuting people but something happened to the religious judge and the prosecutions stopped for a short period to resume in the month of Mehr (23 September to 22 October).

In the courtroom I saw a bed apparently for the use of the religious judge, known as Bagheri who had been injured in a car accident. The prosecutor was Mohammad Moghisseh (start of Mehr 1360). Most of the death sentences were the work of Bagheri and Moghisseh. Both were brought from elsewhere because the local judge at the time was thought to be too lenient.

Razghandi, the third person in the room was the Associate Prosecutor (dadyar) of the Revolutionary Court.

Bagheri questioned me for only 2-3 minutes. He did not ask for my name. He asked: why did you run? I said I was afraid. He said for trying to flee you must be lashed. I received approximately 40-50 lashes for running away. I was lashed right there by an IRGC member in the courtroom. He told me that you are responsible for your own death by the manner in which you answer the questions. I thought when I left the court that I was going to be executed. I, along with a group of other prisoners, were taken to a room known as Little Evin. The agents that had arrested me in the street were a notorious group known as the executioners. They themselves executed people. Ten people are known to have been executed there.

Asghar Moradi, Morteza Tabahi, and Farhad Shojai were there with the rest of us. We were 10 people altogether. We thought we were about to be executed. The following night I was informed that I received a 15-year prison sentence for distributing leaflets. The other nine people who shared the cell with me were executed. I was taken to the general prison. The information circulated among the prisoners that executions continued in groups of 10 each day. Several days after my verdict, on one night the door suddenly busted open and some 40-50 armed IRGC members entered and started beating everyone. We were told to face the wall. They handcuffed everyone. They said they were looking for 'the team house'. The 'team house' this time is the organisational structure in prison. At the end of the roundup, they read 13 names including myself. They took us out. They blindfolded us and put us on a minibus. The IRGC members on the bus hit us and swore at us. They took us to the IRGC centre in Boroujerd. When we were taken out of the vehicle, we were beaten severely for hours, handcuffed, blindfolded. After two days they sent me to a room and took off my blindfolds. One by one, more people were brought in till we reached 13 in a room measuring about 1m by 4m. I had been beaten the least. Most of the faces were bruised and battered. Ruhollah Alimasi received severe beating with cables. They said we had been planning to escape. I was kept there for two weeks but they never came for me. I had written my will because we were being summoned to

a court. We knew that whoever went there did not come back. Another two groups, between 20 to 30 people in total, previously went there and never came back. Two or three days after we were put in this room, three of us were separated and the other 10 people were executed either that night or the following night. The IRGC claimed that they had tried to escape from prison. Three of them had already been released and had just been re-arrested. All three were from the town of Doroud. They were Mohammadi Yar-Ahmadi (a student), Nasser Majidi (a teacher) and Sohbat-Ali. We had an internal organisational structure. Usually we gave our wills to the officials of the organisation to send them outside. Once, Razghandi, the Assistant Prosecutor in the prison, summoned me in front of the cell. He showed me the will they had confiscated and asked if the will was mine. It was mine, but I denied it. He sent me back to the ward and left me alone. If my memory serves me correctly, I was kept in the IRGC detention centre for a month or two after the execution of the 10 people.

When I was in the general prison, they ignored me till one day Moussal-Reza Mogheysei (an Assistant Prosecutor and brother of the infamous Mogheysei) turned up together with Fazel Hashemi, one of the 'turncoats'. The latter used to be our team leader. Hashemi said he knew me. He said I had been arrested and my house's cover had been blown. They were searching for another member of the team called Kazem. They took me back to the ward. They had made a separate prison section for torture. Reza Arjemandi was my interrogator. He put me in a vehicle and took me blindfolded to the solitary cells.

In [1363 Persian calendar] during the Amnesty Commissions established by Hossein-Ali Montazeri, my 15-year sentence was commuted to four years. Due to the claims made by the 'turncoat' in 1363, I was taken again for a trial to Boroujerd. The judge had changed. The new judge was Naqavi who was said to be of Pakistani origin. The new prosecutor was Moussal-Reza Mogheysei. I received another four-and-a-half-year sentence for

the new information that had come to light even though I denied the charge.

In Boroujerd Prison we were in a cell with two 'turncoats'. They once took us to solitary confinement for having had some skirmishes with the 'turncoats'. We were beaten for several hours while blindfolded and accused of re-establishing an organisational structure in the prison. We denied it. I remember Gholam Saqaleyni, who was later executed, was also punished like me for getting into a brawl with the 'turncoats'. I was kept in solitary confinement for between one-and-a-half to two months. And in between I was beaten and interrogated several times. I witnessed an incident during the open air time. One of the prisoners said something countering remarks made by a prison warden. He was taken to solitary confinement for two months and he told us later that he was beaten daily.

Until [1364] I was in the general ward of Boroujerd. Then, from [1364-1365] they transferred all the political prisoners to the central provincial prisons and I was taken to Khorramabad Prison.

For a period there was no interrogation in Khorramabad. The ward had 5 or 6 cells on one side and 5 or 6 on the other side. One side housed the political prisoners from Khorramabad and the political prisoners who had previously been sent there from Boroujerd. The other side housed the new arrivals from Boroujerd Prison. The top floor was for people with lesser charges and the 'turncoats'. The top floor had an open-door policy but our section had a closed-door policy. We were let out only for 30 minutes in the morning, 30 minutes in the afternoons and 20 minutes at night to have air time and attend to our personal needs, go to the toilet or wash our cutlery.

On 27 or 28 July 1988 (5 or 6 Mordad 1367) the massacre began in Khorramabad. For about three months, family visits were halted. Once I was in the open air section, 20 or 30 people were hastily taken out of the prison cells. We kissed them all goodbye because we thought maybe they would be executed. Later the wardens came back and took 10 or 15 people from our ward and

none of them ever came back. They had all been serving prison sentences and had not previously been sentenced to execution. One of them Reza Sayadpour had already spent his sentence but he had been kept in prison and was executed. Ahmad Rajai and Gholamreza Saqaleyni (both from Boroujerd) were arrested in 1360. They were kept in a state of limbo until about three months before the massacre, when they were finally given a 20-year sentence each. But three months later, during the massacre, they too were executed. Some of the IRGC members unwittingly revealed the executions to us when we asked them. Also outside the prison we heard daily chants outside the prison by the regime's vigilantes that the "Imprisoned hypocrites must be executed". It was understood that the prisoners were being taken away for execution. I saw 50 to 60 people who were executed.

During the massacre, I was taken with blindfolds to the Death Commission. During the interrogation I said I am a nobody. I denied I had any ties with the PMOI.

In March 1989 (middle of Esfand 1367) at Khorramabad Prison I was told I am going to be released. But I was not released immediately. They kept me for a period because they wanted a large bail. My family was not that well off. They wanted a house to be written as the guaranty for the bail, and I had to sign in on a weekly basis.

Sometimes when I used to go to sign the weekly paper, I was interrogated and was told to contact my brother in Iraq to encourage him to leave the PMOI.

I finally managed to escape from Iran and joined the PMOI in Iraq.

Former Prisoner Number (4)

Interviewed on 10 October 2016

Name: Hassan Zarif Nazerian

DoB: 12 September 1959 (20 Shahrivar 1338)

PoB: Shahr-e Ray, Tehran

Father's name: Mohammad-Hosseini

Total time in prison: 12 years from 7 March 1982 to February/March 1994

Circumstances of Arrest

I was arrested in the afternoon on 7 March 1982 (16 Esfand 1360) in my home in Shahr-e Ray in Tehran. Prior to that, they had arrested my sister. The forces which arrested me were from the 14th Precinct Committee of Shahr-Ray. They arrived with four Mercedes-Benz vehicles. The commander of the team that arrested me was Mr. Derakhshan. They raided a nearby shop and surrounded the house. They did not give any reason for my arrest. They said we have questions regarding your sister who we recently arrested. A number of them stayed in the house, searched and ransacked the place, confiscated all our books and many other household items. Two of them had Uzis [an Israeli made machine gun]. They put me in a Mercedes-Benz without handcuffs. They sat on both sides of me. They took me to the 14th Precinct Committee.

Chronology of events as narrated by the surviving former prisoner

They put me in solitary confinement. I didn't know why I was arrested and how much information they had about me. I was active with the university students. At midnight they summoned me and the interrogator demanded information. They brought my sister who said she had been arrested because she was carrying a leaflet in support of the PMOI. She was about 15 years old. I already knew that my sister had been arrested. She had been arrested at our home earlier and my mother had told me that she was arrested. The interrogators asked a few questions and they sent me to the Jamshidieh Prison which is run by the army near the Laleh Park. Given that I was a conscript, they handed me over to the Army Prosecutor's Office. After a week

they took me before the interrogator Colonel Marsousi. They asked me where the leaflet had been obtained. I said they were distributed in the army barracks where I was and so I took it and I threw it somewhere in the house and my sister found it by chance and took it. The interrogation then went on to focus on my opinions and beliefs. I told him if my crime is taking the leaflet you should know that many others have done the same. I did not confess that I was politically active.

The 1st Branch of the Army Court was run by Mohammad Reyshahri. My court session lasted 5 minutes. It took place in a large hall. Only Reyshahri (the judge) and an army prosecutor and the court clerk were present. I was charged with five offences including *Moharebeh* and acting against national security. I denied them all. He told me to leave the court.

After a month in the Jamshidieh Prison I received my verdict: 15 years imprisonment. I didn't have access to a lawyer. My protests in the prison weren't recorded.

In May 1982 (latter Ordibehesht), about two months after my arrest, they sent me to Evin Prison for about 15 days and then I was transferred with many others to Ghezelhessar Prison. We were taken to Ward 1 of Ghezelhessar Prison.

Davoud Rahmani (the head of Ghezelhessar Prison, also known as Hajj Davoud) and his brother Esmaeil (his deputy) came and divided us. The new prisoners were sent to the solitary section. We were first taken to Gavdouni in Ghezelhessar for about five hours. They savagely beat us and said this is an induction to get to know the place. They shaved the heads, beards, eyebrows and moustaches of the new prisoners. One of the persons asked if they will give us lunch. An IRGC officer gathered the hair shaved off him and told him you have to eat this as your lunch. They beat us with cables and batons.

We were taken to a solitary confinement section known as 'Mojarad-e 8'. The so-called solitary cells each housed 25 to 30 people. In our cell we were 26 people. The cell measured about 1.65m by 2.80m. There was a three-person bunk bed with the

bottom bunk removed. They pressurized us in and closed the cell door. It was very hot. In the summer, due to the amount of sweat the floor became wet. There was no room to move to switch the body's position. Relying information given to him by the 'turncoats' among us, Hajj Davoud summoned each week about eight prisoners and tortured them. Sometimes they blindfolded the prisoners and hung them from their hands and kept them in that position for up to two days. I was kept in this cell for two-and-a-half months without contact with my family. Then they brought us to the general section in Ward 2 of Ghezelhessar Prison. Each room is usually meant for 120 people. But we were about 320 to 350 in that section. We didn't have plates to eat. We didn't know how to divide the food. We made makeshift plates from cheese tins. And we made spoons from shampoo bottles. Skin diseases such as warts and scabies were at an epidemic scale. I was locked up altogether for five years in Ghezelhessar Prison, during which I spent some intervals in Evin for further interrogation and torture.

In August 1982 (Mordad 1361), about five months after my arrest, they took me to Branch 7 of the Prosecutor's Office in Evin Prison. They didn't tell me why. They kept me behind the office door for three days and every day they tied me to a bed and beat me with cables. I didn't know why. There was non-stop noise of torture and beatings in the corridor. And I saw prisoners being dragged out in a pool of blood. When one sits on his own inside or outside the cells the psychological torture becomes so tense. I witnessed 15 or 16-year-old girls who were bleeding from the feet to the knees. Intimidation during the interrogations was used to extract information. There were three torture beds in the Branch rooms each with two torturers. At about midnight or 2am on the third day, I was subjected to sever beating on one of the torture beds. They put my socks in my mouth and put a blanket over my head. I received lashes all over my body. Because I couldn't speak, the interrogator told me if at any point I want to make an admission I should move my fist. When I had been lashed about 150 times, he lifted the blanket off my head and took the socks out of my mouth and asked me whether I wanted

to testify. I said I don't have any information. He put the socks back in my mouth and the blanket over my head and the beatings started again. Another 150 lashes were given to me. He then took the blanket off my head and said only look in front of you. One of the female prisoners, who was a relative of mine, was brought there. She was a young supporter of the PMOI. She had been beaten very badly. They had extracted a 'confession' from her. She told me our team had been 'burnt' [given away] already so I should testify as well.

After that, my real interrogation started. The interrogator ripped all the papers that he claimed were my files told me that my 15-year prison sentence is not enough and that I should have been executed. I was in the interrogation branch for altogether 15 days and was lashed many days. The skin and some flesh on the soles of my feet were crushed. I saw other male and female PMOI supporters whose flesh was in a terrible state. Taking anyone for treatment rarely happened.

After 15 days my interrogation stopped and I was taken to one of the wards in Evin Prison for about another month.

Then from Evin prison I was taken to Ghezelhessar Prison to serve the rest of my sentence. In September 1982 (at the end of Shahrivar) the open-door policy in all the general wards of Ghezelhessar Prison was cancelled and replaced by the regulations applied to solitary confinement section. We were denied the right to buy anything or read papers or speak to each other or have open-air access. This situation lasted two years. There was psychological torture during this time. Each morning they woke everyone up with a loud anthem of the regime. If anyone talked to anyone or smiled at someone or if two persons read something together they are suspected of maintaining an organisational structure. One would be severely punished for that and beaten to the point of falling down. Then they make you stand against the wall for up to two days until you collapse. Once or twice a week the IRGC agents and 'turncoats' would raid the cells and destroy our belongings. From breakfast until lunch, and after lunch until dinner and after that until late at night we were

subjected to the regime's propaganda broadcasted on loud speakers. Family visits were at a certain stage tolerated, but only to parents, not to brothers and sisters.

One day I made sweets for the prisoners using dried bread. The wardens beat me for this outside and put me in the quarantine section for a week blindfolded facing the wall. They said that it was only a few days to 14 June (4 Khordad, the anniversary of the execution of the founders of the PMOI) and that I was trying to commemorate this event and boost the morale of the prisoners. About 15 of the prisoners were taken to the quarantine ward during this raid.

In August 1986 (Mordad 1365), half the political prisoners in Ghezelhessar were sent to Evin and 50 percent were sent to Gohardasht Prison in Karaj. I was transferred to Evin Prison. I was moved around between Ward 325 and Amouzeshgah Ward in Evin Prison several times. At one point we began to boycott the food briefly over the conditions in the prison and also over the judicial injustices and the pressure on the families. My brothers and sisters were not allowed to go to university because of my arrest. The prison protests slowly gained in scale.

On 26 November 1987 (5 Azar 1366) I and some friends who were considered to be the ringleaders were each put in a solitary cell. In the afternoon Mohammad Tavana, the chief interrogator of Branch 7 of Evin Prison's prosecutor's office, interrogated me. He wanted to discover the prisoners' internal organisational structure and the organisation outside. I said there is no organisational structure. Over a two-month period, I was tortured and beaten on many days.

One of the PMOI activists called Ali Ansarioun was put under unbearable pressure to extract information from him on the organisation's structure to the point that he committed suicide. He was the head of the internal structure of our ward. He had been imprisoned at the time of the Shah and again under Khomeini's regime.

I was brutally beaten and in the two days of the solitary confinement I was bleeding all over. I was not given any treatment. The interrogator told me that I would end up the same way as Ali Ansarioun. From time to time we were called for interrogation. I was kept in solitary confinement until the purge started.

Please let me give you an example of Iraj Mohammadi who was with us in Evin Prison. He had been arrested because his brother Hedayat Mohammadi was a member of the PMOI, and he told me they wanted to use Iraj to pressure his brother. He further told me that in Behbahan Prison he was tortured to the point that the flesh on his back and legs started falling apart. One day when he was lying in the corridor in Behbahan Prison, covered in blood, he asked the wardens to take him to the clinic to see to his wounds. The IRGC member took a tin of dirty water that had been placed under the sink and splashed that dirty water over his wounds. That caused him infections for months. Years later, his back is still covered with deep scars as if wolves had attacked him and had torn chunks of his flesh apart.

In 1987 (1366), torturer Mohammad Tavana, also known as No. 34, told us very plainly that we will destroy you all together with your organisation.

Earlier, in September 1987 (before I had been put in solitary confinement) the prison head Mortezaavi told us that we will divide you in three categories: Red, Yellow and White. Red would be executed, white were mainly 'turncoats' who would be freed at some point, and yellow were those who still needed to be worked on.

Zamani, head of the MOIS in Evin Prison (head of Ward 209), in 1986-87 (1365-66) said we made a mistake holding you as political prisoners. We should have executed all those who were against the system. We made a mistake in not doing so and not releasing those who were incorrectly arrested. Now we have decided to finish the political prisoners' section.

Prior to August 1988 (Mordad 1367), from about May 1988 (Ordibehesht 1367), those who were considered to be of leadership role in our ward were separated from the rest and were taken to solitary confinement. We thought they want to execute the ringleaders. A number of them had been executed. Others had been arrested for a second time. They were 83 people and they were kept in three rooms. We thought there was a plan to execute them too since they were under 'darbast' conditions, i.e. closed door imprisonment.

On 19 July 1988 (28 Tir 1367), when the regime accepted the ceasefire, we realized that a large number of the general ward prisoners were taken to solitary confinement. I myself had earlier been brought from solitary to the 'darbast' section, but on 19 July I was taken back to solitary confinement. On Friday 29 July 1988 (7 Mordad 1367) they summoned me and 15 other people for interrogation in Ward 209. We were on the third floor. I saw from the window about 150 female prisoners blindfolded being herded to Ward 209, and I later learnt that they were executed.

The women prisoners were on the 1st floor. I contacted them via Morse code. One of them told me that Mortazavi came to our ward and anyone who specifically said that they supported the PMOI were sent to one side, and the ones who didn't specifically admit support to the PMOI were put on another side. This was before the Death Commissions started.

On 29 July (7 Mordad) we were sitting behind the door of the branch of the Prosecutor's Office in the prison. I saw a couple of mullahs and Mortazavi coming. I later realized that they were the Death Commission. I saw Morteza Eshraqi, Hossein-Ali Nayyeri, Mortazavi, Ebrahim Reissi, Zamani and several other people. When they took us back, we reached a hall in front of the medical office. I saw about 40-50 of our former ward mates all blindfolded facing the wall. They were all scheduled to appear before the Death Commission. In this period all meetings and TV and radios and newspapers were cut off. Even the IRGC members in the prison were kept in the prison permanently and they were not allowed to leave the prison in this time or make contact with the

outside. The Death Commission went to Evin and Gohardasht prisons on alternatives days and they continued like this during the process. I saw a few times huge trucks and containers in the parking which were not normally there. It caught my eye and I didn't know what the reason was for this. I contacted one of the political prisoners Reza Shemrani and he said Amir Abdollahi and Abolhassan (Majid) Abdollahi (brothers) and Mohammadreza Saradar were sentenced to execution and due to the lack of time, his own hearing was not held that day. I saw that among the second-wave of 83 detainees, about three or four people came back. The others disappeared. I realized that the ward leaders including Ahmad Razaqi and Alireza Eyvazi Alamdari and Ali Karimi Varamini were taken and executed. Jafar Ardakani and Jaber Habibi, who were among the leaders in the life sentence ward, were taken earlier to solitary confinement. They never returned.

In Ward 325 where I was held (section 1 upstairs), of the 175 political prisoners, 15 people survived of which seven were PMOI supporters and eight were Marxist.

I have written down the names of 146 of the ward mates who were with me who were executed in the massacre and their names have also been published in the martyrs' list.

In late September / early October 1988 (Mehr 1367), I was transferred to the general ward from solitary confinement with three other prisoners. I had been put in solitary from 26 November 1987 until then. I was taken to general wards for brief intervals. We were first taken to an empty ward. I saw that there were a large number of Iranian soldiers who had refused to fight against the PMOI (Operation Eternal Light) and who had been arrested and brought to Evin. All four sections of that ward were emptied out and the people in there had been executed and the few survivors had been moved to a single place. From four sections (each with two floors – i.e. eight divisions) of Ward 325 of Evin and three sections of the Amouzeshgah Ward of Evin Prison, altogether the equivalent of three rooms of 25 to 30 people survived the massacre. All of us made up 85 people. This

was just in the men's section. In each floor of Ward 325 there were about 170-180 inmates. So eight times this figure makes about 1400. In Amouzeshgah Ward there were four sections for the men and two for the women. One of the men's sections was called Kargah and housed 'turncoats'. Each section housed 240-250 inmates. Ward 2 was for the 'turncoats'. From that ward, only about 20 people were executed and they were mainly the political prisoners who were put in the ward temporarily to pressure them. In Ward 4 half of the prisoners were executed. In wards 5 and 6 more than two thirds of the population were hanged.

One day in October 1988 (early Aban 1367) at about 4pm there was a big explosion in Evin and I felt the wave. Later I was told by one of the ordinary prisoners who worked there that a large number of political prisoners were taken to the underground bunker in the hill behind Section 4 of Ward 325 of Evin and they were exploded and killed and later their bodies were removed with loaders. The explosion was reported the following day by the regime's state newspaper as an explosion in an ammunition cache depot in Saadatabad. But the dust of the explosion hit my face and it was not possible for the explosion to have taken place in Saadatabad.

My mother was told by a regime agent that I had been executed before the families could start visiting prisoners again. That agent had thought that I had been executed.

I was released in late February / early March 1994 (Esfand 1372). They demanded two government employees post bail on my behalf and that a house be put on the line as a guaranty that I would not flee or go bad. In the first two months we had to go weekly to a branch of the prosecutor's office in central Tehran near the Mosaddegh Junction to sign. After that, once a month we had to go there to sign. After about two years I escaped.

Surviving Prisoner Number 5

Interviewed on 10 October 2016

Name: Heidar Yousefli

DoB: 12 August 1955 (20 Mordad 1334)

PoB: Tehran, born in Amirabad district but grew up in Narmak district

Name of father: Safdar-Ali

Time in prison: From 7 February 1982 (18 Bahman 1360) until 8 February 1986 (19 Bahman 1364) and from 7 February 1987 (18 Bahman 1365) until 18 February 1995 (29 Bahman 1373) = 12 years

Circumstances of arrest

I was arrested on 7 February 1982 (18 Bahman 1360) in my father's house in Narmak in Tehran at night. My brother had previously been arrested. I had been ill so I went home in the evening secretly. I was at home with my mother and sister. The IRGC forces came to our place. I opened the door. They asked me who I was. When I identified myself, they immediately arrested me. They searched the house. They found nothing. They handcuffed me. They gave no reason for the arrest and had no arrest warrant. They did not say where they were from but they had IRGC uniforms and were carrying weapons and had two cars. There were six of them. They did not ask me any question. I did not resist and they did not hit me. They took me straight to Ward 209 in Evin prison.

Chronology of events as narrated by the surviving former prisoner

They did not explain why I was taken to Evin prison. I was kept there for about 10 minutes. I was wearing a blindfold. I could hear them interrogating another young person who had been arrested in the north of the country. They then took me to a cell. Four other people were in the same cell. Together we were five people. No one registered our names on arrival. That night they did not interrogate me.

The following day in the morning the interrogations began in Ward 209 in a separate room. There was one interrogator. I don't recall his name. I claimed I didn't know anything. My brother and another who was engaged in activities with us had been arrested about two months before they arrested me.

They brought a 'turncoat' into the room who told them that I had been an anti-regime activist. The interrogation lasted an hour. They had already obtained information about me and my activities from the 'turncoat'. They wanted me to confess. They did not hit me. I was kept in the cell for about a month and a half.

On some days, they would leave the torture room door open so that we could hear cries of prisoners under torture. Once we heard a young woman being tortured for three hours.

In late March / early April 1982 (Farvardin 1361) I was transferred to Ward 325 of Evin Prison. On the way, I was beaten and subjected to degrading treatment. I was not allowed to contact my family until the end of the court proceedings. I was not assisted by a lawyer. The court session lasted about two minutes and I remained blindfolded. In the court, as soon as I tried to speak they would beat me and say you have no right to speak hypocrite.

We remained in Evin Prison in a very crowded room (90 inmates in a room measuring 6x6m in Ward 325). This lasted until the month of Khordad (late May/early June 1982) when we were told that a transfer to Ghezelhessar Prison (in Karaj) is about to take place. They gave each one of us his sentence. I had four years. About 27-29 people were transferred to Ghezelhessar Prison. Upon arrival in Ghezelhessar prison they checked our names to make sure we had all arrived. We were taken to a hall in Ward 1 of Ghezelhessar. Altogether, we were now about 100 people in a hall measuring about 6x9m. They called the temporary hall 'Gavdooni' or 'the stable'. We were kept there for a day or two until we were distributed in other halls. There I saw my brother who had been previously arrested.

My brother and I happened to end up in the same ward, Ward 5. We were kept in groups up to 21 people each. All cells held no less than 15 people. They measured 2.70 x1.70 m.

The head of Ghezelhessar Prison in June 1982 was Davoud Rahmani, also known as Hajj Davoud. The prison hall was administered by the 'turncoats' who kept feeding information about the prisoners to the prison officers. Based on that information the prisoners were punished.

I remember once in 1983 (1362), some 20 of us were blindfolded and taken out. We were made to stand on our feet until the evening. Then Hajj Davoud and his people made us lean our heads onto the wall with our legs spread apart for several hours and beat us. He hit me with his heavy hands on the back of my neck. I still suffer from headaches since. When some of the interrogators from Evin came over, I was made to stand on my feet for 43 hours.

When Hajj Davoud and Assadollah Lajevardi (Tehran Prosecutor and the de facto head of Evin Prison) went to Mecca, the conditions in the prison improved slightly. But when they returned the entire open-door policy, whereby prisoners could leave their cells and walk around the prison, was terminated.

At this point, 31 others were kept with me in one cell, along with all our items. We were kept in a room measuring 2.7x1.7m. 32 people were kept in that tiny cell for some seven months.

My prison term ended in 1986 (1364). I was released on bail against my family's house as a guaranty that I would not engage in unfavourable activities or escape. We had to go to the local Kommitte (acting police station for security forces) every week to sign and declare who we had been in contact with.

On 7 February 1987 (18 Bahman 1365), 11 months after my release, I was re-arrested. I had re-established my connections with the PMOI by then. They once again raided my father's house at about 10.30pm or 11pm, but this time it was an extremely violent raid. An armed Joint MOIS-Kommitte Task Force raided

the house. I was sitting with my brother in a room when all of a sudden, some agents burst in and began to shoot. My brother was shot in the throat. He died on the spot. They saw some blood on my back; they thought I too have been shot, so they arrested me. But the blood was that of my brother.

My wife was in the kitchen. I heard her saying don't shoot, I am here, I lifted my head to see her, and one person hit me at the back of my head with his boot. I lost conscience for a moment. I had headaches for two years after that. They took me and my wife out in a car. I saw my brother covered in blood rapped in a blanket being taken out. I was beaten on the face and the knees with the butt of a gun. They kept swearing at us and calling us hypocrites. They never gave a proper reason for the arrest.

They took me to the Kommitte and the next day the interrogations began. I was there for 110 days. I was tortured every now and then. Gradually the interrogations became lighter and I was taken upstairs. I was alone for a few days and then put in a two-person cell.

After 110 days I was transferred to Evin Prison to a place called Asayeshgah (the dormitory) run up by Lajevardi. In the following days I was taken for interrogation while blindfolded. I was beaten with a cable. They wanted to know who I was working with and where I was. The interrogations lasted a month. I was kept in solitary confinement during that month. It was the summer of 1987.

One day I was taken to the prosecutor's office in Evin Prison. Then from there I was taken to Branch 2 of the Revolutionary Court of Tehran. The judge was Moayeri. The 2nd person was the court clerk. They lifted my blindfold. They accused me of being linked to the PMOI and they read the charges. They asked what do you have to say for yourself? I said I had been planning to go abroad to live with my wife and had not been planning any political activities. The judge said get out. I was taken again to solitary confinement. I was then taken to a place in the same prison called Amouzesghah (Education Centre) with 20-30 other people

from other groups and supporters of the PMOI, and the doors were sealed. We had very brief access to toilets.

After a while the Associate Prosecutor (or Dadyar) came to our room and read for us the verdicts. I was given an eight-year prison sentence. I was then transferred to Ward 325 of Evin Prison.

Before the massacre began a mullah from Zanjan called Mortezaei was the head of Evin Prison. In late 1987 (mid and late 1366) on several occasions we protested the maltreatment we were receiving. Mortezaei threatened us saying that they would soon deal with all of us. Majid Halvay was one of the officers who tortured us.

On 8 February 1988 (19 Bahman 1366) we went on a hunger strike. Armed IRGC agents intervened and beat us with batons, cables and sticks. They beat everyone in the cells and closed the doors. Then about an hour later they came and told us to pack our stuff. About 200 were taken to Gohardasht Prison in Karaj. We could hear torture cries of the people who had arrived earlier than us. As we had to pass through a corridor to go up, the IRGC agents beat all of us. They beat us with sticks and belts and cables and punches. They pushed people into the rooms after a body inspection. There was no registration process. After they distributed us in the rooms, at night they brought us some food. But we did not take it because we had declared a 3-day hunger strike. The following day, they called us to state our charge. The moment one of us said the word 'supporter of...' they beat that person with cables. They wanted us to say 'Monafeq' (hypocrite). They tried to break our hunger strike by beating us. I was later transferred to 'farri' no. 16 in Gohardasht Prison. We were 42 people in that building unit. The 'farris' were apartments meant to house staff at the prison but due to overcrowding they had been transformed into prison sections to house prisoners.

On two occasions in the farri, we were spotted praying together. We were sent to solitary confinement, each time for 45 days. That was in the winter and the spring of 1988.

At one point in the solitary cell, in the winter of 1988 (1366), I could hear female prisoners who had been brought from Kermanshah. Once I looked through the window and saw a body covered in blood on the ground of the communal area. It was Nasser Mansouri who was the leader of a PMOI prisoners' ward who had tried to commit suicide in order not to give information under torture. He became paralyzed. Later on during the massacre he was executed in that state.

When I was sent to solitary confinement for the second time because we held communal prayers, I recognised some prisoners from Evin Prison whose prison terms had expired and were brought to Gohardasht Prison. We communicated via the air ducts. They were more than 200 prisoners. When the guards beat them, I could hear their cries from the air ducts. I heard from inmates and other sources that they were all executed. One time the guards threw fume canisters into their cell choking them.

Once while in solitary confinement I managed to establish communication with an inmate via the air duct. He was Ali Emami, a PMOI supporter who was arrested prior to the 20 June 1981 major protests. They asked him to sign a written commitment not to partake in political activities. When he refused, they put him in jail. In 1981 they prosecuted him and gave him 5 years. He was kept there an extra two years after his prison term finished. Eventually he was executed in the 1988 massacre.

On 25 July 1988 (3 Mordad 1367) the TVs were removed from Gohardasht Prison and the newspapers were interrupted. The same night some of us were taken into other wards. We contacted the ward beneath us via the sink hole and the members of the Tudeh party told us that all the PMOI supporters from their ward had been taken for execution. I think the executions began on 29 July 1988 (7 Mordad 1367).

The Death Commission came about a week after the massacre began. But my turn took place in August 1988 (late Mordad). When they took me down the corridor of Gohardasht I looked

from under my blindfold, I saw many prisoners sitting on the ground. One of the prisoners told me that the commission was sending some to the gallows and very few sent back to prison.

When my turn arrived they said that the Death Commission wants to go for lunch. There was some commotion among the prisoners. I lifted my head and from under the blindfold I saw Morteza Eshraqi, Mostafa Pour-Mohammadi and Hossein-Ali Nayyeri. So my court session was cancelled, and somehow it never took place.

When the first group of prisoners were executed, Davoud Lashkari (who was the head of security in Gohardasht Prison) brought back the nooses. The news spread about executions taking place. To conceal further executions the wardens switched our rooms and used one for that purpose. The first group of prisoners executed were all PMOI activists from Mashhad who had been exiled some time earlier to Gohardasht Prison and who openly defended their support for the PMOI.

250-300 political prisoners altogether managed to survive in Gohardasht Prison at the end. The information gathered among us indicated that some 800-900 prisoners were executed there. But Gohardasht had many other prisoners and sections that I had not seen, including the women's section. Based on the information I gathered during my stay in Gohardasht, I could estimate about 70 to 80 percent of the political prisoners in the sections that I knew were executed. I was told by other prisoners when I got out that in some of the other sections only a handful of people survived, meaning well over 90 to 95 percent were executed.

In late January/early February 1989 (Bahman 1367) we were transferred from Gohardasht Prison to Evin Prison. In Gohardasht they tried to get all IRGC members in the prison to take part in carrying out the executions.

We were in Evin for a while when they brought Iraqi POWs. They were kept above us in Evin Prison. Many of them were also executed. Others were later transferred to Gohardasht.

Mohammad Moghisseh (also known as Nasserian) once called us in September 1988 (late Shahrivar) and said we tried to fix you all with cables and sticks but the only solution was to execute you. You are the survivors and the executions have now stopped. But if I see any wrong from anyone of you, we will execute you. He said just be quiet and serve your sentences and then go out and get married and have ordinary lives.

Rahimi was one of the wardens. He was really brutal but after the executions he had become some sort of a joker. Fotovat, one of the torturers who was in charge of the lashing the prisoners, tried to be nice to the survivors afterwards.

They also brought some ordinary prisoners so that the ward would not be empty. One time I saw the ordinary prisoners instigating a row and I saw the prison guards beat them and one of the prisoners was killed right there.

I was released at the end of my sentence on 18 February 1995 (29 Bahman 1373) and they demanded my family to post bail and a government employee also assisted in the posting of bail. I escaped Iran via Kurdistan and arrived in Iraq on 11 September 2000 (21 Shahrivar 1379).

My wife's father was one of the people who were executed during the massacre. They asked his family to sign papers to say that he died in a car crash or of a heart attack as a condition to reveal to them the whereabouts of his grave.

Former Prisoner Number (6)

Date of interview: 10 October 2016

Name: Akbar Samadi

DoB: 6 August 1966 (15 Mordad 1345)

PoB: Tehran

Father's name: Gholi

Total time in prison: ten years from 23 July 1981 to June 1991 (1 Mordad 1360 – Khordad 1370)

Circumstances of arrest

I was arrested, at the age of 14, at 6.30 am on 23 July 1981 (1 Mordad 1360) while walking on Keshavarz Boulevard facing Laleh Park in Tehran. I was arrested by four agents, handcuffed from behind and put in a Peykan car. There was a huge search and arrest operation that day: about 1500 people were arrested. I was approximately number 1200 on the list as the guard was counting people.

Chronology of events as narrated by the surviving former prisoner

They took us to the basement of the Education Ministry centre on the intersection of Palestine Street and Keshavarz Boulevard. I was kept there for few hours. They did not ask for my name. Then, they took us to the 'Komiteh' in Vozara Street, north of Tehran. This was a house which had been confiscated by the regime and used for interrogations. It was not clear for me which agency arrested me but it was either the IRGC or Bassij. They asked me there for my name. I gave a false name. I said I was out jogging. There were so many young people arrested that day that they did not have enough time to interrogate everyone. By the time my turn came, it was 9 or 10 pm. They took me to Evin Prison, but I was not accepted there because it was overcrowded. They took a group of us to Ghezelhessar Prison in Karaj at about 11pm.

Davoud Rahmani (Hajj Davoud), the Governor of Ghezelhessar Prison, swore at us. They sent us to Ward 1 of the 'mojarad' or single cells which the regime used for more than one prisoner. We were 67 or 68 people. We slept there the night. We protested the next day demanding release. A group was released the first week. I was in a second group that was supposed to be released. At one point, they told me that the next day I would be freed; however, this did not happen. The Governor of Ghezelhesar

prison told us that Assadollah Lajevardi, the Tehran prosecutor, was opposed to us being released. Lajevardi had said that, if anyone was innocent, they should send them to him to check if that was really the case.

After a month or so, I was transferred to Ward 2. On 27 September 1981 (5 Mehr 1360), they sent 54 of us to Evin Prison, saying that we were to be freed. We were taken to Ward 325 of Evin. We demanded food, and access to showers and toilets, but the guards said there was no need for that because we would be free tomorrow. From their manner, we concluded that they meant we were to be executed. When the regime said it would free you, it meant either freedom from prison or freedom from life. They executed a large number of prisoners on 27 September 1981 (5 Mehr 1360). We could hear the gunfire at 15-minute intervals. The executions continued from about 7 pm to about 3 am behind Ward 4 of Evin.

We remained in Evin until November or December 1981 (Aban or Azar 1360), and were then moved to a section of Evin Prison known as 'Amouzeshgah', or 'education centre'. On our arrival, four or five of us were identified by those prisoners who had defected to the regime.

On many days in January and February 1982 (Dey and Bahman 1360), I was kept in Branch 12 of the prosecutor's office inside Evin Prison, (under the directorship of Hadi Khamenei, the brother of the current Supreme Leader of Iran's regime), and in between, I was taken to the prison's general ward. I was tortured on the soles of the feet. If the number of lashes were to be over 100, they would tie me to the bed. If less, they would put me on the ground and put my feet on a chair and one person would sit on me and the other would flog me. Sometimes two people flogged me at the same time. One of the interrogators was from a background in the bazaar and another one was called Esfahani.

After the interrogations, I was taken to a 'court' inside the prosecutor's office in Evin Prison. I was blindfolded, but just managed to see from underneath that there was only a mullah (a

'judge') and the IRGC member who escorted me. Even based on the mullahs' own laws, my charges were supposed to be read by the prosecutor and the judge was supposed to independently evaluate whether or not I was innocent. I had no lawyer at any time. The mullah read out my file and charges. He asked my name, my father's name and date of birth. I was accused of supporting the PMOI (which he called '*Monafeqin*', or Hypocrites), selling their newspapers, taking part in protests, and acting against the state. He said the charges included participating in the 20 June 1981 (30 Khordad 1360) demonstration and being a member of one of the PMOI's operational teams thereafter. The court lasted about two to three minutes.

Sometime later in 1982 (1361), they read out some verdicts. I received a ten-year sentence.

In February 1982 (late Bahman or early Esfand 1360), I was transferred to Ghezelhessar Prison in Karaj. I was there until March 1986 (Farvardin 1365) when I was transferred to Gohardasht Prison in Karaj. Both upon leaving Ghezelhessar and entering Gohardasht, I was beaten; the transfer was meant to be a punishment.

From 1987, the manner in which prisoners were divided into prison sections and wards changed so that divisions were based on the length of sentence and the level of commitment to opposition. Even before the 1988 massacre, the regime dealt with political prisoners based on three categories: red, yellow and white. White denoted those who had renounced their opposition to the regime. Red signified the committed opponents who had to be executed. Yellow denoted those prisoners whose loyalties to the regime or to their cause were not fully ascertained.

One problem the regime had is that many top officials of the regime had family members who were in prison because they supported the PMOI. These included the sons of top clerics. The officials' relatives in prison, who were allowed more visits, shared

information. Thus, many officials within the regime knew about the killings and abuse in the prison system.

In addition to filing charges against individual political prisoners, the regime made a case against the PMOI as an organization, such that a prisoner's individual actions would later be seen as part of a 'bigger scheme'. For example, when prisoners in solitary confinement were caught using Morse code, in addition to the punishment for that offence, the act was also considered evidence that the PMOI was trying to maintain an organizational structure in the prison. Thus, all other PMOI sympathizers in the prison would be suspected of involvement in an organized internal network within the prison.

On 3 August 1988 (12 Mordad 1367), my name was called for the interview with the Death Commission. The Death Commission was underneath the visiting room. They took us to a waiting area. At about 7 or 8 am, I was taken before the Death Commission. They told me to lift my blindfold. Seven or eight people were sitting there at a long table. I saw Morteza Eshraqi, Hossein-Ali Nayyeri, Mostafa Pour-Mohammadi, and Ebrahim Reissi. Nasserian (Mohammad Moghisseh), the assistant prosecutor of Gohardasht Prison, brought prisoners to the room and also signed the verdicts. He said the seven or eight people there were the Amnesty Commission and were there to evaluate my case. Nayyeri questioned me about which group I supported. I just said 'The Organization.' He said 'Do you want amnesty?' I said that I had already served seven out of ten years, and expected to be free soon. He asked me to go away and think about it.

I was sitting in the waiting area and recognized one person. He was a former inmate called Reza Felanic who had been re-arrested. He said he had been brought there with others from Evin Prison. Reissi then summoned me to a separate room and asked me questions about my age and place of arrest. He asked me if I would condemn the PMOI, and a number of other groups that he named. I tried to avoid direct responses to his questions.

When I came back to the waiting area, Reza Felanic and others had been removed. New groups of 15 had replaced them. Each group was taken to the end of the corridor where they were told to write their wills and to write their name with a felt tip on their arms or legs. After a while, I complained to Nasserian as to why I was being kept waiting, and he told me to be happy I was still breathing. The second time I complained, Nasserian said he would give me the final kick. At about 3 pm, another prisoner called Farid was brought and he told me this was his second or third appearance before the Death Commission, and that he knew that his brother had been executed. He told me to 'soften my position' because they were executing many. Farid told me to pass the message on. He said there was a massacre going on.

That night, when the Associate Prosecutor (Dadyar), Hamid Abbasi came, I asked him what had happened to my file. He saw that my name was neither on the list of those who would live nor on the list of those who would die. He sent me to solitary confinement.

After the bulk of the executions took place, I saw a number of former Iranian POWs, who the PMOI's National Liberation Army had released and who had been detained by the regime upon returning to Iran, being held in a section of our prison. They were later executed in Evin Prison.

I was kept in prison for another three years. One year before my release, they took some of us to a MOIS interrogation, and we were told that the regime planned to release us, but that, if we later made any contact with the PMOI, we would be executed.

In order for me to be released, three people had to sign guaranties that they would serve a sentence in my place if I returned to political activity or ran away. I was also told to present myself once a month. In addition, my family had to pay a large amount of money.

I was released on 22 May 1991 (1 Khordad 1370).

I have a list of the prisoners who I know were executed. This list includes the names of 337 people who were executed during the massacre. Some had been detained beyond the end of their completed sentences. The list is accurate. I've left out information of which I am uncertain, and I have corroborated this information with other former political prisoners.

Former Prisoner Number (7)

Interviewed on 2 November 2016

Full name: Mojtaba Akhgar

Father's name: Abbas

DoB: 22 April 1953 (2 Ordibehesht 1332)

PoB: Toyserkan

Resident of Tehran

Date of arrest: Late December 1982 (early Dey 1361)

Circumstances of arrest

One night, in late December 1982, I was asleep at home alone in my rented house in the Atabak district in Tehran. At 2.30 am, the landlord knocked and asked me to open the door to help take a child to hospital. Four IRGC agents burst in and threatened to shoot me if I ran. They tied my hands and feet, beat me and searched the house, finding some Radio Mojahed tape cassettes. They were a Special Force (zarbat) team from the prosecutor's office in Evin Prison. I was taken there.

Chronology of events as narrated by the surviving former prisoner

In Evin Prison, they took me to Branch 7 of the Prosecutor's Office. They tied me to a bed and flogged me. After 30 minutes to an hour, they demanded information. They took me from the torture room to the interrogation room. I denied having any information. I denied my support for the PMOI and said I knew no one. They took me back for torture and said whenever I was

ready to confess, to lift my hand. They flogged, kicked and punched me on my feet, back, neck, back of the head and testicles. They beat me until I fainted. I woke up when they threw water over my head. I was freezing. They asked again for information. They again beat me.

After about a week of constant torture and interrogation, I was sitting in a corridor when I saw, from beneath my blindfold, small children running around. I recognized one of them as the child of another PMOI activist, Ahad Saberi. He was tied to a heater. The older child ran to me and said, 'Uncle Mojtaba, I am Hossein. My father said to tell you that you don't know each other'.

Some nine months later, they sent me to court. The court was upstairs in the Prosecutor's Office (Dadsetani) building. I lifted my blindfold. I saw a white turbaned mullah who was the religious judge. Later I learned he was Mullah Shabestari. There were a few other people in the room. He read my charges (more than 30) and said that, if I didn't accept any of the charges, I should just lift my hand. My charges included being a supporter of the PMOI, and making grenades in their factory. I lifted my hand to deny the charges. Shabestari told me to leave the court.

They took me back to the interrogation Branch 7. They tied me up and flogged me.

I went to court three times in total over 18 months. The judge on all three occasions was Shabestari.

In the third court session, Assadollah Lajevardi, the prosecutor of Tehran, was present. I again denied the charges. They brought a prisoner who had renounced the PMOI and he encouraged me to confess. I denied knowing him. Lajevardi said to the judge that the *Monafeqin* (PMOI) always lie, so he should send me to him and he would sort me out. The judge swore at me and threw me out. I was taken back to the ward.

I never had a lawyer during my arrest, prosecution or time in prison.

One day, in about September 1985 (Shahrivar 1364), they took some prisoners, including me, to Ghezelhessar Prison in Karaj. This was about 18 months after my last court appearance.

Two months after I was taken to Ghezelhessar I was called to sign my verdict. I had been given a ten-year sentence.

In 1986 (1365), they cleared the political prisoners from Ghezelhessar and sent us to Gohardasht Prison in Karaj. When we arrived, our identities were recorded. The head of the prison was Davoud Lashkari. There, all the beatings and other abuse started again. Nasserian was now the Assistant Prosecutor at the prison. Both he and Lashkari told us that all the comfortable treatment we had had in Ghezelhessar was now finished; here, they would destroy us. On another occasion, Nasserian told us that we had left our previous hotel, and would now experience a prison. When we talked about our rights, he said: 'a prisoner has no rights.' In about October 1986 (Mehr/Aban 1365), Nasserian said: 'The Imam (Khomeini) has told us that the *Monafeqin* (PMOI) have no right to life. The fact that we have let you live in prison is due to the kindness and compassion of the Islamic Republic.'

On 2 August 1988 (11 Mordad 1367), I went before the Death Commission. An IRGC agent took me there. I was blindfolded. There were about five people sitting at a table. I lifted my blindfold. Hossein-Ali Nayyeri was the religious judge. Another mullah, Mohammad Esmaeil Shushtari, was his deputy. The others were wearing civilian clothes. Davoud Lashkari, Nasserian and the head of the prison medical centre attended the court sessions to testify. Nayyeri asked me what my charge was. I said '*Monafeqin*'. I should point out that, at the time, anyone who referred to their charge as supporting the Mojahedin would automatically be sentenced for execution. The 'correct' response which the Death Commission wanted to hear was '*Monafeqin*', which was the regime's derogatory term to describe the PMOI. He asked me a few more questions. I responded in a way to avoid showing any support for the PMOI, but also avoided renouncing the PMOI.

I was taken to the Death Commission three times. The same questions were always asked. In the third session, they asked me to prove I was honest by testifying as to who was still defending the PMOI on the Ward. I said no one was supporting the PMOI on the Ward. He asked me if I was willing to go with their patrol car to find and expose the PMOI in town. I said I didn't know anyone from the PMOI and refused to say yes.

I saw one of the prisoners come out of the Will Room (the room prisoners were taken before their execution to write their will) and shout very loudly, 'I am with the PMOI, and I've done nothing wrong, and you can do whatever you like.' The IRGC were trying to shut him up with force, but we all heard it.

We were put in solitary confinement before and after our court appearances. I was in solitary for about 32 days. Then I was taken to a general ward where there were about 120 people. After seven or eight days, they called several names including mine. They took us, blindfolded, to a corridor. They told us we had been brought there because we had lied and the judge had sentenced us to be lashed. They brought a bed, and called the first person to lie face down on it. Nasserian administered the lashes. He was then called out for a few moments. He gave the whip to his deputy, Hamid Abbasi. When he came back, Nasserian complained that Hamid Abbasi was not flogging hard enough. He took the whip and started doing it himself again. They gave me 100 lashes and then threw me in solitary. Two weeks later, they gave me another 60. There was no treatment for the wounds.

About mid-September 1988 (late Shahrivar 1367), an IRGC agent took us to the Hosseiniyeh, the big warehouse where executions were carried out. Nasserian spoke to more than 200 of us there. He said that we were the only ones left from the prison. We understood that he meant that everyone else had been executed. Nasserian said: 'The Imam (Khomeini) has given you amnesty. You are to be sent to Evin for administrative purposes and then released.'

When I was being released at the end of my term, they asked me if I was willing to cooperate. I said I had always cooperated, but was just a simple worker and didn't know anyone. My brother had to put a guaranty that I would attend the *Peygiri* Office in Vesaleh Shirazi Street in Tehran each month. Each time I went to this office, we had to fill out a form about who I had seen and what I did.

Former Prisoner Number (8)

Interviewed on 18 October 2016

Full name: Azadali Hajiloe

Name of father: Eslam-Ali

DoB: 23 September 1955

PoB: Hamedan

Place of arrest in Tehran

Date of arrest: 12 September 1984 (21 Shahrivar 1363)

Total time in prison: 6 years

Circumstances of arrest

I was arrested on 12 September 1984 at 11am on North Kargar Street in Tehran by forces from the Komiteh, (a security force formed just after the fall of the Shah). I was meeting someone I thought was a supporter of the PMOI. However, he was cooperating with the regime. They asked for my ID. I gave them a couple of forms of ID which they would not accept. They took me to the Komiteh. They did not tell me what my alleged crime was. On the way there, they searched me and found pro-PMOI items including PMOI newspapers. There was a second Komiteh car behind the one I was in.

Chronology of events as narrated by the surviving former prisoner

At the Komiteh, no questions were asked. After just 10-15 minutes there, they sent me to Evin Prison. I reached Evin Prison by 12 noon. I was blindfolded, and taken to the Interrogation Branch 1. They asked me when I became a supporter of the PMOI. I denied being a supporter. They asked where I got the newspapers. I said I found them. They took me to a room with several interrogators. They wanted me to confess that I was an active supporter of the PMOI. I denied it. They hit me and took the chair from under me. They said they would get a warrant to torture me. Two agents took me upstairs to the court. There was a mullah. They told him I was not cooperating with them. He said I was a member of the PMOI. I said I didn't know them. He ordered the guards to take me and flog me 300 times, and, if afterwards, I did not speak, they should flog me even more. The guards took me down and tied me to the bed. They flogged the soles of my feet.

After three months, they told my mother and wife that I was in prison. After six months in prison, I had my first family visit. There was no access to a lawyer at any time. I was under interrogation for one year. In the first six months I was kept in solitary confinement. The interrogators asked who I was in contact with in the PMOI, what activities I was involved in, and who still supported the PMOI.

There were about 400 solitary cells in Evin Prison. My cell number was 378. After the six months in solitary confinement, they sent me to the general ward called the 'Amouzeshgah' (Education Centre), Hall number 6. It housed 500 prisoners. Despite the overcrowding there, the ward had only two toilets and two showers. At first, in an effort to break me down, they sent me for one month to the quarantine room where those who had renounced the PMOI were housed. There were 35 of us in a 20m square room (i.e. 4m by 5m).

In the morning of 11 July 1985 (20 Tir 1364), I was taken to court. The court was a room in the prison, and I had to go there blindfolded. However, from under the blindfold, I could make out that the judge was a mullah. He told me to answer just by saying

yes or no and that all my other remarks should be left for the end. The court lasted five to ten minutes. At the end, when I said I wanted to defend myself, he told me to shut up. Twenty days later, they informed me that I had received a five-year sentence, in addition to the one year I had already served behind bars. They gave me a form to sign, accepting the verdict, but I was not allowed to keep it. My charge was giving funds to the PMOI.

In November 1985 (the middle of Aban 1364), I was transferred to Ghezelhessar Prison in Karaj. I was put in Unit 1 of the three units that existed. The unit had an adjacent section which was called the 'quarantine' section. It had five cells. It was designed to hold a maximum of 30 people, but there were 120 people there. We were not allowed to exercise. We were allowed to take a shower just once a week. There was no interrogation there. I was held in the quarantine section until March 1986. Then, I was taken to the general ward in Ghezelhessar Prison.

Just under two weeks later, at the start of April 1986, they removed all political prisoners from Ghezelhessar Prison. They transferred us to Gohardasht Prison in Karaj which was headed by mullah Mortazavi.

After Khomeini accepted the ceasefire in the Iran-Iraq war, and prior to the start of the 1988 massacre, the prison authorities transferred approximately 120 of us adjacent to the 'Kargah', which mainly housed those who had renounced the PMOI. In July 1988 (Tir 1367), they cut off family meetings, newspapers and television for prisoners in our ward.

On 9 August 1988 (18 Mordad 1367) at 8am, they took us to a large hall in Gohardasht. I first thought it was because of our prison protests over lack of food, but it was for the 'Death Commission' court. The prisoner who came out before I went in was Mohammad-Ali Haj-Aqai. An IRGC member took me to the court room and they told me to take off the blindfold. There were seven or eight people sitting facing me. They called it an 'Amnesty Commission'. Some were mullahs; at least two or three were not, including Morteza Eshraqi who was the Tehran prosecutor.

Hossein-Ali Nayyeri was the main religious judge. Mostafa Pour-Mohammadi was also there.

Nayyeri asked me to state my name and charge. I said my name, and that I had supported the '*monafeqin*'. He asked if I was willing to ask for amnesty. I said no, but, if it was given to me, I would accept it. Nayyeri asked if I was willing to condemn the war (by which, he meant the PMOI National Liberation Army (NLA) offensive in Iran). I said it had nothing to do with me. Nayyeri and Eshraqi both asked what made me become a supporter of the PMOI. I said I was very fond of my cousin, Ali Khodabandlou, who supported the group and was executed for it.

Eshraqi asked why I was unwilling to do an interview denouncing the PMOI. Nasserian, Assistant Prosecutor at the prison, who was standing behind me, told the panel that I was not going to give up support for the PMOI because my family was supporting me. The court lasted seven or eight minutes. After I came out and was waiting in the hall, I saw the prisoners from the other halls arriving. Some of them were coming for the second time. From them, I learned that this was a Death Commission and not an Amnesty Commission.

At 3pm on 9 August 1988 (18 Mordad 1367), the IRGC members read out about 30 names, including some of my cell mates. All 30 were blindfolded and taken to another part of the hall, then led through a door. We later saw the prison personnel coming back with wheelbarrows containing blindfolds and sandals. We later learned that those who were taken away were all executed. Then, some more names were called. My name was not and I asked why. The guard said that I could go with four others to the section of the prison which we called 'Farri'. This section contained temporary cells within the prison compound used to cope with the overcrowding. Of the 45 prisoners held with me, only five of us remained. We realized there was a massacre happening. One said he had heard from another prisoner that, the day before, 100 prisoners had also been executed in Evin Prison.

On 10 August 1988 (19 Mordad), Nasserian came, blindfolded me, and took me to the warden's room. He gave me two papers. Nasserian told me that I should have been executed the day before. He said I was to use one sheet to write my will for my family and the other to write the list of items I had with me in prison. At noon, Nasserian told the IRGC member to take me to solitary confinement. They kept me there for ten minutes. Then, they took me to a storage cupboard downstairs. It was very hot, and very small. There was only space enough to sit. I could barely breathe. I was there for three hours and wrote my will there. Two IRGC members came, blindfolded me and took me upstairs. Nasserian was in the hallway. When he read my will, he hit me four times and swore at me. Nasserian said I was to be taken to solitary confinement. I was kept there for about 20 days. This solitary section was named by the prisoners as 'Barzakh' (Purgatory) and was where they kept prisoners awaiting execution. At one point during this period, Nasserian summoned me and told me that my family needed financial support so I should do an interview denouncing the PMOI. I refused.

I was in solitary confinement until 29 August 1988 (7 Shahrivar) when, one by one, they opened the solitary cell doors and called prisoners out. Nasserian and Davoud Lashkari (who was in charge of prison security) were there. When he saw me, Lashkari asked how I was. I said I was okay. He told me to put on a blindfold. Nasserian asked if I had learned my lesson and reformed. I did not reply. He said that, if he discovered I had set up an organizational structure in the ward, he would keep me there until I died. From his remark, I felt that, for the time being, they were not planning to execute me. They took us to 'Farri number 13'. There we learned who had been executed and who had survived. We knew a very large number had been executed.

In late September 1988, they took us to a large general ward. We learned that, of all the PMOI supporters in Gohardasht, only 120 male prisoners had survived. Gohardasht was full before the massacre. I was in the general ward until late February 1989 (Esfand 1367). I cannot tell how many inmates were in

Gohardasht in total but, in that wards that I had been kept in, at least 70% of inmates were PMOI supporters.

In February 1989, they transferred us to Evin Prison. In the summer of 1989, the regime had gone to my former home and had left a letter saying that I had been executed and that my family should collect the grave number from the Office of Implementation of Verdicts in Evin Prison. An old lady who was living there later gave the letter to my family.

I was freed in June 1990 (Khordad 1369). They wanted me to post bail. For three years, I had to attend the Follow Up Office (*Daftar-e Peygiri*) at the Vali-Asr Junction in Tehran.

In my entire experience of arrest and imprisonment, I never had access to lawyers.

Former Prisoner Number (9)

Interviewed on 18 October 2016

Full name: Asadollah Bahrami

DoB: 17 February 1961

PoB: Tehran

Resident of Tehran, Nezamabad District

Father's name: Nasrollah

Date of arrest: October 1983 (early Aban 1362)

Released: August 1990 (Mordad 1369)

Circumstances of arrest

A day before my arrest, my wife and 18-month-old baby as well as two of my cousins in Tehran, were arrested. My baby was released after two weeks and handed over to my mother, but my wife received a death sentence.

I was arrested by the IRGC taskforce as I was approaching my father's house in Zanjan. They did not give any reason for my

arrest. I was alone. The IRGC jumped on me and hit me. There was a car ready. They threw me in it, and said they had a few questions. They took me to the IRGC centre in Zanjan.

Chronology of events as narrated by the surviving former prisoner

They put a blindfold on me, and took me downstairs to a cell. Two hours later, they took me to Tehran to a large IRGC detention centre called Eshratyab. Once we arrived at Eshratyab, they threw me in a room. An interrogator came after 30 minutes and began questioning me. I was blindfolded. He said they already knew my friends and had all the information about us. I claimed not to have any information or involvement in any activities. The interrogator demanded my colleagues' names in the PMOI. He brought a file with the logo of the Revolutionary Prosecutor's Office. I was told to write down all my information while the interrogator was gone. He came back after 30 minutes. I had written seven or eight names on the paper. These were names of people who had already been martyred. He asked where they were. I said some of them were my relatives who were executed and I did not know where the others were. The interrogator punched me on the face. It was about 10pm. He took me underground and, on the way, a guard said not to take me for execution as he thought I would confess. The interrogator tied me to a bed. I said I was very tired and sleep would help my mind work. He said until I spoke, there would be no sleep for me. They hit me with cables about 30 times. They then questioned me. I said I was innocent. They left me tied to the bed that night. In the morning it started again. When they saw that flogging was ineffective, they took me upstairs to a solitary cell with no window. I was there for about a month. I was beaten periodically. Once, they brought a man who had renounced support of the PMOI. I had a blindfold, but recognized his voice. He said he had given all his information, and that I should do so as well. Until then, I had said I had had nothing to do with the PMOI. After I saw this man, I admitted having a relationship some time ago, but said I had lost contact after that.

When I was in the IRGC detention centre in Eshratyab and when I was in a solitary cell in Evin Prison, I could not contact my relatives. We never once saw a lawyer in prison. In Eshratyab Prison, I saw one of the prisoners call the wardens and say that, based on the constitution, he had to be released or charged after 24 hours. The wardens took him away and beat him. When they brought him back, they said they had carried out his request.

After my interrogation period at Eshratyab Prison, they transferred me to the Prosecutor's Office in Evin Prison. I was with seven to ten prisoners. We had blindfolds on. They registered us at the Prosecutor's Office. At that time, the Prosecutor's Office had seven interrogation branches. We were taken to Branch 7 of the Prosecutor's Office in Evin, which was the most notorious branch of the interrogation sections. They wanted to know my position in the PMOI and the names of my colleagues. That night they beat me. They then sent me to solitary. From then on, when I was summoned for interrogation, I was taken to Branch 1 of the Prosecutor's Office. I heard from other prisoners that Hossein Shariatmadari, (the current chief editor of *Keyhan*), was one of the main interrogators there. The main interrogator in Branch 1 had the alias 'Pishva'. He tortured me. There was another interrogator there called Hajj Mohammad. In 1985 (1364), the number of branches was increased to 11. In 1985-86, I was interrogated by Branch 11.

In 1984 (end of 1362 and start of 1363), for about six months, we were held in 'darbasteh' rooms, meaning that, other than for 30-60 minutes of air, we couldn't come out of cells. The cells housed between 4-12 people. A loudspeaker played the regime's propaganda constantly. In the first four months of 1985 (last quarter of 1363 and 1 month of 1364), I was kept in solitary confinement.

In spring 1986, I had a court session in Evin Prison. As far as I recall, the Prosecutor's Office on the third floor was used as the courthouse. There was a room and a cleric called Mobasheri sitting behind the table. The IRGC members took me there. There was also a clerk and another person there. Mobasheri said my file

contained 95 charges. He said it was a heavy file. 'You are lucky that we are only executing PMOI members, and you were not a full member,' he said. My alleged charges included pursuing and spying on the Hezbollahis (Islamic fundamentalist vigilantes), attacking them with knives, and shooting at them. I had no lawyer. It wasn't really a court. It was, in a sense, a proclamation. He did not let me defend myself. They sent me back to the ward. I was, at the time, being held in a section mainly housing those who had denounced the PMOI. It was a form of psychological torture to be there. After about three or four months, they informed me that I had received a ten-year sentence.

Once, in Evin Prison, the guards came and told everyone to lie on the ground and flogged them.

From 1987, they began to take the prisoners and ask them if they were willing to go to the 'kargah' (work shop). The more committed prisoners refused to do so. They began to separate the prisoners. Then, around 28-29 July 1988, they removed from our ward the prisoners who had been arrested while they were acting as messengers for the PMOI as well as those with heavy files. In late August 1988 (early Shahrivar), they took us to the place of the Death Commission and put us in solitary cells in Ward 209 of Evin. From underneath my blindfold, I could see the other prisoners being led to the Death Commission. I even saw my cousin there. He was later executed.

I was never taken before the Death Commission. I learned from other prisoners about the massacre in early September 1988 (late Shahrivar).

For good behaviour in prison, my verdict was reduced to six years, and I was released in August 1990 (Mordad 1369).

They did not ask me for bail, but every week I had to present myself to the authorities, answering questions about what I did and who I saw.

Former Prisoner Number (10)

Interviewed on 19 October 2016

Full name: Masoud Aboee

DoB: 3 December 1961

PoB: Babolsar

Resident of Babol

Father's name: Mohammad

Date of arrest: 15 September 1981 (24 Shahrivar 1360)

Total time in prison: 8 years and 2 months

Circumstances of arrest

I was arrested on Vali-Asr Street in Tehran on 15 September 1981. I was an industrial chemistry student at Mojtama Technology Tehran (nowadays known as Shahid Shamsipour). There was an anti-government protest that day by the supporters of the PMOI. A large number of people were arrested in that vicinity. They took us by minibus to the Region 10 Komiteh situated in Khorasan Square. They did not give a reason for the arrest. They simply said they wanted to question us.

Chronology of events as narrated by the surviving former prisoner

In the Komiteh, I denied taking part in the protests. We were all in a room with blindfolds and the IRGC kept coming and hitting us. They did not ask us questions. They even took us in the courtyard and carried out fake executions to scare us. They put a gun to my forehead and threatened me. I still continued to deny having taken part in the protests. Such harassment continued every ten minutes until about 2am. We were kept in a room measuring 4m by 5m.

On Thursday, 17 September, they put us on a bus and took us to Evin Prison. Because it was the weekend in Iran, the administration was not open so Evin did not accept us. They took us back to the Komiteh where they asked me for identification.

The second night at Komiteh they did not bother us. On Friday, 18 September, a new Komiteh head came, took our photographs and said that we would have to write pledges not to take part in activities against the regime in order to release us. About 16 or 17 of the detainees had signed the pledges when the Komiteh received a call from Evin Prison and were told to send us there. The process ended, and on Saturday morning, 19 September, they transferred all 24 of us to Evin Prison.

In Evin, they recorded our names. We were first taken to the Dadsara (prosecutor's building) corridor at the entrance of the interrogation branches in Evin. It was so crowded that they took us to the courtyard.

When I was taken into the prosecutor's room for interrogation, I saw, from under my blindfold, a young man tied to a bed who was being flogged on the soles of his feet. I saw that there were two interrogators torturing him.

The interrogators gave me a form and asked me to write down my position in the organizational structure within the PMOI and my activities. They presumed that I was activist among the '*monafeqin*' ('hypocrites'). They kept kicking me and striking my head, and telling me to hurry up with the required information. My first interrogation lasted about an hour. I was asked about my role in the organization. I denied being part of it. The soles of my feet were flogged, and I was told to sit outside and think. Sitting outside the door of the interrogator's office was a form of psychological torture because we were blindfolded and could hear the continuous cries of those under torture. Some days, they took me from 6am to 6pm to just sit there. Some of the interrogators were students from a movement known as the Line of the Followers of the Imam (supporters of Khomeini) who had also had a role in the US embassy takeover. They were recognized by the prisoners.

My interrogation continued for a week, after which I was taken to building 325 of Evin Prison, on the 2nd floor, ward 2, cell number 6. When I arrived, there was nowhere to sit. We were 85

prisoners in a cell which measured 5m by 6m. However, we were better off than those in the other cells which were 5m by 5m each one occupied by over 100 people. I was there for about four months until around January 1982 (the end of Dey 1360). There were only three toilet sessions; morning, afternoon, and night, a two-minute cold shower each week, and ten minutes of air each day. There was no access to pens, paper or cigarettes.

Worse than being physically tortured, was seeing others being tortured. When the soles of the feet were lashed, the skin usually wouldn't break, but there would be internal bleeding so the feet and lower legs would swell. Sometimes the swelling and internal bleeding led to infection in the feet. When prisoners were brought back from torture, the guard would jump on their feet. If they screamed, they would be taken away. Alireza Sepasi Ashtiani, who had been imprisoned with us for supporting the PMOI, suffered badly. He was shorter than the others so when his feet were flogged the whip would recoil and hit the top side of his feet which led to the loss of all his toenails. He was executed in the summer of 1988.

Behind Ward 4 of building 325 of Evin, executions were carried out on the courtyard hill from 6pm until about 2am. We would hear three rounds of rifle fire and then the coup de grace shot. We would count the number of coup de grace shots to see how many people had been executed. Prisoners from our cell were executed in this time.

One of the IRGC members was called Mostafa. He was particularly callous. He dragged prisoners out at night and beat them. On 7 or 8 December 1981 (16 or 17 Azar 1360), another IRGC member, Ali Shah-Abdolazimi, told us he would give us cards to fill out so that family visits could start. We smiled at each other thinking that it was not true. Ali Shah-Abdolazimi beat us for an hour with a stick for smiling. We protested about the beating to the head IRGC warden who was called Mehdi. A month later, we learned that Ali Shah-Abdolazimi had been promoted to the head of a ward in Ghezelhessar Prison.

The first time I was able to contact my family was nine months after my arrest. I never had a lawyer from the time of my arrest, during the interrogation or while I was in prison. When the shock of imprisonment had worn off a little, some prisoners asked the guards about their right to have access to a lawyer. One of the guards said that any lawyer who defended us would face execution. The authorities were acting on a *fatwa* issued in 1981 by Khomeini which said PMOI members had no right to life and must be eradicated.

The regime's treatment of political prisoners was based on the concept of 'Ehraz-e Tobeh' (Confirmation of Repentance). Assadollah Lajevardi, who was at the time the Prosecutor of Tehran, told our group about Khomeini's *fatwa* to eliminate PMOI supporters. The only exception was where a person is confirmed as having repented. The confirmation could be obtained either by carrying out the execution of one of our fellow prisoners, or by doing a repentance interview for state television.

One night, an IRGC member called Shirazi summoned about ten prisoners who supported the PMOI. Two of the prisoners who were taken were Nader Mostafizin and Alireza Sepasi Ashtiani. We heard executions being carried while they were gone. We were worried that they were taken for execution. At 11pm, they were brought back. They were very distressed and their clothes covered in blood. Nader told me they had been told to confirm their repentance by taking part in the executions with the IRGC members. Some, including Nader, would not do it. Others were told to put their fingers on the gun trigger with the IRGC executioners and fire. Those who would not participate in the executions were ordered to clear the dead. Nader told me that one of the prisoners recognized one of the bodies as that of his own brother. He fainted.

One of the prisoners subjected to this form of torture was a former IRGC fighter in the Iran-Iraq war. He had killed a large number of Iraqi POWs. Arrested in the IRGC's internal power struggles, he was imprisoned with us. He later told me that he fired the coup de grace on a female political prisoner. When her

blindfold came off her eyes, I saw the innocence in her eyes just before I fired, he said.

In January 1982 (late Dey 1360), I was transferred from this ward to the Amouzeshgah building in Evin Prison. It had six floors. I was put in Ward 4. There were six prisoners in a cell measuring 2m by 3m. Some cells measuring 3m x 5m had up to 25-35 people.

On 9 February 1982 (20 Bahman 1360), I was taken for my third interrogation. A prisoner who had renounced the PMOI told the guards that my older brother, Mehdi Aboee, was a former political prisoner at the time of the Shah, was the PMOI's candidate in the early revolutionary elections and had been martyred. I had not disclosed his case to the wardens earlier. He was arrested on 24 July 1981 (2 Mordad 1360), and he was executed on 9 August 1981 (18 Mordad 1360) in the town of Sari. The interrogator questioned me about my brother and hit me. Then, the 'turncoat' prisoner gave information about my mother and father who were also active. They took me back this time to a cell with 33 people in it.

I was there until February 1982 (early Esfand 1360) when I was taken for my fourth interrogation session, again in Branch 4 of the interrogator's office. This session was to set out my charges. Among them was selling the newspapers of the PMOI, supporting the PMOI at the University, taking part in PMOI meetings, and taking part in the 27 April 1981 (7 Ordibehesht 1360) rally (known famously as 'the Mothers' Demonstration'). On 11 March 1982 (20 Esfand 1360), I was taken to court in Evin Prison. The court session took place in the Dadsaraye Evin building (prosecution building), on the third floor.

In the court room, my blindfold came loose permitting me to see both my interrogator and a mullah who acted as the judge. My session lasted only three minutes. The charges were read out by the mullah. They had now included taking part in the 20 June 1981 (30 Khordad 1360) rally. I rejected that last charge since I knew the regime was very sensitive about it. I accepted that I

took part in the Mothers' Demonstration. The judge told me to wait outside. After two hours I was taken back to the ward.

I was there until 22 April 1982 (2 Ordibehesht 1361) when they transferred me to Ghezelhessar Prison in Karaj. I was put in Unit 1 of the three units. There I saw Davoud Rahmani (Hajj Davoud) who was the head of Ghezelhessar Prison. He gave me my verdict. I had received a fixed-term (i.e. without parole) five-year sentence. I was sent to Ward 3 (general ward). There were 24 cells housing about 300 prisoners. I was there until 3 November 1982 (12 Aban 1361).

In Ghezelhessar Prison I was allowed to have family meetings every two weeks.

On 3 November 1982, together with 73 prisoners, we were summoned and beaten by the guards who collected our belongings and put us in a place called the 'Gavdouni', or 'cow ranch'. It measured 2m by 6m and had a toilet at the end. We slept in the Gavdouni for four nights. They gave the equivalent of one person's food to eight persons. On 4 November 1982 (13 Aban), a guard came and said four people must volunteer to come out to be beaten. No one accepted. He selected four and they were beaten for about an hour.

On 6 November 1982 (15 Aban), Lajevardi and another large IRGC member arrived with a meat truck. All except two prisoners were put in the truck which measured 2.5m by 4.5m and was about two meters high. It was very hot. About 45 minutes later, we arrived at Gohardasht Prison in Karaj. They put us through a gauntlet of IRGC members who beat us with fists and sticks. They took us to Ward 3. The cells there measured 3m by 3m. They put ten people in each cell. We were under 'darbasteh' conditions, meaning no time outside the cell and only toilet access four times a day. The wardens had masks and none of them gave their names. We were given an arrow sign to put under the cell door if we wished to speak to a warden. If the guards heard Morse code being used on the cell walls or noise of any kind, then at midnight the prisoners concerned would be removed and flogged. One day

when I talked to another prisoner on the way to the medical clinic, I was punished with a month in solitary confinement.

On 28 December 1982 (7 Dey 1361), we protested our presence in ward 3, saying we had received verdicts and so we belonged to the general ward. Davoud Lashkari, the warden, said they would take us to solitary confinement instead. I was placed there for a week.

In September 1983 (early Mehr 1362), Lajevardi came and asked me if I was willing to do a repentance interview. I said I was not. He said I would remain in solitary confinement even beyond the end of my sentence. That afternoon, the IRGC raided the cells and took away all the small things we had - the Quran, sewing needles, and prayer beads.

In June 1984 (Khordad 1363), Lajevardi came again and asked us if we were willing to be interviewed. Everyone said no. The IRGC member behind him then read out new rules and said anyone who did not obey them would be automatically sentenced to be beaten to death. One of the rules was that when a prisoner was called from his/her cell s/he was not allowed to ask the warden where s/he was being taken. Being near the cell window at night was banned. Prisoners could also be put in the 'dark hole' (tarik-khaneh), which measured 1m by 1.5m.

In the winter of 1984 (at the end of 1362), Mohsen Rafiqdoost, who was head of the Mostazafan (Impoverished) Foundation, and later went on to become the IRGC minister in the cabinet, came and checked all the cells including mine. The other prisoners told me by Morse code that he had spoken to them and said that the prisoners were to be split into three camps, Red, Yellow, and White. They wanted to clear out the political prisoners. White were those who had denounced the PMOI. Red were 'sareh-mozeh' who would be executed and yellow were yet to be determined and were to face more pressure to choose whether they would become 'turncoats' or be executed.

From the winter of 1985 (1363) to 2 May 1985 (12 Ordibehesht 1364), I was put in a solitary cell. Then, they took me to the 'farri'

section. The 'farri' was accommodation originally built for the prison staff but turned into cells to cope with the overcrowding.

In late July 1986 (early Mordad 1365), when my sentence was about to finish, I was transferred from Gohardasht to Evin, ostensibly for the administrative work related to my prospective release. There the Dadyar, (associate prosecutor), of the prison told me that I must do an interview in order to be released. I refused. He said I would not be released.

They took me to Ward 1, Cell 30 in Evin's Amouzeshgah section. They did not allow prisoners who had spent long periods in solitary confinement and who had not broken down to join the general ward. In March 1987 (Esfand 1365), they transferred me to Ward 3 of building 325 in Evin. I was finally freed on 7 November 1987 (16 Aban 1366).

On the fourth day of my freedom, I was re-arrested by the Intelligence Ministry in my house in Babol and I was taken to the IRGC Prison in Babol. In the first interrogation, I was asked what I had done since my release. I was kept in the prison for about nine days then sent to the 'Komiteh' Babol. I was then transferred to Evin. On the way, I had caught sight of a note on my file that said the Intelligence Ministry in Babol had not agreed to my release as it had no confirmation of my repentance.

I was interrogated and beaten three times there and kept in solitary confinement. I was transferred back to Babol. From there, I was taken to the Intelligence Ministry office in Sari. I was there for two months and then transferred back to Babol.

On 30 April 1988 (10 Ordibehesht 1367), I was taken to the Dadsarayeh Babol (Babol Prosecution building). They read out my charges. My charge was that, in prison, I had passed on information to my mother to give to the PMOI and had received the PMOI's messages from my mother to give to the prisoners. I denied it.

One or two days later, they transferred me back to Evin. Again, I was taken to the interrogator's office. I said I should go to the

court. He sent me to the Amouzeshgah, Ward 6; I think it was cell 98. All the other cells had general ward conditions except our cell. My nine cellmates there had similar circumstances to me. This was the first sign I had that they were rounding up prisoners of a similar nature in one place.

Another sign of the possibility of a purge was when political prisoner, Masoud Moqbeli, was taken, around February 1988, from Evin Prison to the Komiteh Moshtarak (Joint Komiteh) headquarters in Tehran and came back with the regime's message that a decision had been made and they were coming for us all.

On 19 July 1988 (28 Tir 1367), just after Khomeini accepted the ceasefire in the Iran-Iraq war, an IRGC member told us to wear blindfolds and rushed us out. They transferred us from the Amouzeshgah to a building inside the prison compound called Asayeshgah. The Asayeshgah had 400 single cells and was set up by Lajevardi. Two or three of us were put in each cell. I was put in a cell with Reza Shemirani and Amir Abdollahi.

On 24 July 1988 (2 Mordad 1367), an IRGC member gave each of us a form to write our names, whether or not we had been re-arrested and our charges. On Thursday 28 July 1988 (6 Mordad 1367), at about 4pm, they called Amir Abdollahi and some others. At 11pm, he came in and collected his things. Amir told me there that he and 73 others were taken before a commission and had all been sentenced to execution. He told me that they wanted to kill everyone.

On Friday 29 July 1988, mullah Mortazavi, (the head of both Gohardasht and Evin at this time), and some IRGC members opened the cells and dragged out a number of prisoners, including me. They blindfolded us and took us to the Dadsarayeh Evin (Evin prosecutor's building). It was very busy there. We were each given a form with about 40 questions. (Later, the number of questions was reduced to just three or four and they would be asked verbally instead). In the next two days, I learned that all

family meetings, television and newspapers and time in the open air had been suspended.

From the Friday (29 July 1988), the prisoners were brought in groups and taken to the solitary cells in the Asayeshgah. From there, they were taken to the Death Commission. Some were taken straight to their execution and others were returned to the cells.

On 11 August 1988 (20 Mordad 1367), Hajj Mojtaba Halvaei came and summoned about 40 of us and asked us our charges. We did not defend the PMOI as we had on previous occasions. He took us to Ward 4 of building 325 in 'darbaste'h' (i.e. closed) conditions. We agreed amongst ourselves that the regime was executing a large number of people.

When we told one of the IRGC members, Ramezan, that we needed soap, he told us not to worry about it as we would not need it for long.

One day, they came and called my name. I think it was 18 August 1988 (27 Mordad 1367). In the court, which was at the entrance of Ward 209 of Evin, I saw Zamani, the representative of the MOIS in Evin Prison, Ebrahim Raeesi, Morteza Eshraqi, Hossein-Ali Nayyeri and Mohammad Esmail Shushtari.

Eshraqi began questioning me. How long had I been a supporter of the PMOI; what were my activities? I said I had supported the PMOI since the 1979 revolution; I took part in meetings and sold newspapers. They wanted me to provide the names of at least four other prisoners who were still committed to the PMOI or to identify PMOI supporters at large. I said I could not do either, but avoided expressing any support for the PMOI.

On 9 January 1990 (19 Dey 1368), I was released. They demanded a local merchant vouch for me so that he would serve a sentence in my place if I fled or took part in opposition activity.

Former Prisoner Number 11

Interview done on 1 November 2016

Full name: Asghar Mehdizadeh

Father's name: Etemad

DoB: 21 March 1957 (1 Farvardin 1336)

PoB: Somesara

Resident of Somesara

Date of arrest: Late August 1980 (early Shahrivar 1359) in Somesara and again on 6 May 1982 (16 Ordibehesht 1361) in Tehran

Total time in prison: 13 years

Circumstances of arrest

I was arrested, along with a number of other PMOI supporters, at my home by the IRGC. Because they did not have any warrant, we tried to prevent them from coming in, but they used force and arrested us. We were taken to the Navy Prison in Rasht.

Chronology of events as narrated by the surviving former prisoner

I was kept in the Navy Prison in Rasht for about two months. I was then transferred to the IRGC prison in Rasht for a similar time, and then taken to the Bashgah Prison in Rasht for about six weeks. I was tortured in order to give a written commitment that I will no longer engage in any political activities in support of the PMOI if I was released. I was also the subject of mock execution for the same purpose. I maintained the claim of innocence. The guards constantly beat us in the Navy Prison. Once, the prisoners sang together. We were punished to receive 60 lashes each. They once kept a group of us in a meat transportation refrigerator truck for three full days. We had to take turns to breathe from a small hole at the back of the truck.

I was released without charges or prosecution. My ordeal was totally outside the due process and I had no access to a lawyer.

On 6 May 1982 (16 Ordibehesh 1361), as I was walking in Qazvin Street near the Azari T-Junction in south-west Tehran, a Rapid Response Team (grouh-e zarbat) sent by the Tehran Prosecutor's Office, in two cars, each with four armed IRGC members, arrested me. They blindfolded me and took me to the Kalantari (police station) in Jamshid Road. They did not try to establish my identity. After an hour, along with another prisoner whom I knew, Mohsen Kolulehmanesh, we were taken to Evin Prison. On the way to Evin Prison they beat us.

In Evin, they took me to the second floor in the building belonging to the Prosecutor's Office (or 'Dadsetani'). They asked for my identity and if I was a 'monafeq' (hypocrite). I said I used to support the organisation prior to 20th June 1981 (when the organisation was banned by the regime).

They took me to the interrogation room and, after 30 minutes of flogging on a bed, the interrogator gave me a form to fill in, saying that he already knew everything about me. I wrote down information about my activities prior to 20 June 1981. When I gave him the form, he looked quickly at it. Then beat me saying it was not enough. Later on, in the ward, I learned that my interrogator was called Eslami – at least, this was his alias at the prison.

I was interrogated each day for four days. Because there were so many prisoners, they tortured me three or four times each day for 30 to 60 minutes a time. They beat me and flogged me on the back and feet, sometimes with iron rods. My friend, Mohsen, was killed under torture during this period.

After the interrogations, they took me to Evin Prison's Ward 2, in section 1, downstairs. There were 60 of us in a cell which measured 3m by 6m. We spent most of the time standing up as we had no room to sit.

For three months I was not allowed to contact my family. I was then allowed a family visit and to write a two line letter to them. At no time during my arrest and jail term did I have contact with a lawyer.

My next interrogation session came four months later. It included the same questions. They had worked on my case a bit more. They asked more specific questions. I had not yet been charged.

From Ward 2, we were transferred to the notorious 'Amouzeshgah' (Education) Ward in Evin Prison until 21 February 1983 (2 Esfand 1361) when some of us were taken to Gohardasht Prison in Karaj. Eslami told us we were being transferred for non-co-operation and would end up begging to come back to Evin.

I was kept in Gohardasht for several months, most of the time in solitary confinement. I was twice interrogated there. Eslami and another person did the interrogation. The questions were about my activities and who I was in contact with. They kicked and punched us, but the special torture was to beat us with cables.

In May 1983 (late Ordibesht or early Khordad 1362), they took me to a court inside Gohardasht Prison. There was a mullah who was the religious judge. He was Hossein-Ali Nayyeri. There was no clerk in the court. The judge began by mocking me. He then said, 'Here we execute prisoners and say that they were 'sareh mozeh' (or 'committed to their cause') and 'monafeq' (hypocrites) who refused to confess. The judge said that he could sentence those who gave information and he could give amnesty to those who have truly made a renunciation (tobeh) of their past. When the interrogator read out my charge - supporting the PMOI - I denied it. Eslami hit me for that. My court appearance lasted four or five minutes. I had no lawyer.

During similar court sessions held for my cellmates in August 1983, a number of them were sentenced to death and executed. This was on the orders of Nayyeri. They were accused of continuing their activities in support of the PMOI after the organization was banned.

Several weeks after my court session, they transferred me from a solitary cell to the 'Mojarad', which was a ward where several prisoners are kept in cells measuring 3m by 3.5m. There were 12 prisoners in total on that ward including one prisoner who had

renounced the PMOI and who spied on the others. We were held there for two weeks.

One day, in the middle of 1984, Davoud Lashkari, who was the head of security in Gohardasht Prison (a person called Sobhi was the head of the prison at the time), showed me my verdict. It said that, because I had conducted armed activities, I was sentenced to 15 years. This did not take into account the two years I had already spent in prison. Lashkari told me that, if I appealed, the torture would restart and the verdict would most likely be increased.

About this time, they took all but three of us to the general ward. There were some 200-250 people in 16 cells and one toilet and shower. I was there until the start of 1985 (late 1363, in the winter). All protests were met with torture.

Around March 1987 (at the start of Farvardin 1366), I was moved to another section called 'farri'. There were about 120-130 people in that section. Twelve were taken to Evin for re-trial. They were sentenced to flogging and threatened with another court appearance.

In January 1988 (in the winter in early Bahman 1366), the prison authorities began to divide the prisoners based on the length of sentence and commitment to opposition. Seyed Ali Fard Saedi and Reissi were taken to Evin Prison.

Davoud Lashkari and his deputy, Faraj, once came to the ward carrying guns. They said that, if Khomeini gave the order, they would shoot us there.

On Wednesday 27 July 1988 (5 Mordad 1367), they blindfolded us and took us to the interrogation hall. Hamid Abbasi, (the deputy to the Assistant Prosecutor of Gohardasht Prison), asked us our charges. Normally, when we would say '*havadar-e mojahedin*' (supporter of the PMOI), the guards would hit us. This time as each person said it, Abbasi said, 'well done'!!

On Thursday 28 July 1988 (6 Mordad 1367), we learned that there were a number of summary executions (*edam-e sahraii*) in

Kermanshah. On Friday 29 July 1988 (7 Mordad 1367), we saw an IRGC member called Javad, who we normally called 'Javad Sheytoon', checking the open-air section of the prison. He had a walkie-talkie and was armed. This was unusual.

Normally, on Saturdays, we had family visits in the morning and the prison shop would be open. On Saturday 30 July 1988 (8 Mordad 1367), this did not happen. That same day, Mohammad Moravej and Alireza Ghazanfari Moghaddam, both PMOI supporters, were taken away. At around 12.20 pm, we saw from the window that, in the courtyard below, Davoud Lashkari was taking five prisoners to the outside toilet. When they came out, one of the prisoners punched the wall. They were taken to a large hall (souleh) which had a red door. Every 30 minutes, we saw the guards take a group there. Later, we saw about 20 IRGC members, including Davoud Lashkari, Nasserian, Jafari (head of the prison shop), and Khani (head of family visits), came out of the hall. Two of them had their shirts off. We could hear them complaining about the prisoners' defiance in the face of execution.

On Sunday 31 July 1988 (9 Mordad 1367), an IRGC officer called Shirazi came to see if we could see the courtyard from our window. We were moved out. About 30 minutes later, Davoud Lashkari told us all to go to the hall. He asked us our names and sentences. He separated out 13 prisoners, including me. We were put in solitary confinement.

The next day, Monday 1 August 1988 (10 Mordad 1367) at 7am they brought us all out into the hall. Davoud Lashkari asked each prisoner their name, charge and length of sentence. He sent us to the Associate Prosecutor's office (or 'Dadyari'), and Nasserian took us to the waiting section outside the so-called 'Amnesty Commission'. Whoever told Nasserian he supported the '*Mojahedin*', would be sent before the commission. Those who were more uncertain would stay.

On Saturday 6 August 1988 (15 Mordad 1367), we were taken again to the 'Dadyari'. I tried to be ambiguous about my support

for the PMOI. Nasserian beat me, but I was not taken to the court. In the three days that I was in the 'Dadyari', I saw people whose trials lasted just a minute or two. I also saw disabled prisoners there.

On Monday 8 August 1988 (17 Mordad 1367), political prisoner, Manouchehr Bozorg Bashahr, told me, by Morse code, that he would defend the PMOI in court. He was executed. Another prisoner in a cell next to me, Mohammadreza Delju Sabet, was executed.

Five prisoners from Gohardasht Prison had been taken to Evin Prison to be freed at the end of their prison terms but were brought back. PMOI supporter, Kazem Sanatfar, was among them. He was from our ward, and told me that, in Evin, in only one day, 200 people were executed. Kazem was later executed.

On Monday 8 August 1988 (17 Mordad 1367), Nasserian and Mostafa Pour-Mohammadi opened the doors of our cells and asked us our charges. They swore at me. On their orders, the guards took me to 'farri' number 5. There, they requested that I tell them who had told me to change in my declaration the word '*Mojahedin*' to '*Monafeqin*'. I saw watches left there. I heard the sound of female prisoners coming from the farri downstairs. I had heard that the female PMOI political prisoners had been brought there from Kermanshah.

I was trying to talk to other prisoners using Morse code one night, when the IRGC caught me. They threw me in a bathtub and beat me. From the bathroom window, I caught sight of lights in the solitary cells. I later contacted Hadi Mohammad-Nejad. He was from Lahijan. Five of his relatives had been executed. His parents always asked him to do whatever he could not to be executed. Hadi said he loved life, but could not renounce the '*mojahedin*'. He told me, by Morse, that Laskhari and Nasserian had tried to get him to cooperate. They had taken him to witness the executions. I never saw or heard from him again.

I was also taken to the hall to see the executions. One of the IRGC members told me to lift the blindfold for a moment. I saw ten or

twelve female and male prisoners. When nooses were put around their necks, they chanted, 'long live the *mojahedin*' and 'long live Rajavi'. Davoud Lashkari and Nasserian became angry. Nasserian said, 'We know how to execute you'. I fainted. When I regained consciousness, I was no longer in the hall.

I was kept in Farri 7 until around 15 August 1988 (24 Mordad 1367). Then Davoud Lashkari and Nasserian came to make a final determination regarding the prisoners there. We were asked our charges. Anyone who said 'mojahed' was taken away. Nasserian later told some prisoners that they had been placed in solitary confinement awaiting execution.

Later, when they took us to a general ward (Ward 13), we learned that everyone had been executed except for us. Several months later, in December 1988 (Azar 1367), they allowed us to have family visits again. From my family, I learned that, in Evin and in northern Iran, only a few prisoners remained; the majority had been executed.

I estimate that there were around 5000 to 6000 political prisoners in Gohardasht prior to the start of the massacre. About 90 percent were from the PMOI. Many had been brought from other prisons. At the end of the massacre, the combined total number of PMOI supporters left in both Gohardasht and Evin was about 300.

I was in prison until May 1994 (late Ordibehesht 1373), when I was finally released. We were 23 people by then. My father had to put his land up as a guarantee that I would not escape or oppose the regime.

Former Prisoner Number (12)

Interviewed on 1 November 2016

Full name: Akbar Shafaghat

Father's name: Alaeddin

DoB: 18 December 1956 (27 Azar 1335)

PoB: Tabriz

Resident of Tehran (Shahpur)

Total time in prison: Approx. 14 years

Date of arrest: 7 October 1981 (15 Mehr 1360)

Circumstances of arrest

I was arrested on 7 October 1981 in my house in Shahpur Street (Hanifnejad Street) in Tehran. My family were in the house. The agents were from the Evin Prison search squad. They took me to the Komiteh in Behesht Street south of the Tehran City Park.

Chronology of events as narrated by the surviving former prisoner

After an hour, they transferred me from the Komiteh to Evin Prison. In Evin Prison, I was taken to the Prosecutor's Office (Dadsetani) building, and I slept overnight in the hallway of the basement of the interrogation centre since so many had been arrested that day. We all had blindfolds, and there were armed IRGC agents threatening people who touched their blindfolds or lifted their head.

The following morning (8 October 1981) at about 9 or 10 am, I was taken upstairs to Branch 11 of the Interrogation Office situated on the second floor. First, they asked questions about my activities. I was then tied to a bed and was flogged on my back and feet. I was then asked if I was willing to confess. It sounded as if there were two or three others in the same room being tortured. The main interrogator had civilian clothes, but one man was dressed in an IRGC uniform. One threw a blanket over my head to keep the noise down. Another one sat on my back as they flogged my feet. They mocked me throughout. After about an hour, they lifted me up to confess. I gave some general information.

I was taken to Ward 2 downstairs. I was very thirsty. I had to go bare feet over the stones as I could not get my shoes on. They

took me to a room known as the 'mosque'. It was a room under the stairway. It was 4m by 6m. It was packed. There were about 30 or 40 people there. There was one bunk bed. Those who were on the bed were badly injured. Everyone there was awaiting further interrogation. At 10 or 11pm, we could hear the sound of guards opening fire with automatic weapons. Then we heard 75 coup de grace shots. There was a hilltop in the prison behind the wards where, each night, two or three times, they executed the prisoners. These executions continued every night until at least December 1981 (Azar 1360).

I was not allowed family visits until about January 1982 (Dey 1360). Throughout my arrest and my 14 years in prison I never had any defence.

There was no proper medical treatment of prisoners. Cells were so overcrowded. We had to take turns to sleep. Infectious diseases were rife.

My second interrogation took place in late October 1981. They told me I must confess. They demanded to know my activities and the names of the people with whom I was in contact. I tried to write the same things I had written the last time. While I was writing, an IRGC agent struck my face, leaving me unable to eat for some time and in constant pain.

In mid-November 1981, I was taken for a third round of interrogation. This time they asked no questions and applied the 'qapouni' torture. They forced my left arm over my head round to the back and pulled my right arm behind my back. They then attached a metal holder, or 'qapoun', to my wrists, tightening them together in that position. They then laid me on my back with the pressure on my hands. They lifted my legs and flogged my feet. Then, they forced me to stand for several hours. I was told again to write my confession. In the interrogation room, there was a torture bed, a desk for the officers, an interrogation table, a couple of seats and various torture items.

I was interrogated two or three further times. They thought I was in contact with the organisation outside Iran. My last

interrogation was in late January 1982 (early Bahman 1360). By then, I had been transferred to room 6 of the same ward. This room measured about 4m by 8m. We were between 75-100 people inside.

In February 1982 (late Bahman 1360 or early Esfand), I was taken to court. The court was on the third floor of the interrogation centre. I was in a queue in the hallway. I had a thin blindfold through which I could see a little. The IRGC agent took me into the room and waited there. They kept me blindfolded. In the courtroom there were two tables: one for the mullah and one for the clerk who was not present during my hearing. The judge told me my charge was supporting the '*monafeqin*' (PMOI). He said I had been very active for the PMOI in the two months since I had returned from the United States. The judge asked if I had anything to say for myself. The judge at one point became suspicious that I could perhaps see through my blindfold. In order to verify his suspicion, he struck me a few times. One of his blows hit my ear which had earlier been damaged.

There were four religious judges in Evin Prison at the time who gave verdicts for political prisoners, Mohammad Gilani, Ravandi, and two others. I think the one who gave me my verdict was Ravandi.

In Evin Prison, I once witnessed a prisoner who had gone completely mad. He ran completely naked in the open-air area. I saw with my own eyes an IRGC member strike his head with a metal bar. I think he died as I saw his body taken away.

On 1 April 1982 (12 Farvardin 1361), they gave me a 25-year prison sentence, despite the fact that a life sentence was 21 years.

On 2 April 1982 (13 Farvardin 1361), I was transferred to Ghezelhessar Prison in Karaj. There were four or five buses of prisoners in that transfer. The head of the prison was called Hajj Davoud Rahmani. His brother and some IRGC agents worked with him.

For several weeks, some 40 of us were kept in a room measuring just 1.5m by 2.5m. In October 1982 (Mehr 1361), Hajj Davoud went to Mecca for the Hajj. When he returned, he separated the resolute prisoners, which were referred to as 'sareh-mozeh' (or 'still committed'). This was designed to break down the less resolute prisoners. About 15 IRGC agents came into the ward. They punched and kicked these prisoners and dragged them out. There was also a punishment room, known as 'Gavdouni' (or 'cow ranch'), where people were sent for 30 days to 45 days. They were not routinely fed there. Other prisoners were kept for weeks or months in the toilets.

On 1 January 1983 (11 Dey 1361), a group of us were transferred to Gohardasht Prison in Karaj.

In Gohardasht, the committed people would be sent to solitary confinement. The solitary cells measured 1.5m by 2.5m and each had a toilet. There was no bed. I was in solitary confinement for two and a half years until July 1985 (Tir 1364). Davoud Lashkari was a top official of Gohardasht Prison who tortured the prisoners in solitary confinement. At times, food would be withheld.

Every two weeks, I had just a ten-minute meeting with my family. Once, they did not have enough blindfolds so I used a towel instead. When the guard saw me, he beat me. My face was black and blue, and I was taken in that state to see my family.

Between March-April 1988 (Esfand 1366 – Farvardin 1367), some of us were taken from Gohardasht to Evin for a court hearing for supposedly engaging in sport. We received sentences of 75 lashes. I was also kept in a solitary cell for a month and then taken back to a building called the 'farri'. All the people in our ward were supporters of the PMOI except for one.

In the farri, for a while, we had family visits every two weeks, and access to a television and newspapers as well as some time outside in the air. But, suddenly, in 1988, these 'privileges' were all stopped. One of the PMOI activists, Mohsen Karimnejad, had a 15-year sentence. He protested a lot about the stringent

conditions. The IRGC asked him his charge. He said 'mojahed'. He was taken away and never returned.

One day I was taken to the court. Outside the court area, I could see from under the blindfold that Davoud Lashkari was sat behind a table. He asked our name, our charges and whether we were willing to write a letter of renunciation. Then Mohammad Moghisseh, (also known as Nasserian, the 'dadyar', or assistant prosecutor of Gohardasht Prison), took us into the court where he took off our blindfolds and stood behind us.

In the court, there were four or five people seated. There was (I think) Mostafa Pour Mohammadi and (I think) Hossein-Ali Nayyeri and two or three plain-clothed people, whom I thought were from the intelligence ministry and judiciary. One of the mullahs said they were from the 'Amnesty Commission' and were acting on behalf of Khomeini. He asked my charge and wanted me to write a letter renouncing the organisation.

When I returned to my cell, I contacted Mohammad Kargar Mamouli using Morse code. We had been cellmates together earlier in Gohardasht Prison. He had recently been taken to Evin Prison. Mohammad said that, in the past week, in Evin Prison 500 prisoners were executed. He himself was later executed.

On 20 March 1995 (29 Esfand 1373), I was released on bail.

Former Prisoner Number (13)

Interviewed on 19 October 2016

Full name: Saeed Rajae Pour

DoB: 1 April 1964 (12 Farvardin 1343)

PoB: Astara

Resident of Astara

Father's name: Moussa

Date of arrest: Late September or beginning of October 1982

Released: 14 April 1988 (25 Farvardin 1367)

Circumstances of arrest

I was arrested in late September or early October (month of Mehr in the Iranian Calendar, which covers part of September and October). The Revolutionary Guards smashed through the door without any warrant. They knew who I was. They tied my hands and took me to the IRGC headquarters in the town.

Chronology of events as narrated by the surviving former prisoner

In the IRGC local headquarters, I found out that my sister, my parents and other relatives were also detained there. They had arrested about 50 people in total that day to bring the total number in that location to about 120 people. It was very cold. There were no proper prison cells. They used the rooms and corridors to hold us for seven days with handcuffs and blindfolds on. Many had been arrested for providing financial support to the PMOI or reading their newspaper. On the third day, they tied me to a bed and began flogging me without asking questions. They flogged my back and feet. I did not count the number of lashes, but the interrogator said he had flogged me 74 times. In subsequent days, the interrogation started, and I was asked about my political activities.

They then moved us to a hall in the same place, and I was held there for five months. Cages were used as makeshift cells for each of us.

A number of the prisoners were executed during this period.

We could hear the cries of prisoners under torture. During the interrogations, they asked me what operations I had taken part in. When I said none, they flogged me even more. My interrogator's alias was 'Haqiqi'. Another IRGC member, called Sirius Namdar, said that Haqiqi was in fact his brother, so I believe my interrogator's real surname was Namdar. I was interrogated six or seven times. One of the interrogators was called Heidari

from the city of Anzali. They brought him because they thought the PMOI's network in Astara was connected to its network there. My own interrogation lasted three months, but, because my file was connected to other members of my family, they kept me there while their interrogations took place. The process lasted some five or six months.

At one point, they took me to a room and told me to lift my blindfold to identify my sister. I saw my sister, Fatemeh, passed out on the floor covered in blood. I started screaming at the three interrogators there. One hit me for having turned around and seen their faces.

In about March 1983, they took me to a different set of buildings in the same prison. There, the female and male prisoners were segregated, and there was a third building for those who were to be punished or executed. I was kept in the male section for two months until I was tried. The court was in the third building. The judge was a mullah called Qatilizad. He was from Mazandaran Province. There were also a second mullah and a prosecutor. They asked me my name and read the charges against me mainly activities in support for the PMOI, such as collecting donations and reading the PMOI's newspapers. The judge said that, based on Islamic law, I was to be sentenced to five years imprisonment. The court lasted five minutes, and I had no defence.

Part of my sentence was that I should be forcibly exiled to the town of Khalkhal. At the start of 1984, in the winter, they took me to Rasht Prison for ten days. From there, they tried to take us to Khalkhal, but, because the route was closed due to heavy snowfall, they brought us back to Astara. Roughly another seven months passed there. Then, the male prisoners were transferred to Hashtpar Tavaresh. (The female prisoners had earlier been taken to Tehran.) I was in Hashtpar Tavaresh for about 18 months. Then we were transferred to the IRGC's Malavanan Prison in Bandar-e Anzali where we were held for about six months. I was then transferred to the IRGC's prison in Rasht for 18 months.

When my sentence finished, in September 1987 (Shahrivar 1366), I asked to be released. On the third day of my protest, Abdollahi, the head of Rasht Prison, came to my cell to get me. I prepared my stuff and said goodbye to the other prisoners. I was taken to solitary confinement for about ten days. I went on hunger strike. The guards threatened me, saying they were the IRGC and they would decide my fate. Two days later, they brought me back to the general ward. A week later, the warden told me that my first seven months in prison prior to my verdict did not count as part of my sentence and so I was to be kept in prison an extra seven months.

I was released from Rasht Prison on 14 April 1988 (25 Farvardin 1367). They wanted me to write a repentance letter but I refused. I went to my family in Astara. I had to present myself regularly at Rasht Prison, 180km away from home.

It was in early August 1988 (middle of Mordad) that we heard prisoners were being executed. At the time my sister, Fatemeh Rajai Pour, was in Gohardasht Prison in Karaj. From late July, family meetings were stopped by the authorities, so we did not know her fate. On 16 December 1988 (25 Azar 1367), when I fled Iran, the regime had not yet told my family that my sister had been executed. My uncle, who was a government employee, was eventually able to find out what had happened to her. We have never received her body.

I know that 15 of the prisoners from Astara who were imprisoned in Rasht at the time of the 1988 massacre were executed.

Former Prisoner Number (14)

Interview conducted on 1 November 2016

Full name: Mostafa Pakarie

Father's name: Reza

DoB: 1 November 1959 (9 Aban 1338)

PoB: Mashhad

Resident of Mashhad

Date of arrest: 24 October 1981 (2 Aban 1360), and released in December 1985 (late Azar 1364). Re-arrest: 9 March 1987 (18 Esfand 1365), and released on 6 July 1988 (15 Tir 1367).

Total time in prison: 5 years, 6 months

Circumstances of arrest

I was with two others in a team house in Amirkabir Street in Mashhad (where activists of the PMOI were staying undercover) on 24 October 1981 (2 Aban 1360). The Haji Bahram Zarbat group, security forces from Kermanshah, raided the place. It was night and I was asleep. They put a gun to my head. They told the neighbours we were '*monafeqin*', meaning 'hypocrites'. They blindfolded us and took us to the IRGC intelligence centre in Malekabad Avenue. They had no warrant for arrest.

Chronology of events as narrated by the surviving former prisoner

In the IRGC intelligence centre, they asked our names and details. I gave my alias, not my real name. My hands were tied. They did not allow us to say prayers or use the toilet, and they gave us no food. After two days, they took us to a tent. There were 70 people inside. It was not a big tent. It was very cold, and there was one blanket for every two people. There were no showers. We were kept there for a week. We were only allowed to use the toilets three times a day.

We were then taken to a centre in Kouh Sangi Street. The IRGC had taken over one of our (PMOI) bases and turned it into its intelligence centre, where they had set up cells. I was kept there for about three months. We were 70 people in a room measuring 5m by 5m. They also had a room where they tied people to a bed and tortured them. There I gave my real name in a week-long series of interrogations and torture. They asked us which organization we supported, why we supported it, what were our activities and who were our fellow supporters. We were asked if we were willing to give a renunciation interview. When I

screamed with the pain of having my feet flogged, one of the torturers put a dirty cloth in my mouth, put a blanket over my head and beat me. My head was also bashed against the table and the wall. I was throwing up blood. I had to be carried to the toilet. My left kidney stopped working, probably from internal bleeding. I became very thirsty. They would not give me water. To torture me psychologically, the guard would spill water on the ground in front of me.

Two weeks later, in late January 1982 (early Bahman 1360), I was taken to the Prosecutor's Office (Bazporsi) in the court building nearby. There, I was asked if I accepted the charges of working to overthrow the regime, taking part in terrorist operations, and supporting the PMOI. I don't remember them all exactly, but about 15 or 16 charges were levelled against me. I denied them all. The name of the interrogator (bazpors) was Sigari. (He was later killed in the Iran-Iraq War.)

I was then in Vakilabad Prison for two weeks. I then went to court for a second time. I was not blindfolded. The religious judge was Ali Razini. On the left, was Ali Fallahian, another religious judge. They were each simultaneously dealing with separate cases. Razini was the judge who dealt with my case. I stated my real name. He asked who I supported. I said the PMOI. Razini asked if I would do an interview. I said I would not. He said your sentence will be execution. I said that that was fine. Razini told me to sign the verdict. I signed. He told me to add my finger print. I did. I asked to see my family. They were brought in, and Razini told my family to tell me that I faced execution if I did not repent. I told my family I would not cooperate with the regime. My court appearance lasted about five minutes. As I was being taken out, Pourian, who was in charge of implementing of sentences, came in. Razini told Pourian that, if I did not agree to do an interview by the morning, he should execute me. Pourian asked me if I was willing. I said I was not. He struck me around the head, and I fell on to my father, who had a stroke. My father told Razini that he was leaving this world and would stop Razini from entering heaven. I was taken to an IRGC centre next door. At 9pm, Pourian

came and asked again. I again said no. He told me to write my will. I said I had nothing to say. He did not come back. The next night they came and took me to Vakilabad Prison.

Two weeks later, they took me to court again. The judge was again Razini who again asked if I would do an interview. I said I would not. He issued another execution sentence, and told me to sign and fingerprint it, which I did.

I was taken back to Vakilabad Prison. After two weeks, I was taken again before Razini for a repeat of my previous appearance. I was taken there at 9pm. His two children and wife were there. Again, I signed my sentence.

On 22 March 1982 (2 Farvardin 1361), they summoned a number of us to the warden's office (Negahbani). They blindfolded us, and took us to the Revolutionary Court, this time to the basement. At 9pm, they read out my name and that of another and took us to a Komiteh Markazi (Joint Security Task Force) in Ark Street in Mashhad. They put us with two others in a room measuring 2m by 1m. We protested, but no one paid any attention to us.

On 18 April 1982 (29 Farvardin 1361), they took me to a court in the Komiteh Markazi. I did not have a blindfold. The people there were Razini, Pourian, Fallahian, Mostafa Pour-Mohammadi, a religious judge called Hosseini, the head of Vakilabad Prison, the Assistant Prosecutor (Dadyar) of Vakilabad Prison, Sigari the interrogator, Shams the interrogator, the head of the Komiteh and the representative of the then-Deputy Supreme Leader Hossein-Ali Montazeri. Razini asked me again if I would do an interview. I said I would not: I was just a simple mechanic. He said, 'Execution. Take him away.'

The next day, they took me again to the Revolutionary Court in the basement. There was only Pourian there. He told me my file had gone to the Supreme Judicial Council in Tehran and they had sentenced me. Pourian asked me if I had a will. I said I have no will, but to inform my uncle so he could bury me. He asked me for my uncle's number, called him and asked my uncle to bring

my mother to the court. When she arrived, Pourian told her that her child had been sentenced to execution. The Supreme Judicial Council had approved the sentence which was issued by the Komiteh Markazi court of 18 April 1982 (29 Farvardin 1361).

That court had, in fact, commuted the sentence of execution to life imprisonment because of my parents. In addition to my father's stroke, my mother had, since my arrest, been to every IRGC centre and every judge begging them to not execute me.

About a month later, in Vakilabad Prison, I was officially informed that I had received a life sentence. I was there until 1985 (1364) when, during the Montazeri amnesty commissions, I was granted conditional release: each week I had to present myself and fill out a form explaining where I had been and what I had done.

On 9 March 1987 (18 Esfand 1365), as I presented myself to the centre according to the conditions of my release, they arrested me again.

They took me to the IRGC intelligence centre in Kouh Sangi Street. The interrogation was about my sympathy for the PMOI. I was beaten but not flogged. About a month later, they took me to a court. There was a religious judge called Hosseini-Mazaheri and a clerk. I denied the charges. I was told later that I had received a five-year suspended sentence, but I was not released. The prosecutor of Mashhad, Moqiseh, disapproved my release. I was kept in Vakilabad Prison for over two years.

I was bailed when my mother put up her house as a bond. I was released days before the massacre.

From 20 June 1981 (30 Khordad 1360) until April 1982 (Farvardin 1361), my father went each night to his workplace situated at the far end of the Behesht-e Reza cemetery. He heard gunfire and saw the bodies of the executed.

In February 1982 (Bahman 1360), when I was brought from Vakilabad Prison to an IRGC interrogation centre, I saw Dariush Arjomand and Mohammad Akhavan, who was a student and supporter of the PMOI. They had both been tortured so badly

that the soles of their feet were gone. I also saw there Fereydoon Kiani, whose jaw had been broken under torture. Newspapers later reported the execution of these three prisoners.

From 1981 until 1985 (1360 – 1364), officials such as Moussavi Aradabili (then-head of the Supreme Judicial Council), Mohammad Gilani, Assadollah Lajevardi and Moussavi Tabrizi came to address the political prisoners. They told us it was a mistake not to have executed us all and that, in time, they would do so.

I have written a book, *Osturehayeh Moghavemat*, about my experiences in prison.

Former Prisoner Number (15)

Interview conducted on 2 November 2016

Full name: Hassan Ashrafian

DoB: 24 September 1960 (2 Mehr 1339)

PoB: Abadan

Father's name: Ali

Resident of Abadan until 1980 and later moved to Tehran

Date of arrest: First arrested in Abadan on 6 July 1980 (15 Tir 1359) and sentenced to two years in prison. Escaped prison on 22 September 1980 (31 Shahrivar 1359), and re-arrested in Tehran on 4 January 1983 (14 Dey 1361).

Total time in prison: Approx. 10 years and 1 month

Circumstances of arrest

My first arrest was by the IRGC in Abadan on 6 July 1980 for protesting outside their centre for their having arrested PMOI supporters. The IRGC punched, kicked and pistol whipped the protestors, arresting 15 of us.

Chronology of events as narrated by the surviving former prisoner

We were transferred to the IRGC detention centre in the Sheteyt district of Abadan where we had to give our names. I was held there for a month without charge. I could not contact my family. One night, they woke me and took me to the religious judge of Abadan called Zargar. There was another IRGC agent sitting there. The mullah asked me who my marja'e taqlid (source of emulation) was. When I mentioned the name of a cleric who was not part of the regime, he got very angry with me. Zargar read out the charges against me. He swore at me a few times.

The next morning, I was summoned and shown a verdict with a sentence of two years in prison. A few days later, they took me to the city police detention centre (Shahrbani Prison). From then on, I was allowed family visits.

I was not allowed to have a lawyer from the moment of my first arrest until the very end of my ten years in prison.

In the morning of 22 September 1980 (31 Shahrivar 1359), during the Iran-Iraq War, Iraqi warplanes bombed a site near the prison. The ordinary prisoners started a riot. In the midst of this, I and a number of other PMOI supporters escaped.

I went to Ahwaz, and, in May 1981 (Ordibehesht 1360), to Tehran. I took part in the major protest against the regime organised by the PMOI on 20 June 1981 (30 Khordad 1360). The regime opened fire on this peaceful protest of half a million PMOI supporters. There were many deaths and injuries. From that date, anyone who was found to have taken part in the 20th June rally was seen by the authorities as worthy of execution.

I was re-arrested at gunpoint on 4 January 1983 (14 Dey 1361) at my mother's house in Azadi Street in Tehran. Agents from the office of the Tehran prosecutor blindfolded and handcuffed me, and took me to the IRGC building. They did not show me a warrant. When I was taken inside, three or four of them kicked

and beat me and conducted a mock execution in an attempt to make me talk about other activists. I was kept there that night.

The following morning, 5 January 1983 (15 Dey 1361), I was taken to Evin Prison and straight to a torture bed in the prosecutor's office (dadsara). They flogged my back and the soles of my feet. They put a bag over my head. They said that, when I was willing to talk, I should lift my hand. Because I could not breathe, I lifted my hand several times, but kept denying that I had been active against the regime. From time to time, they asked me to write my confession. I would write general information, and they beat me again. A few days later, I was again tortured in the dadsara of Evin Prison. The prisoners slept, blindfolded, in the corridor. They kept us waiting for hours to go to the toilet. I bled each time I went to the toilet. I was there for about ten days. I was then sent to the top floor of Ward 2 of Evin Prison.

On many mornings, I would be taken to the dadsara for interrogation. I was beaten but not flogged on these occasions. This lasted four months. I had no family contact or access to a lawyer in this time.

I was then taken to a court, Branch 4, inside Evin Prison in the dadsara building. Ali Mobasheri was the religious judge. There was a clerk from the prosecutor's office and an IRGC officer who escorted me inside. The clerk read out 13 charges against me. These included having a relationship with the PMOI, giving them money, and escaping prison. Mobasheri, realizing that I was from Abadan where Iraqi forces had reached, said I did not need a court appearance but should be shot in the head. I was not given a chance to defend myself.

About a month later, I received a verdict stating that I was sentenced to 12 years in prison.

On 24 October 1983 (2 Aban 1362), I was transferred with a group of other prisoners to Ghezelhessar Prison in Karaj. The prison was comprised of three units. They sent us to Ward 2 of Unit 1. It had 16 small cells, measuring 3m by 3.5m. It had also eight cells measuring 8m by 6m. I was put in cell 10 (of the small

cells). We varied between 18 and 22 people in that cell. It had two sets of triple bunk beds. It was what was known as a 'darbast' cell, meaning that the door remained shut at all times. We were only allowed to go to the toilet three times a day, and all of us had to go at the same time. We were permitted only ten minutes in the open air. Once a week, we were allowed to shower. From 7.30 am to 11pm, there was ideological indoctrination by the mullahs and propaganda via the ward's loudspeakers. We had to sit to attention, so to speak, and were barred from stretching our legs. Anyone caught doing so would be made to stand the whole day. I was kept there until 31 March 1986 (11 Farvardin 1365). Hajj Davoud Rahmani was the head of Ghezelhessar Prison.

On 31 March 1986 (11 Farvardin 1365), I was transferred to Gohardasht Prison, also in Karaj, because Ghezelhessar Prison was cleared of political prisoners. From 1987, the regime began to separate the prisoners based on their commitment to opposition and their verdicts. In February 1988 (Bahman 1366), we saw the regime transferring prisoners with sentences of longer than 15 years to Evin Prison. Those with 10 to 15-year sentences, like me, were taken to Ward 3 of Gohardasht.

From the start of 1988 (the end of 1366), they distributed forms every week, asking about name, commitment and charges.

In April 1988 (Farvardin 1367), some of the families of the political prisoners in Gohardasht told them that the interrogators in Tabriz (north-west Iran) had told prisoners there to be prepared as they planned to execute them all soon.

In April or May 1988 (Farvardin or Ordibehsht 1367), Masoud Moghbeli, an activist of the PMOI, was taken for interrogation from Evin Prison to the Towhid Prison (run by the Komiteh Moshtarak). The interrogators told him that they had divided the prisoners into three categories: Red, Yellow and White. The Red cases would be executed. The White were to be released. The Yellow would be executed if they did not repent. The interrogators told Masoud to pass this back to other prisoners in Evin. This news got out of Evin, through family visits, and reached

other prisons, including Gohardasht. Masoud Moghbeli was later executed in the 1988 massacre.

In June 1988 (late Khordad or early Tir 1367), they cut off our newspapers. In July 1988 (late Tir 1367) they cut off all family visits. There were a group of very committed PMOI supporters who had been exiled from Mashhad to Gohardasht Prison. At that time, they all received execution sentences. (We got this news by Morse code communications with other prisoners).

On 29 July 1988 (7 Mordad 1367), from the window, I saw, in the courtyard, Davoud Lashkari, two plainclothes agents and two mullahs together with two Afghan prisoners who were taking two wheelbarrows of heavy rope to a warehouse in the prison compound. Several hours later, we saw the same people, except for the Afghan prisoners, coming back laughing and offering each other sweets.

On 30 July 1988 (8 Mordad 1367), Davoud Lashkari and 30 guards came to our ward. He called out the names of ten people. I shall remember their names forever.

Every day, an IRGC agent took away a group of about 15-20 prisoners from our section.

On 3 August 1988 (12 Mordad 1367), we heard the sound of engines at night. We saw, about 15m below us, two trucks. One, which was turning around, had an IRGC agent on top of it pulling a tarpaulin over the back. The truck was full of bodies wrapped in bright foil. The truck measured 3m by 6m and was about 2.5m tall.

On other nights until 16 August 1988 (25 Mordad 1367), we saw the trucks but each time they were already covered. At some point, they changed the execution ground from the warehouse to the prison's amphitheatre. From our communications with other prisoners via Morse, we learned of the existence of the Death Commission and of the massacre.

Of 210 people in this ward, only 53 of us remained by mid to late August (late Mordad or early Shahrivar).

On 15 February 1989 (26 Bahman 1367), they took all of us to Evin Prison, to Ward 1 on the top floor. In 1991 (1370), they reduced my sentence by two years.

On 21 December 1992 (30 Azar 1371), I was freed from prison with very high bail and guarantees from family. Every week I had to present myself to the MOIS centre in Sabah Street to sign in and fill out a form about my movements. I was not allowed to leave the country, and had been told in prison that re-arrest would mean execution.

I have written a memoir of my time in prison called, *Pejvak-e faryadhay-e Khamoush (Echo of the Silent Cry)*.

Former Prisoner Number (16)

Date of interview: 07 October 2016

Name: Hossein Farsi

DoB: 20 June 1964

PoB: Shahr-e Rey (Tehran)

Date of arrest: 29 June 1981 (8 Tir 1360)

Date of release: December 1993

Reason for arrest: Supporting the PMOI

Circumstances of arrest

Five agents of the Islamic Revolutionary Committee from Tehran's 14th Precinct (Shahr-e Rey) came to my house. They searched the place without a warrant and found a number of PMOI books, newspapers and audio cassettes. They took me to a Committee branch for questioning.

Chronology of events as narrated by the surviving former prisoner

They took me into an interrogation room where there were seven or eight IRGC members waiting for me. One took a chair

and smashed it on my head. The others began to beat me with planks of wood and punch and kick me. They did not ask any questions. The beating went on for about 30 minutes. They then took me to a cell.

For five days, they beat me on and off as well as threatening me with death. They then took me to the headquarters of the 14th Precinct Committee, and there an interrogator questioned me. He asked in what political activities I had been involved. I said I was not politically active. He asked where I was on 20 June 1981 (30 Khordad 1360), when a huge and peaceful PMOI rally in Tehran ended in regime gunfire. I said I was at work on that day.

After this interrogation, they took me to the general detention hall in which there were about 30 other prisoners. On 5 July 1981 (14 Tir 1360), they took us to Evin Prison in Tehran.

On arriving at Evin Prison, they put blindfolds on me and beat me on the way to the Central Islamic Revolutionary Prosecutor's Office. There an interrogator questioned me, asking my name, why I had been arrested, and where I was on 20 June 1981. The interrogation lasted an hour, and, in between questions, he beat me.

After the interrogation, they took me to ward 3, cell number 2.

From the moment I was arrested, I was not allowed to contact my family or have access to a lawyer. Prisoners were not allowed access to lawyers in the 'Revolutionary Courts' between 1981 and 1992. Once, in 1984, when a cleric by the name of Majid Ansari visited us in prison we asked him why we could not have lawyers. He said any lawyer daring to defend us would be executed for doing so.

I was summoned to the 'dadsara' (court). I was blindfolded. Someone in the room questioned me. He asked the same questions as before, but also asked to whom the PMOI literature in our house belonged. I said I did not know. He asked me to put my answer in writing and sign it, and asked me to lift my blindfold slightly so that I could do so. I saw that he was a mullah. I could

not actually read what I was signing. I later learned that this mullah was Ali Mobasheri. There were two tables and two mullahs in the room, and two people were simultaneously tried. The entire prosecution document was an A4 sheet of paper. The hearing lasted, at maximum, 15 minutes. They then took me back to the general ward.

On 13 August 1981, they summoned me, blindfolded me, and took me to the ward's administration office. There they told me to lift my blindfold. They handed me a sheet of paper which said that I had been tried in the 3rd Branch of the Islamic Revolutionary Court and sentenced to three years' imprisonment. I had to sign the verdict. They then transferred me to Ghezelhessar Prison in Karaj.

In Ghezelhessar Prison, they took me to the general ward. I was there for almost four years, during which time I was tortured.

As a condition of my release, they brought me a Renouncement Confirmation form to sign. I was interrogated on several occasions by MOIS agents. I was released on 25 June 1985.

In order to be released, I had to give a written commitment not to take part in any political activities and not to leave the country. I would be re-arrested if I did not comply. My family had to put their house up as a guaranty that I would not flee or become politically active. I had to present myself once a month to Evin.

The second time that I went to Evin Prison, I was detained. They took me to a building called 'Asayeshgah', which was run by the MOIS. Three or four interrogators asked me how many times I had contacted the PMOI and who my friends were. I was blindfolded during the four- to five-hour interrogation and they continuously hit me. I was then taken to a cleric. I later learned that he was Gholam-Hosseini Mohseni-Ejei. He handed down a warrant for torture. The interrogator told me that he had approved flogging to death for me. They put me on a bed and flogged the soles of my feet about 100 times. They then took me to solitary confinement. This process lasted for one week.

After a month, they produced a document which said that I had confessed to being active, and I accepted it. They kept me in solitary confinement for three months, then they took me to the general ward in the building known as the 'Amouzeshgah'. There they allowed me to have family visits. Two months later, they took me to the Prosecutor's Office (Bazporsi) in Evin Prison in a building called the Dadsarayeh Engelabe Islamie Markaz (Central Islamic Revolutionary Court).

I had two interrogations there which included beatings and psychological torture. A month after the second interrogation, they took me to court inside Evin Prison. The court room was 3m by 4m. The judge was a mullah. He was guarded by an IRGC agent. The mullah told me to lift my blindfold. He read out my charges. My first charge was that I had contacted the PMOI abroad. This mullah played the role of prosecutor, judge and court clerk. He swore at me while reading out the charges. He wrote some notes on the charge sheet. The court session lasted about 30 minutes. At the end, the mullah told me to sign the charge sheet. When I told him that I would not sign it unless I was first allowed to read it, he threatened me with torture.

A week later, in February 1986, they announced my verdict. I had been sentenced to nine years' imprisonment. I later found out that this mullah's name was Ravandi.

In February 1988, I was transferred to Gohardasht prison and, upon arrival, was beaten and warned not to take part in any sort of political activity.

When the regime accepted the UN resolution on a ceasefire in the Iran-Iraq war in July 1988, the prison became further securitized. From 25 July 1988 (3 Mordad 1367), all time outside of the cells was ended and newspapers were no longer circulated. On the night of Friday 29 July 1988 (7 Mordad), they took 30 of us out of the ward and on to the main corridor. Here, Mohammad Moghisseh (Nasserian), who was head of the prison and was also the Associate Prosecutor, individually asked each prisoner his charge and whether he wanted amnesty. Moghisseh

recorded the responses. From May 1987, the regime became very sensitive to the name of the '*Mojahedin*'. The guards beat anyone who said that their charge was having supported the '*Mojahedin*'. On this occasion, no reaction was given when some prisoners said '*Mojahed*' when asked what the charge was.

On 30 July (8 Mordad) at 7am, they blindfolded us and took us to the Associate Prosecutor's room (Dadyari). I could see, beneath my blindfold, two IRGC agents carrying Uzi rifles. In the room was the Tehran Prosecutor, Morteza Eshraqi, the religious judge, Hossein-Ali Nayyeri, and a cleric who I later learned was Mostafa Pour-Mohammadi, the representative of the Intelligence Ministry.

The head of the prison, Moghisseh, brought prisoners into the room one by one and stood behind them. I was told to remove my blindfold. Nayyeri asked the questions. If anyone answered 'a supporter of the *Mojahedin*' when he asked the prisoner the charge, he posed no further questions.

Outside the courtroom, they read out the names of about 100 people. They were all taken away and we never saw them again.

On 13 August 1988 (22 Mordad), they summoned me to the courtroom once again. In addition to the three previous officials, there were two other officials in the room. One was Naderi, the prosecutor of Karaj (sitting next to Eshraqi), and a person called Fatehi who was head of the Intelligence Department in Karaj (sitting next to Pour-Mohammadi). In this session, they gave me guidelines to say that I had separated from the PMOI. They then took me to solitary confinement. On 13 August (22 Mordad), about another 90 prisoners were taken and executed. I was in solitary confinement until about 20 September.

I was taken to solitary confinement again on 5 October with 15 others.

On 6 October, the head of the prison told us that they wanted to execute us. When one of the prisoners asked why, he said, 'No reason - why did we execute the other prisoners?'

For two months, we were kept in solitary confinement anticipating our death at any moment. Then they took us back to the general ward.

In February 1989, they cleared out Gohardasht Prison of political prisoners and took everyone to Evin Prison. At about the same time, based on an amnesty by Khomeini, all the Marxist prisoners were released, and only the PMOI prisoners remained. In December 1993, I was released. We had to put our house up as a guaranty, and once a month I had to appear before the MOIS's *Peygiri* (Follow Up) Office in Saba Street in Tehran.

IX. THE CALL FOR JUSTICE

For nearly 30 years, the families of the victims of mass executions in 1988 have been crying out for justice but their voices have been silenced in Iran and ignored by the international community. In Iran, any reference to what happened in the summer of 1988 was a red line for the authorities. The families were not even allowed to seek the graveyards of their loved ones. Every effort was made to wipe the massacre from the history of Iran and the collective memory of the Iranian people.

Many of the victims were buried in mass graves at Khavaran, in the south-east of Tehran. Any attempt by the families to go there is considered an act against the Islamic Republic. Every year, on the anniversary of the massacre, attempts are made by the families to visit Khavaran. In the summer of 2007, a group of families gathered in Khavaran. Ali Saremi, a PMOI supporter and veteran political prisoner, spoke for the families about the 1988 massacre. He was arrested for the fourth time in his life. After a few years in jail, he was sentenced to death. His charges were visiting Khavaran, and visiting his son in Camp Ashraf in neighbouring Iraq. He was executed on 28 December 2010 in Evin Prison. Following the confirmation of his death sentence by the Iranian regime, he sent out an uncompromising message from prison:

In the name of God

I have read once more in newspapers that the [regime's] prosecutor has said that the death sentences of six PMOI supporters have been confirmed and will soon be implemented. The prosecutor must be asked: Have you really given this nation anything other than death, poverty, and terror over the past thirty-one years that you have been in power?

Looking back at the events of the past 31 years, one would realize that the execution of us six is not a novel or astonishing tale. This is the only thing that you are capable of doing. Have your dreadful

reactionaries brought anything for the Iranian people other than death?

While you continue to subject this nation to humiliation, death, gloom and illusions, beware that the day of the people's retribution is near. You are showered each night and day with the people's hatred and abhorrence. Don't think for a moment that people are ignorant and will forget the chains, knives, Kahrizak [death camp], persistent murders, plainclothes agents and thugs who rain down on people with batons.

On Judgment Day, you will be standing beside the pharaohs, Nero, Genghis Khan, and others who have betrayed their nations. It will not be long. Where will you, so-called prosecutors who justify baseless sentences handed down by your so-called courts, find a place among humans and Muslims?

This nation will not join hands with tyrants. You have made life intolerable for people by creating plenty of empty dinner tables, abandoned children, drug addiction, and jealousy. How dare you continue to rule, talk and make promises? Are you not mortified? Shame on all of you.¹⁰⁴

Calls for the international community to act in the name of justice have fallen on deaf ears; the lure of trade with Iran and the illusion of regime moderation have silenced criticism. Such silence costs the Iranian people dear, providing impunity for those who carried out the mass executions of 1988 and hold key positions within today's Iranian government. However, the massacre of 1988 remains engraved in the consciousness of the Iranian people.

The summer of 2016 was the beginning of a new era. On the anniversary of the massacre, the Iranian opposition called for a campaign to bring those responsible to justice.

The release, on 9 August 2016, of the audiotape of Montazeri's 1988 conversation with the "Death Commission" has led to an

¹⁰⁴ <http://ncr-iran.org/en/news/iran-resistance/8628-iran-political-prisoners-ali-saremi-message-after-the-confirmation-of-his-death-sentence.html>

unprecedented public demand within Iran for justice for the 30,000 political prisoners executed in the summer of 1988. In turn, this has meant that the regime has been forced to respond to the public backlash against it. Regime officials, in seeking to justify the massacre by blaming the PMOI, have inadvertently acknowledged the crimes. The red line has been crossed.

The regime's admissions, coupled with growing demands from the families of the victims, both outside and inside Iran, place an additional burden on the United Nations to act. For the UN and, in particular, the OHCHR to stay silent is to undermine its own mandate.

Official Statements Acknowledging the Mass Executions of 1988

Supreme Leader, Ali Khamenei, official website, 24 August 2016

Unfortunately, some people are trying to create an atmosphere of innocence for criminals who have killed thousands of ordinary people and officials and renowned dignitaries and distort the radiant image of the late Imam (Khomeini). But these evil hands will not succeed and they will fail as they have done before¹⁰⁵.

Ali Akbar Hashemi Rafsanjani, state-run FARS news agency, 27 August 2016

The wave has embraced virtually all foreign opposition media, to the extent that the Mayor of Paris recently held an exhibition which recreated the scenes of executions in those days. The extent of support for this terrorist group at this time merits being pondered. The main objective of our international and domestic enemies is to take revenge from the unprecedented role and status of Imam [Khomeini] in the contemporary history of Iran and the world. We must act vigilantly and describe the Imam's path in a way that it could not be abused by opponents¹⁰⁶.

¹⁰⁵ <http://www.leader.ir/fa/content/16135/>

¹⁰⁶ <http://www.farsnews.com/newstext.php?nn=13950606001372>

Mostafa Pour-Mohammadi, Justice Minister, state-run Tasnim news agency, 28 August 2016

(Pour-Mohammadi was a member of the 'Death Commission' and can be heard on the tape released by Montazeri)

God commanded show no mercy to the non-believers because they will not show mercy to you either, and there should be no mercy to the [PMOI] because if they could they would spill your blood, which they did...We are proud to have carried out God's commandment with regard to the [PMOI] and to have stood with strength and fought against the enemies of God and the people¹⁰⁷.

Assembly of Experts, Official Website, 28 August 2016

Perhaps, for some, it is still hard to grasp the historic and revolutionary decision of His Eminence Imam Khomeini in his decisive and uncompromising action toward the [PMOI] and the prosecution of the leaders and some members of the [PMOI] in 1988, and the deep understanding and foresightedness of that heavenly man in saving the Islamic regime which is the fruit of the struggle and efforts of the old and the young in this country. The late Imam arrested the sedition through his timely decision at that critical juncture.

Isn't it the case that the heartless [PMOI], whose crimes and treachery against this land are a well-known fact, have from time to time with the various support of the Arrogance (the West) and reactionary states sought to revive their evil and corrupt existence?

While condemning the crimes of the evil [PMOI] grouplet in Iran and Iraq, the Assembly of Experts condemns the publication of this audio tape by the supporters of this grouplet, which only adds fuel to the fire of the enemy, and it warns the wise and aware people, in particular the dear youths of the Islamic Iran, that the [PMOI], with those crimes and its fragmented state of organization, is on the brink of complete destruction and will get

¹⁰⁷ <https://www.tasnimnews.com/fa/news/1395/06/07/1170966>

nowhere through such hopeless attempts to stain the truth about His Eminence the Imam (Khomeini) and the holy regime of the Islamic Republic of Iran, and they will not reduce by an iota the firm belief of you, the wise and pious people, in the path of the Imam and the revolution¹⁰⁸.

Ahmad Khatami, Tehran Friday Prayers' Leader, 19 August 2016

Those who had collaborated in prisons and said that we were steadfast, they too are Mohareb [at war with God]...What the late Imam did in 1988 was a religious, Quranic and revolutionary act, and it was a great service to the Iranian Muslim nation. If the Imam had not done that brave act, we would have had big issues today; we wouldn't have security. We owe our security today to the Imam's revolutionary measure...People should not believe whatever is broadcast from foreign satellite networks¹⁰⁹.

Mohsen Rafiqdoost, former Minister of the IRGC, 28 August 2016

The Imam wrote in his will that he would go to an eternal place with a calm and certain heart because, if he had not resolved the problem of the [PMOI], the revolution would have faced problems¹¹⁰.

Sadeq Larijani, Head of the Judiciary, 15 August 2016

Western countries and their regional proxies try to support the PMOI by inviting them to Paris and holding rallies, and, unfortunately, some inside the country also try to somehow go along with this movement and disturb public opinion, but they must know that the Judiciary will act forcefully as always, and any disturbance in public opinion on these security issues will certainly face judiciary prosecution...What has been done based on the sentences of the courts cannot be compromised, and the verdict for Mohareb groups is very clear, but, unfortunately, some go the crooked way and say strange things¹¹¹.

¹⁰⁸ <http://www.farsnews.com/newstext.php?nn=13950607000396>

¹⁰⁹ <http://kayhan.ir/fa/news/83162/795>

¹¹⁰ <https://www.tasnimnews.com/fa/news/1395/06/07/1170993/>

¹¹¹ <http://www.ensafnews.com/36154/>

Ali Razini, Judiciary official, 16 August 2016

Unfortunately, there are lines active inside and outside the country to somehow revive the Mojahedin...Those whose verdict was 'moharebeh' [enmity to God], had their sentences carried out, and the basis for other problems was annihilated. The security that we have now in Iran, which shines as a stable island among all insecure countries in the region, is because Imam Khomeini did not neglect to carry out the sentence...We are thankful to the founder of the Islamic revolution who has dealt with such decisiveness and prevented the penetration of insecurity¹¹².

Mehdi Khazali, former Presidential Official, Dorr TV, 26 August 2016

The largest and most populous group which opposed the state was the People's Mojahedin Organization...It could be annihilated only by authorization from the Imam [Khomeini]. In fact, they wanted to uproot this group while the Imam was still alive. They said that if anyone was released, he/she would become a renegade; then we would be entangled in a situation where we would be facing many people. So, we execute these people, and these executions would terrify the families and no one would dare to become a renegade...nearly 33,000 people were hanged in a matter of a month or so¹¹³.

Montazeri's Sentence: A Further Acknowledgement of the 1988 Massacre

Ahmad Montazeri, who placed his father's audiotape on his website¹¹⁴, was ordered to remove it immediately. He was then summoned to the Special Court of Clergy and was interrogated

<http://www.farsnews.com/newstext.php?nn=13950525000961>

¹¹² <http://www.mashreghnews.ir/fa/news/618892/>

¹¹³ <http://www.dorrnews.com/?p=6261>

(<https://www.youtube.com/watch?v=J0okdDyHDMY>)

¹¹⁴ <https://www.washingtonpost.com/news/worldviews/wp/2016/08/12/an-opponent-of-political-violence-was-once-set-to-lead-iran-one-last-quarrel-changed-it-all/>

for three hours. A further interrogation session was held on 28 August. Ahmad Montazeri said that he possessed other unpublished documents that he might reveal. He added that the documents are “not limited to a specific location and if the security officials want to search to find the documents, they should not only search throughout Iran but also throughout the world.”

On 27 November 2016, Ahmad Montazeri was sentenced by a special court for clergy to twenty-one years’ imprisonment. He must serve at least six years of the sentence. Montazeri was also defrocked. He has appealed against this judgement. The draconian ruling by the special court demonstrates the regime’s concern about the discovery of the truth of the massacre.

The chaos inside the regime caused by the 2016 campaign for truth about the 1988 mass executions is exemplified in the simultaneous public justifications of the mass killing that took place and the harsh treatment of Mr. Ahmad Montazeri.

Below is the abridged text of the verdict, as reported by Shabtab News (Ayatollah Montazeri’s Telegram Channel) on 28 November 2016.

It is to be noted that the regime has not – and indeed cannot - refute the truth as revealed in the audiotape. Therefore Mr. Ahmad Montazeri, son of the Grand Ayatollah Hossein-Ali Montazeri, was charged for some vague accounts of:

- Acting against national security, disclosure of the system’s secret documents and disruption of public order with his actions;
- Malversation via non-extradition of the system’s classified documents;
- Propaganda against the system [regime] through interview with counter-revolutionary media.

Clearly, these charges are designed to simply silence him. The following are excerpts from the indictment¹¹⁵:

[Considering the content of the case, the indictment, numerous reports by the Intelligence Office in Qom, the investigation, the accused's interviews with the foreign and counter-revolutionary media (as described in pages 1 to 5 and 13 to 21), his statements during the investigation, (as described in pages 26 to 30, the report by the Deputy of IRGC Intelligence, (pages 53 to 63), and the images of the texts broadcast by foreign media, confirm that the actions of the accused are contrary to security. In addition, there exists extracted confessions, his explicit and implicit confessions (as described in pages 18 to 23), confirmation of secretive and classified audio file by the Intelligence Office (page 15) and the picture of the accused with a number of anti-revolutionary elements and enemies of the system (regime) that are active and trying to overthrow [the system], (as described in pages 166 to 175)... choosing to time the release of the files concurrently with the enemies' claims regarding the execution of criminals affiliated to them is intentional and has the aim of supporting them.

It is very clear that the defendant's action in publishing the audio file has many negative effects on society, giving an excuse to the adversaries and counter-revolutionaries...(the audio file) has been described as the black box missing from the plane crash...After [Montazeri's] removal [by Khomeini], those official documents should have been transferred to the relevant authorities...With what legal, religious or moral authorization did the defendant keep the documents related to the system and release one of them with the specific objective of inflicting an irreparable blow to the system's body?... The audio file was placed in the hands of the enemies of Islam who used it, not just to undermine the system (regime) but also to stimulate its overthrow...In view of the above, that the accused committed the crimes set forth is clear and indisputable...the court sentences

¹¹⁵ <https://goo.gl/8O5WHX>, this site provides the text of the indictment in Persian and was translated for this report by JVMI.

him to: ten years' imprisonment on charges of acting against national security; ten years' imprisonment for releasing a classified audio file; and one year's imprisonment for propaganda against the system...However, considering the value and sanctity of his noble and martyred brother's blood, his age and specific situation, and lack of criminal convictions...the punishment is a sentence of six years.

Whereas the sum of the defendant's actions is considered contrary to the dignity of clergy, by virtue of Article 43 of the Special Clerical Court's regulations, the defendant is defrocked. Finally, considering that the defendant is attributed to the family of martyrs, according to articles 54 and 49 and 46 of the Islamic Penal Code, the sentence to defrock him will be suspended for three years.

If, during the above mentioned time, he again commits an intentional crime of limit, retaliation, blood money or chastising to grade 7, in addition to punishment for the new crime, his suspended sentences will be implemented.

Head of the Fifth Branch of Qom's Special Clergy Court

Ehsan Rezaei – 19 October 2016

Date of Notification: 27 November 2016]

In an interview posted on the internet¹¹⁶, Ahmad Montazeri questioned the legitimacy of the verdict. In an interview with the Voice of America, Montazeri said, "I think this verdict has been written somewhere else" and not by the judge. He further said, "those who carried out these executions say we implemented God's commandment. If that is the case, why would you imprison someone for exposing God's commandment?"¹¹⁷ Montazeri continued, "if this conduct was correct, and, according to those four individuals [of the 'Death Committee'], they implemented God's commandment, why do they hide it? And if they accept it

¹¹⁶ <http://ir.voanews.com/a/last-page/3631237.html>

¹¹⁷ Dorr TV, 28 November 2016

was wrong to do it, then [the government] must determine who was responsible...the truth must be discovered.”¹¹⁸

Discontent within the system

While Iran’s top officials have either explicitly or implicitly acknowledged the mass executions of 1988, there has also been some dissent within the system. This internal dissent is a reflection of the growing clamour from the public.

One such individual is *Ali Motahari, Deputy Speaker of the Iranian Parliament*, who, on 27 August 2016, in an open letter to Mostafa Pour-Mohammadi, current Justice Minister and former member of the 1988 ‘Death Commission’, demanded an explanation for his role in the massacre. Subsequently, the state-run *ISNA news agency*, reported, on 28 August 2016, that thirty Deputies wrote a letter to the delegation that monitors Article 26 of the Parliament’s internal guidelines, demanding an investigation and a vote of no confidence into Ali Motahari’s competence as Deputy Speaker.

The public campaign inside Iran

Political Prisoners

Maryam Akbari-Monfared, currently serving a 15-year sentence for supporting the PMOI, made a bold move on 15 October 2016 by officially filing, from within prison, a complaint seeking an investigation into the execution, in the summer of 1988, of her brother and sister. She has also sent an open letter in which she explained that four of her siblings have been executed by the regime (two in 1988 and two brothers in early and mid-1980s). Akbari-Monfared also describes the psychological pressure on her family. Her call has been supported by fellow prisoners as well as many families of other victims.

¹¹⁸ Radio Farda, 17 December 2016: <http://www.radiofarda.com/a/o2-montazeri-new-documents/28181361.html>

Before Ms. Akbari-Monfared filed her official complaint, her brother, Reza Akbari-Monfared, who is serving a 5-year sentence for supporting the PMOI, had sent an open letter challenging a statement made by the Minister of Justice, Mostafa Pour-Mohammadi, that he was proud of having implemented God's commandment in the mass executions of 1988. Mr. Reza Akbari-Monfared wrote:

My father was put under pressure to declare that they had died due to natural causes in prison. Should he make such a declaration, he may enjoy "Islamic compassion" and their burial location may be shown to him. I know that for you [Pour-Mohammadi] it does not matter if a person is convicted or charged, and whenever it is necessary you will execute, but if the 1988 massacre, and all the massacres we see every day across Iran, has not yet made the world react, if it is necessary for me and my sister, as the only survivors, to be hanged today to reveal these crimes and open the eyes of people of Iran and the world over, we do not have any fear.

Reza Akbari-Monfared, political prisoner, Hall 12 of Ward 4, Gohardasht Prison, Karaj, 28 August 2016

Maryam Akbari-Monfared in her complaint to the Iranian Judiciary wrote:

I respectfully inform you that my brother, Abdolreza Akbari Monfared, and my sister, Roqieh Akbari Monfared, were executed on unknown dates during the summer of 1988. They were both tried by the Revolutionary Court, without access to a lawyer...the exchanges during the 15 August 1988 meeting between Ayatollah Montazeri, the designated successor of the supreme leader and Mostafa Pour-Mohammadi, Hossein-Ali Nayyeri, Morteza Eshraqi and Seyyed Ebrahim Raissi, [make clear that] the execution of political prisoners, including my sister and brother, in 1988 were against the applicable law, Sharia law and the international commitments of the Islamic Republic...I, therefore, call for an investigation into the unlawful execution of

my sister and brother and disclosure of the facts, including the names of those who were responsible for their death.

Maryam Akbari-Monfared, Evin Prison, 15 October 2016

A day later, in an open letter, she made public her case. She wrote:

After all these years, they [the regime] continue to kill freedom-seekers and protesters in my country, and we, the relatives of the victims of the 1980s, have been and continue to be under immense pressure...The pressure imposed on us and our relatives is now being meted out to our children...We, the relatives of the victims of the 1980s, continue to face pressure, and, as I write this letter, I do not know what fate awaits me after it is published. But, aware of all the possible consequences, I demand that light be shed on the circumstances of the 1988 massacre of prisoners.

Maryam Akbari-Monfared, Evin Prison, 16 October 2016.

The Iranian judiciary refused to open an investigation. A representative of the Tehran General and Revolutionary Prosecution Office said, "What is she after? Those who executed her sister and brother are either dead or very old, and her sister and brother are probably buried in Khavaran Cemetery." He also warned that such petitions would only exacerbate Akbari-Monfared's situation in prison and prevent her from being released.¹¹⁹

Indeed, true to his word, Amnesty International issued an Urgent Action, on 3 November 2016, about restrictions imposed on Maryam Akbari-Monfared which reads in part:

[Prisoner of conscience, Maryam Akbari Monfared, who is serving a 15-year sentence in Tehran's Evin Prison, is being denied access to medical treatment. She is facing reprisals after filing a formal complaint that seeks an official investigation into

¹¹⁹ <https://iran1988.org/political-prisoner-files-complaint-tehrans-prosecutor-1988-massacre/>

the mass killings of political prisoners, including her siblings, in the summer of 1988.

Iranian officials are refusing to take prisoner of conscience, Maryam Akbari Monfared, to her scheduled medical appointments outside prison in order to receive treatment for her rheumatoid arthritis and thyroid problems. The Associate Prosecutor (Dadyar) of Evin Prison told her family on 24 October that her medical care arrangements have been cancelled because she has become too “brazen” (por-rou). The denial of access to medical care follows other forms of reprisals against her, including an order from the Office of Prosecutor to stop prison visits from her family, and threats to bring fresh criminal charges against her.

Maryam Akbari Monfared was arrested in the early morning of 31 December 2009. For the next five months, her family remained unaware of her fate and whereabouts. In May 2010, she appeared before a Revolutionary Court in Tehran, which sentenced her to 15 years in prison on several charges including “enmity against God” (moharebeh) through membership in the banned opposition group known as the People’s Mojahedin Organization of Iran (PMOI). The judicial proceedings in her case were grossly unfair and the conviction was based solely on the fact that she had made phone calls to her siblings who are members of PMOI and had visited them once near the PMOI-run Camp Ashraf in Iraq. She was held in solitary confinement during the first 43 days after her arrest, where she underwent intense interrogations and was denied access to a lawyer throughout. She met her state-appointed lawyer for the first time at her trial, which was limited to one brief session. She was never provided with a reasoned judgement, setting out the evidence and legal reasoning relied upon to convict her. Maryam Akbari Monfred’s husband has said that during her trial session, the judge told her “she was paying for the activities of her brother and sister with

the PMOI." Her appeals were dismissed in a summary fashion with no reasons provided."]¹²⁰

Two weeks after her original complaint, Ms. Akbari-Monfared sent another complaint to the judiciary:

[Considering that I, Maryam Akbari-Monfared, a political prisoner incarcerated in Evin Prison, filed an official complaint on Saturday, 15 October 2016, with Tehran's Public Prosecutor's office seeking investigations into the execution of my sister and brother in 1988 and disclosure of the details, including identification of those responsible for their execution, I request the following:

An announcement as to which branch my complaint has been referred to.

As one of the officials of the Public Prosecutor's Office has privately told my husband that those responsible for the 1988 massacre have either died or aged, I wish to know their names whether dead or aged. I also wish to know why and how my sister and brother - my sister who was serving her prison term and my brother, who had served his sentence but was, nonetheless detained - were executed.

An official from the Public Prosecutor's Office has told my family in response to my question in the complaint about the burial location of my sister and brother that they are buried in Khavaran Cemetery. I wish to know if this information is accurate, and if they are indeed buried in Khavaran, in which section of the cemetery and exactly where.

Since filing a complaint before international tribunals is only possible after referring the case to domestic authorities, and in view of the legal documents and reasoning submitted in my official complaint, I once again reiterate that I, Maryam Akbari-Monfared, demand investigations into the unlawful execution of my sister and brother and disclosure of the details, including the identities of those responsible for their deaths, their charges, and

¹²⁰ <https://www.amnesty.org/en/documents/mde13/5090/2016/en/>

any other documents in their files... Article 34 of the constitution recognises that seeking justice as the inalienable right of every individual.

Considering that their burial location has never been shared with our family, I request disclosure of the way they were executed and where they have been buried.

Maryam Akbari-Monfared, Evin Prison, 30 October 2016]

The restrictions imposed on Ms. Akbari-Monfared prompted her young daughter to write to Asma Jahangir, UN Special Rapporteur on the Human Rights Situation in Iran, on 10 November 2016:

[My name is Sara Jafari-Hatam, the daughter of Maryam Akbari-Monfared. I am eleven years old, and, when I was three, they took my mother from me.

It's now eight years that my mother is not with us. I remember on my first day in school, when I was seven years old, all the mothers had come there, but I started school without my mother.

We wanted her to come out on [temporary] leave even for an hour, but they did not allow this. I've gone on many trips with my sisters and father, but we've always missed my mum. I wanted for her to be with us. Now that eight years have gone by, I miss my mother very much. But she has a 15-year sentence, and I have to tolerate this situation for another seven years. I really want for her to join us sooner because our visits are no more than 20 minutes and this is not enough for me and my sisters. I wish someone could hear our voice and could end this separation.

I plead with you to help, if you can, to free my mother. You have a mother, and perhaps you are a mother yourself, and can thus feel the hardship of being far from one's mother.

Thanks for having read this letter. God bless you].¹²¹

¹²¹ <https://iran1988.org/text-letter-sara-jafari-hatam-asma-jahangir-un-special-rapporteur-human-rights-situation-iran/>

Despite her harsh conditions in prison, Maryam Akbari-Monfared has continued to demand justice for her sister and brothers. Following the sentencing of Ahmad Montazeri for posting his father's audio tape about the 1988 massacre, she wrote another letter calling on international organizations, in particular the UN, "to instigate a fair trial for the perpetrators of the 1988 killing," and to prevent the implementation of the verdict against Ahmad Montazeri. Akbari-Monfared said, "Mr. Montazeri's remarks reflect the suppressed voice of the mothers of martyrs...in revealing a crime of enormous dimensions and unprecedented even in a dictatorship."¹²²

Maryam Akbari-Monfared's sister, Sediqeh Akbari-Monfared, an Iranian dissident currently residing in Europe, has also called on international organizations to take action. She wrote to the High Commissioner and the International Criminal Court Prosecutor in late November 2016:

[My sister and brother are among the victims of 1988 who were executed in Evin Prison based on a fatwa by Khomeini.

My sister, Roqiyeh Akbari-Monfared, was 30 when she was arrested in September 1981. She was imprisoned for seven years, and was executed in 1988 during the massacre of political prisoners. She had a three-year-old daughter at the time of her arrest.

My brother, Abdolreza Akbari-Monfared, was arrested in 1981. He was sentenced to four years in prison after a sham trial. When his sentence was finished, they kept him in prison for a further four years. He was executed in 1988.

My other brother, Gholamreza Akbari-Monfared, was arrested in 1983. He died under torture in 1985 in Evin Prison.

Another brother of mine, Alireza Akbari-Monfared, was arrested in 1981. He was in prison for just one week. Following his arrest, he was brutally tortured and then executed by firing squad.

¹²² <http://aftabkaran.com/akhbar.php?id=32788>

We have no information about their place of burial. Following the execution of my two brothers, Gholamreza and Alireza, all we received from the Iranian authorities were two bags which belong to my brothers.

Following these horrific events, my mother passed away from a stroke.

I must also point out that my other sister, Maryam Akbari-Monfared, and my brother, Reza Akbari-Monfared, are currently in the regime's prisons. My sister is denied any legal rights in prison simply for demanding justice for my martyred brothers and sister.

These massacres were no ordinary crime. The execution of 30,000 political prisoners, the majority of whom, including my brother and sister, were buried in secret mass graves, constitute a crime against humanity. These massacres must be investigated by the United Nations. The time has come for it to take international action in the International Criminal Court.]

Sediqeh's and Maryam's brother, Reza Akbari-Monfared, also joined his sister in demanding justice from the international community for their executed brothers and sister. He wrote, on 14 November 2016, to the High Commissioner for Human Rights and the Prosecutor of the International Criminal Court urging an investigation into the crime.

Other prisoners took up Maryam Akbari-Monfared's demand of the Iranian authorities, in spite of the risks. A group of political prisoners from Gohardasht Prison in the Iranian city of Karaj issued the following statement:

[The regime of the Velayat-e Faqih (supreme religious rule) and its founder and leadership bear responsibility for that crime against humanity and the historic disgrace that has been engraved on their names, and they must expect to face justice and receive punishment regardless of whether the perpetrators of the massacre of the summer of 1988 are dead or alive.

We the undersigned, from Gohardasht Prison's Hall 12 of Ward 4, join and sympathize with Maryam Akbari-Monfared and render our support to the movement seeking justice for all the families of the victims of the massacre of the summer of 1988 and draw the attention of international and human rights organizations, in particular Ms. Asma Jahangir, the United Nations Special Rapporteur for Human Rights in Iran, to pressures imposed upon these families. 13 political prisoners, Hall 12 of Ward 4, Gohardasht Prison, Karaj, statement, 3 November 2016”¹²³.

Another political prisoner, Sediqeh Moradi, also sent an open letter about the 1988 massacre. She was first arrested on 14 June 1981, and subjected to torture and detention for nine months over her activities in support of the PMOI. She was arrested again in 1985, and kept in prison until 1989. She was arrested a third time in April 2011, and, at the time of writing the letter below, was serving her prison sentence. She wrote in part:

In 1988, I was a witness to the massacre of the prisoners, which lasted from late July until mid-September of that year. A large number of prisoners were separated in the ward where I was incarcerated and were taken to be executed. These were the friends who wished us farewell and never returned; dear friends such as Azadeh Habib, Ashraf Fadaii, Monireh Rajavi, Mansoureh Moslehi, Parvin Haeri, Mojgan Sorbi, Maryam Golzadeh-Ghafouri and many others, too numerous to mention. I was witness to them executing people whose sentences had finished or who were mentally ill...I urge all human rights organizations and institutions, and all people who pursue truth, freedom and humanity, to take legal action against the perpetrators of this massacre for the lost rights of the innocent people who were executed in 1988.

*Sediqeh Moradi, Evin Prison, 5 November 2016*¹²⁴

¹²³ <https://iran1988.org/statement-political-prisoners-gohardasht-prison-treatment-maryam-akbari-monfared/>

¹²⁴ She was no longer in jail at the time of publication of this report

Families of the Victims

On 2 December 2016, A.A., the father of two victims of the Iranian regime, wrote to the High Commissioner and the ICC Prosecutor about the case of his son who was executed in 1981 and his daughter who was executed in 1988. He stated:

[Mehdi was born in 1961 and was executed on 14 September 1981 in Tabriz Prison, one or two months after his arrest and after enduring horrific torture. Aside from the false and unjust “mohareb” (enmity against God) allegation, which the regime used as a pretext to issue execution sentences against political prisoners, the short period between the arrest and execution of my son shows that there was no investigation, no fair trial, and no lawyer to represent my son. It further shows the mullahs’ thirst to eliminate their opponents as quickly as possible. My son was buried in section 1 of Vadi al-Rahmat Cemetery in Tabriz.]

My daughter, Masoumeh, was born in 1963, and after enduring seven years of detention and torture, she was executed by firing squad in the summer of 1988 at the age of 25 in Gohardasht Prison...This was despite the fact that she had previously been sentenced and was due to be released. We learned, by word of mouth, about the mass executions of political prisoners...After 28 years, I still do not know in which mass grave my daughter was buried. The Iranian regime has never provided any information about the number of those massacred, their names or even where they were buried.]

Iranian dissident, Seyyed Hossein Seyyed-Ahmadi Qooshchi, from Tehran, currently living in Albania, wrote to the High Commissioner for Human Rights and the Prosecutor of the International Criminal Court on 17 November 2016 over the case of his brothers who were victims of the 1988 massacre. He wrote:

[One of my brothers, Seyyed Mohsen Seyyed-Ahmadi Qooshchi, who was born in Tehran in 1958, was among the first group in Gohardasht Prison to be executed on 30 July 1988, following the fatwa by Khomeini, Iran’s Supreme Leader, ordering the execution of all opponents of the religious dictatorship.]

My brother, who was an active supporter of the PMOI, was arrested in 1980 and sentenced to six months imprisonment in Evin Prison. However, he was detained until his death. Family visits were cut off, and he was transferred, in a group of prisoners who were all arrested in 1980, to Gohardasht Prison in Karaj. There, they were all killed. Our family was told that his grave was in Behesht Zahra Cemetery, but they never gave us his body or even the location of his grave. In later years, we learned from the few prisoners who came out alive that they had been buried collectively in pits in various places including Behesht Zahra and Khavaran.

My other brother, Seyyed Mohammad Seyyed-Ahmadi, was born in 1960 and was executed in Evin Prison on 3 August 1988. My brother was arrested in 1985 on the charge of supporting the PMOI. He was sentenced to 15 years imprisonment, but they executed him in 1988. The Revolutionary Guards told my mother that they shot her son...They never gave us his body or the details of his grave, and we later learned that he had been buried in a mass grave.

Because of my brothers' 'crimes' one of my sisters in Iran was harassed, and became clinically depressed. My father died of a heart attack on hearing of the simultaneous execution of two of his children.]

Iranian dissident, Fereshteh Behzad, who lives in Europe, wrote to the UN High Commissioner for Human Rights and the Prosecutor of the International Criminal Court on 16 November 2016, demanding international action over the murder of her brother Mostafa Behzad in Iran's 1988 massacre. She wrote:

[My brother, Mostafa Behzad, was born in 1967 in Tehran. He was arrested there and taken to Evin Prison in April 1986. Mostafa Behzad was a student who was arrested for supporting the PMOI and sentenced to two years imprisonment. He was executed in the summer of 1988 even though he had finished serving his sentence. He died in the course of the massacre driven

by Khomeini's fatwa against opponents of the religious dictatorship.

We do not have any information on the exact date of my brother's execution. However, according to some of his friends, he was executed in August 1988. From July of that year, we were not allowed to visit him and the prison told us that he was held incommunicado. In November 1988, we were contacted by the prisons committee. My father thought he was to be informed of his release. When he got there, Intelligence Ministry (MOIS) agents threw a sack at my father and told him, "We have killed your son and these are his belongings." On hearing this, he suffered a stroke. While he was lying on the floor, paralysed, the MOIS agents tried to make him sign a pledge not to mourn or to disclose his death. They never gave us my brother's body, nor did they tell us the location of his grave. To date, we have no information of his place of burial or the manner of his execution. The only thing we know is that a large number of political prisoners who were executed in Evin Prison were buried in a cemetery in Tehran by the name of Khavaran.]

Similarly Iranian dissident, Maryam Farsi, also resident in Europe, wrote on 13 December 2016 to the High Commissioner for Human Rights and the International Criminal Court Prosecutor over the case of her brother, Hassan Farsi, who was hanged in July 1988. She wrote:

[My brother, Hassan, was born in 1963. He was executed upon the fatwa of the Iranian regime's supreme leader, Ayatollah Khomeini, who ordered the execution of all opponents of the religious dictatorship. In July 1987, my brother had finished serving his six-year prison sentence for supporting the PMOI and had been released from jail. He was re-arrested in February 1988 on a Tehran street, and taken again to Evin Prison. Six months later, in July 1988, he was hanged in prison without any specific verdict. Eyewitnesses, who had seen him for the last time in Evin Prison and had been later released, told my family that my brother had told his friends at midnight on 28 July 1988 that he was being taken for execution and that it was the last time they

would see each other. The agents of the Intelligence Ministry and the Revolutionary Guards Corps informed my family four months later, on 14 December 1988, of the execution of my brother. The Ministry of Intelligence summoned my father to the Prosecutor's Office in Mo'alleh Street of Tehran. They threatened him, and formally told him that he was not allowed to hold any ceremony for his son. They also told him, "There is no grave for your son."

One-and-a-half years later, due to my mother's repeated requests of the Prosecutor's Office, they showed my family a grave in section 106 of Tehran's Behesht-e Zahra Cemetery and said, "This is your son's grave." My mother never believed them given the common knowledge of mass graves.]

Iranian dissident, Azam Niakan, living in Europe, wrote on 4 December 2016 to the High Commissioner for Human Rights and International Criminal Court Prosecutor over the execution of her siblings in 1988. She wrote:

[My brother, Hossein Niakan, was an 18-year-old student in 1980 and a supporter of the PMOI. He was abducted from our home in 1981, and was sentenced to two years in prison. Under torture, his hand was broken twice the soles of his feet were pierced with nails, his body was burnt with cigarettes, and he was beaten with electric cables. Hossein was also subjected to mock execution several times. After four years in Evin and Ghezelhessar prisons, he was released in 1985. Hossein was rearrested after 14 days and was severely tortured in Evin Prison. He was sentenced to seven years in prison following a trial that lasted only a few minutes. Hossein was later transferred to Gohardasht Prison, and hanged in September 1988. Hossein told his friends that, in a trial lasting only a few minutes, which was presided over by Ayatollah Hossein-Ali Nayyeri, he was asked if he was a supporter of the Mojahed or of Khomeini. He said, "I am a Mojahed," and Nayyeri said that his sentence is execution. Hossein told his cellmates about his trial and sentence and that he had seen people taken to trial in groups.

We were contacted after a while to come to a committee in Afsariyeh in Tehran. One of the Revolutionary Guards there told my father, "You had a nice son. He was peaceful...But he had one problem, and that was that he was against Imam Khomeini, and so we executed him." My father said, "What type of reasoning is that? Can you execute a 24-year-old for his opposition to Khomeini? By which law and religion? Most people in Iran are against you. Do you want to kill them all?" The guard said they did and anyone who was against them and the Imam merits execution. According to my father, the guard then produced a small bag and said that these were Hossein's belongings. My father began to curse Khomeini and his regime, suffered a heart attack and became unconscious. The IRGC called my father a taxi.

They later showed my mother a site in Behesht Zahra Cemetery and said that this was Hossein Niakan's grave and that he was executed on 3 September 1988. I am attaching a recent photograph of his grave. It is unclear whether or not this is truly the grave of my brother.

In 1991, when Mr. Galindo Pohl travelled to Iran, my mother gave him the two-year prison sentence issued by the Evin prosecutor's office for my brother, Hossein Niakan. She asked why her son was executed despite having had an official sentence by the regime. Galindo Pohl took the document from my mother and said he would follow it up, but, when he returned, no mention of this brutal massacre was made in his UN report. After leaving Galindo Pohl, IRGC mercenaries took my mother and another mother from the bus, beat them and arrested them. I strongly urge the High Commissioner for Human Rights to form a commission of inquiry to investigate the 1988 massacre and the case of those who disappeared.]

Azam Niakan also highlighted the case of her sister Zahra:

"Zahra Niakan was born in 1969 and was a supporter of the PMOI. In 1988, she had just got her high school diploma and was about to go to university. A few days after the execution of my brother, she left home, saying she wanted to join the NLA. She

called my family once on route but they never heard from her again. We heard from other families that a small group of girls, including Narges Khanban and Leila Mada'een as well as my sister, had gone to Urmia (Orumieh, in north-west Iran), but were arrested by the IRGC, raped, tortured and executed close to the Orumieh Committee, and buried in a ditch close by. When one of the mothers pursued their whereabouts, the IRGC took her to their execution site and told her that, if she ever came there again, they would kill and bury her, like her daughter, and no one would ever know."

Activists inside Iran

Despite, the high level of repression in Iran, a growing number of people inside Iran are prepared to take the risk and raise this issue.

In a meeting at Tehran's Amir Kabir University, on 6 December 2016, on the occasion of Student Day in Iran, a student spoke about the 1988 massacre. His public speech was recorded and widely circulated on social media. He said in part:¹²⁵

*"For us to be able to view our future correctly, we need to look into the 'black boxes' of our history. It is our duty and our right to pay attention to these matters. We must ask, what happened in 1988? Ahmad Montazeri was sentenced to 21 years in prison only because he brought us another version of history. In that audio file, Ayatollah Montazeri eloquently stated that you [the authorities] are going to be condemned in the court of history. History will condemn us too if we do not look into these black boxes and ask: what happened in 1988? Why did the [Iran-Iraq] war continue after the liberation of Khorramshahr? Why did the hostage-taking happen? Why was the [US] Embassy occupied? What happened in the chain murders?"*¹²⁶

¹²⁵ <https://www.youtube.com/watch?v=2x0Sio7C9nA>

¹²⁶ The 'chain murders' were the secret killings of intellectuals and those who were critical of the regime.

A group of 11 political prisoners in Iran's jails wrote a letter of solidarity to the organisers of the 26 November 2016 conference in Paris, the theme of which was the 1988 massacre of political prisoners in Iran. The letter, dated 23 November 2016, was signed by political prisoners Ebrahim Firouzi, Abol Ghassem Fouladvand, Khaled Hardani, Saleh Kohandel, Mohammad Ali Mansouri, Saeid Massouri, Reza Akbari Monfared, Ali Moezi, Hassan Sadeghi, Mehdi Farahi Shandiz, and Shahin Zoghi Tabar. They wrote:

[This conference, which is held to reinforce the movement seeking justice for the massacre of summer 1988, voices the heartfelt desires of the bereaved people of Iran and is as one with our people's ultimate desire to abolish tyranny and establish freedom and democracy...Political prisoners appreciate the need for such justice more than anyone else. Since the Iranian regime was not held accountable for its crimes, we continue to face waves of executions, today. Every day, when the names of prisoners are called and they are taken one by one to the gallows, we feel as if we are hanged with them. We must bitterly endure every moment of these crimes while we personally cannot do anything about it.

We wish we were able to meet you in person, our freedom-loving and humanitarian friends. We express our heartfelt thanks to you, parliamentarians, jurists, and all the friends of this movement.

The demands of political prisoners are the same as those of the families of the massacred, and they have been reiterated time and again by Mrs. Rajavi.

*We demand the prosecution of the perpetrators of this crime against humanity, some of whom are unfortunately occupying government posts, including the position of the Minister of Justice.]*¹²⁷

¹²⁷ <https://iran1988.org/letter-group-political-prisoners-paris-conference-irans-1988massacre/>

After the Iranian regime's Justice Minister, Mostafa Pour-Mohammadi, expressed pride for his role in the 1988 massacre, Dr. Mohammad Maleki, the first chancellor of post-revolutionary Tehran University, responded by calling for an international trial of the Iranian regime. In a speech to activists on 23 September 2016, the text of which was later published, he said:

[We are in special days; the days that for which we have waited for many years...Those of us who experienced prisons in the 1980s know this hugely insane person, Mostafa Pour-Mohammadi, very well. In 2009, he denied everything and said it [the massacre] never happened at all. And now he says, "We did well; we did our religious duty; we will do it again; and we are proud of it."

*I, however, as a Muslim child, do not understand this religious duty. If 'religious duty' means killings, executions, lies, theft, looting and fancy salaries...then damn this religious law from which such things come. But if religious law means justice, freedom, equality, and equal rights, then we accept it and seek justice according to this law.]*¹²⁸

Mohammad Najafi, a lawyer, at the ceremony to celebrate the birthday of Sattar Beheshti, the Iranian web logger killed under torture, on 27 August 2016 made the following remarks¹²⁹:

"What happened during the massacre in 1988 set the foundation for lawlessness...This pattern continued in the students' dormitory [attack], and the killings during the 2009 [uprising], and in recent killings of our Kurdish brothers.

The justifications offered by officials in recent days are because they know full well, better than we do, that they have acted unlawfully...As a lawyer, can I not ask you to practise according to your own laws - the so-called moderates who cried out at one time for lawfulness and respect for law, but, have now gone quiet?

¹²⁸ <http://iran-spring.com/fa/op-ed/35-op-ed/12507/2016-09-26-21-27-46>

¹²⁹ <http://ncr-iran.org/en/news/human-rights/20990-iran-attorney-at-law-on-the-1988-massacre-khomeini-was-imam-of-law-or-lawlessness>

Although [the regime's] response to any question is the iron fist of injustice, be aware that the lips shut in blood will open with deafening cries."

Ali Moezi, imprisoned for "propaganda against the regime," with no legal representation in Gohardasht Prison, Karaj, wrote to the Special Rapporteur on the human rights situation in Iran on 22 November 2016:

"Judge Ebrahimian of Branch 12 of the Karaj Revolutionary Court told me, in the winter of 2015, 'Because you still remain true to your beliefs and positions, you will spend years in the prisons of Tehran and Karaj.' I vehemently urge you to focus on and condemn this lawlessness and violation of human rights and to try to prevent such oppression and injustice against political prisoners."

X. ANALYSING IRANIAN LAW

Iranian Law and the Administration of Justice

The systematic human rights violations in Iran go far beyond the individuals' misconduct and abuse of power. They are incorporated in the Constitution of the Islamic Republic. This makes *Shari'a* as interpreted by the Iranian Ayatollahs the primary source of law¹³⁰ and gives pre-eminence to the views and dictates of the religious supreme leader "*Vali-e Faqih*" as a source of law. The Supreme Leader's *fatawa* (plural of *fatwa* - edicts) are mandatory and prevail over Iran's positive law and its international obligations.

Consequently, the Islamic Republic of Iran, although party to the International Covenant on Civil and Political Rights, refuses to be bound by provisions and norms that, in its view, are incompatible with the "Islamic principles and criteria". This interpretation of *Shari'a* puts Iran at odds with the international human rights legal order. Even the most fundamental human rights contained in the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights such as the right to life and the right to be free from torture are considered to be incompatible with the Islamic law according to the Mullahs' theology. Stoning, amputation, flogging, crucifixion, beheading and hanging in public are universally recognised as forms of torture, but in the Islamic Republic of Iran, they are considered to be divine punishments and are incorporated in the penal code and applied by courts. The Death penalty is applied to a wide variety of offences far beyond the most serious cases criterion. Extra-legal killing has been documented by the UN Special Representative on the situation of Human Rights in the Islamic Republic of Iran and death sentences are delivered by the Islamic Revolutionary Courts in summary proceedings that don't last more than a few minutes.

¹³⁰ Article 2 of the Constitution

The principle of legality in the criminal sphere is not clearly defined. Imams could edict *fatawa* during the Friday prayer sermons. Those *fatawa* are applicable in courts and are often left to the discretion of the sitting judge. The same edict could simply be ignored in certain courts and could be the base for death sentence in other courts.

There are five types of courts in the Islamic Republic of Iran. Theoretically, their competency is defined in law, each court with jurisdiction over a specific domain, in practice it is left to the prosecuting authority to decide to which court the case is referred to. Those who end up before Islamic revolutionary courts, mostly political prisoners, are deprived of the rights to have a council and the right of appeal. Due to the vague definition of the offences such as "*moharabeh* or enmity against God", "*propagation of corruption on earth*" and "*suppression of the struggles of the Iranian people*", the criminal courts have a wide discretion in categorising cases brought before them. The reports of the UN Special Representative testify the existing shambles in the administration of justice in Iran.

State of the Law in the Islamic Republic of Iran at the time of the massacre, as Observed by Special Representative Prof. Reynaldo Galindo Pohl

Excerpts from Report A/48/526 of 8 November 1993

[30. Concern was expressed at the lack of transparency and predictability in the application of Iranian law. On 26 June 1992, the Head of the Judiciary, Ayatollah Mohammad Yazdi, stated during his Friday prayer sermon at Tehran University that the laws that were the criteria for action were taken from different Islamic treatises (Resaleh) and the Tahrir-OI-Vassileh, work of legal exegesis by the Leader of the Nation, Imam Khomeini. It was said that those treatises might be mutually antagonistic, leaving uncertainty about what could be considered to be applicable legislation in the Islamic Republic of Iran.

31. It was further said that fatawa or religious opinions issued by qualified *mojtahedin* (scholars) had played a major role in court decisions, and that that in itself had undermined the principle of equality before the law and contributed to the issuing of confusing and often inconsistent judgements by Iranian courts. The institution of the fatawa was said to militate against the principle of equitable application of the law in all cases. It was said that there were many examples where the court's verdict or judgement had been based on the opinion of a *mojtahed* (scholar) rather than on codified legislation. In cases involving loosely defined capital offences, people have reportedly been deprived of their lives, based on an individual personal interpretation. It was also said that even in civil matters, fatawa had played a major role in court decisions and that there were numerous instances of property being seized on the basis of fatawa.

32. It was said that the multiplicity of interpretations of the law and its application, the wide disparity in sentences handed down by the courts for the same offence and the inconsistencies and unresolved tensions in the Iranian legal system undermined the rule of law. Under article 167 of the Constitution, judgements are to be delivered, in the absence of a codified law, on the basis of authoritative Islamic sources and authentic fatawa.

33. With regard to the judiciary, it was alleged that, on 16 October 1986, the Majles approved a law that permitted the Supreme Judicial Council to employ judges with little formal education and minimal experience. According to the law, published in the Official Gazette No. 12160 of 8.9.1365 (November A.D. 1986):

"The Supreme Judicial Council is authorized to appoint persons who have been working in Revolutionary Prosecutors' Offices in judicial positions for more than three years as judges of the Prosecution Offices and Courts, without regard to the Legal Bill on the Qualification of Judges, provided that they possess at least the High School Diploma or are approved by the Supreme Judicial Council, and provided that the candidates of either category are

able to pass an examination on the Civil Procedure Code and the Islamic Penal Code."

It was alleged that, over time, the requirements for experience had become less stringent, leading to an even less qualified and ultimately a less independent judicial body.

34. It was also reported that the safeguards available to judges accused of disciplinary offences had been substantially diminished. Judges could now be accused of offences not defined in law, such as failing to abide by "Islamic considerations" or "the interests of the society". Lack of any safeguard against arbitrary removal of judges and dismissal without any judicial inquiry has severely undermined the independence of the Iranian judiciary. It was said that the rights of judges subject to disciplinary proceedings to a fair hearing and to an independent review of the decision of the disciplinary authority were not respected.

35. On 12 February 1993, Ayatollah Mohammad Yazdi, the Head of the Judiciary, stated that in accordance with Islamic penal law the punishments for certain offences had been laid out by canons, which in legal terminology are called *hudud*, and punishments for other offences (*ta'zirat*) were left to the discretion of the religious judges. In the legal system of Islam, the laws and canons were religion. The legal system of non-Muslim countries was based on the experience of mere human beings, but the foundation for all Islamic law was divine revelation.

36. It was reported that, during the months that have elapsed of 1993, no defendants in political trials before Islamic revolutionary courts were known to have received legal assistance, in spite of the new legislation introduced in October 1991 to permit defendants the right to appoint a defence lawyer. It was further reported that no provision appeared to have been made to allow those previously tried without the benefit of legal counsel to seek fair retrial.

37. It has been reported that there is currently no definition of political offences and no law has been passed to implement or explain article 168 of the Constitution. In political cases, trials are

almost always held in secret, often lasting only a few minutes, and the detainee has no access to legal counsel at any stage and is denied the right to appeal both against the conviction and the sentence. If a death sentence is passed, execution may be carried out within days of conviction. It was also said that despite repeated official claims that problems with the Islamic revolutionary courts were being rectified, there was no indication of any improvements in practice. It was reported that under article 130 of the Code of Penal Procedure, the accused could not communicate with his/her family or friends if contacts with other persons could lead to destruction of evidence or collusion with witnesses.

38. It was further alleged that the right to be presumed innocent, guaranteed in article 14.2 of the International Covenant on Civil and Political Rights and in the Constitution of the Islamic Republic of Iran, is clearly lacking in a system in which guilt or innocence is not based on clearly codified laws, but on the interpretation of numerous texts and the imprecise quantification of religious or societal interests.

39. Concern has been expressed to the Special Representative about the practice of videotaped confession, which may have been extracted under pressure as a result of torture or ill-treatment. It was said that such videotaped confessions undermined the possibility of the defendants' receiving a fair trial. Some political prisoners have been released only after agreeing to give videotaped interviews, sometimes lasting several hours, in which they confess at length to their alleged wrongdoings, denounce their political organisation and pledge support for the Islamic Republic of Iran. Such interviews may then be shown on television. It was reported that Abdollah Bagheri's videotaped confessions were broadcast on television in Iran at the beginning of 1993. Mr. Bagheri, a former member of the Kurdish opposition group, Komala, was arrested at the beginning of November 1992 outside Mariwan, close to the border with Iraq. It is not known whether he has yet been charged and there is no information regarding the date or place of his trial. It was

pointed out that Mr. Bagheri's videotaped confession might seriously undermine the possibility of his receiving a fair trial. The videotaped confession of another member of Komala, Mr. Towfiq Aliasi, was reported to have been broadcast on local television in Sanandaj in August 1992, some days before his execution.

40. Mr. Ali Mozaffarian's videotaped confession, which may have been obtained as a result of physical or psychological pressure, was broadcast on television in Shiraz and in the streets of Kazerun and Lar. He was a well-known surgeon and one of the leaders of the Sunni Muslim community in Fars province in southern Iran and was convicted of spying for foreign countries, adultery and sodomy. Mr. Mozaffarian was arrested in his office in late 1991, a day after he and other Sunni leaders had attended a meeting in Shiraz in the house of the Friday prayer cleric, Ayatollah Haeri, to discuss deteriorating Sunni-Shiah relations in Fars. Reportedly, his arrest was in connection with his refusal to take part in a prayer for unity and his outspoken opposition to the Government. He was tried and executed in Shiraz, following riots in that city in August 1992. It was reported that his trial was unfair, although no information about the proceedings was available to the Special Representative.

41. According to the newspaper Salam of 19 August 1993, Mr. Jalaledin Farsi, a writer who shot to death Mr. Mohammad Reza Khani, was only sentenced to pay the blood money by Branch 145 of the First Penal Court of Tehran. He was released on bail immediately after his arrest.

42. It was reported that detentions and arrests were made by the State Security Police; the Police Force; the Gendarmerie; the Islamic Revolutionary Guards Corps (Pasdaran); the Revolutionary Committees; the Basijis, irregular paramilitary forces of volunteers who seek to uphold revolutionary ideals; the Islamic Societies; the Political-Ideological Bureau of the Armed Forces; and numerous patrols, such as the patrol to remove street vendors and that to combat improper veiling. It was reported that tens of thousands of Basijis had been ordered to

prowl about every factory, office and school to ensure that everyone adhered to the Islamic code. The Basij organisation was originally created during the Iran-Iraq war to provide volunteers for the front. After the summer 1992 riots Basij units were revived, rearmed and sent out into the streets to help enforce Islamic law. The Basijis are reportedly under the control of local mosques. It was further said that the Basijis set up checkpoints around the cities and stopped cars to sniff their occupant's breath for alcohol and check for women wearing make-up or travelling with a man not their close relative or husband. It was reported that the Law of Judicial Support for the Basijis, published in the Official Gazette No. 13946 of 8.10.1371 (December A.D. 1992), provided no redress against arbitrary detention by the Basijis.

43. It was alleged that the lack of an independent bar association had an adverse effect on the administration of justice and a debilitating effect on the potential of lawyers to address deficiencies in their own profession. It was reported that the Iranian Bar Association did not currently enjoy the right to elect its Board independently. It has been alleged that the harassment of lawyers who have tried to carry out their duties on behalf of their clients indicates a tendency on the part of the authorities to identify lawyers with their clients' causes, in contravention of Principle 18 of the Basic Principles on the Role of Lawyers, adopted in 1990 by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders.

F. Torture and other cruel, inhuman or degrading treatment or punishment

105. Despite the express prohibition in article 38 of the Constitution of the Islamic Republic of Iran and the provisions of article 7 of the International Covenant on Civil and Political Rights, reports have continued to assert that these practices are still fairly common. Stoning, amputation and flogging are forms of torture, but are listed among the applicable penalties and have reappeared in the recently promulgated Islamic Penalties Act. At

least two cases of amputation inflicted on persons accused of theft have recently been reported.

G. Administration of justice

107. In the last few years some reforms have been introduced into the criminal justice system, in the following two areas: the right of appeal against decisions and sentences and the assistance of defence lawyers. Previous reports have indicated the inadequacy of the amendments introduced as far as the latter is concerned. Moreover, there is no information on cases brought before Islamic revolutionary courts in which the accused had access to defence counsel. On 25 April 1993, it was announced that the Council of Guardians had approved the new Islamic Penalties Act, which replaces the Penal Code of 1982. The Act has been in effect since 1991 on a provisional and experimental basis pending approval by the Guardians Council. However, the new Act has not brought any improvements in making the punishment fit the crime, nor has it made provision for the technical resources needed for an accurate definition of such offences. So the offences continue to be classified in very broad terms, including those punishable by death. It will therefore not be possible to bring the application of the death penalty into line with the requirement under international law that it should be reserved for "the most serious crimes". Forms of punishment which entail torture such as stoning, amputation and flogging have not been abolished. Even crucifixion still exists, although it has not been applied in the last 14 years. Among the offences whose vague definition allows the courts a wide measure of discretion are "propagation of corruption on earth" and "suppression of the struggles of the Iranian people". There are also matters involving public policy, in which the court has wide discretion due to the vague definition of the category of offences involved.

108. The right to defence counsel is guaranteed by article 35 of the Iranian Constitution and confirmed by Precedent No. 71/62, Decision No. 15, of the Supreme Court of Justice, adopted in 1984. However, in practice, defence lawyers do not have access

to the Islamic revolutionary courts. The case is cited of a lawyer who tried in vain to be admitted to a revolutionary court, and was arrested on those grounds. The Lawyers' Association, which was placed under Government control in 1982, is still being run by the administrative authorities. The election of its Board of Directors, scheduled for 9 October 1991, was postponed indefinitely.

109. The technical qualifications required for the exercise of judicial office are relatively elementary: students from the theological seminaries with little training in courts practice, as well as those without much more education but with practical experience of the courts may preside over and serve in the Islamic revolutionary courts and other tribunals. The trials before the revolutionary courts continue to be conducted in a very summary fashion, with no publicity, often inside the prisons and with evidence which may exonerate the defendants deemed inadmissible. None the less, the right to appeal is granted on a fairly regular basis, including appeals against sentences handed down by the revolutionary courts. Judges do not have security of tenure and may be arbitrarily dismissed, thus depriving them of a recognized and highly valued bulwark of their independence. Passing sentences without taking into account "Islamic considerations" or "the interest of society" constitute grounds for dismissal, which are not clearly defined.]

The Special Representative shares the view of those who believe that universal human rights do not impose a single cultural standard, but rather a single legal standard affording the minimum protection necessary for human dignity. In the words of a recent United Nations background note: "Traditional culture is not a substitute for human rights; it is a cultural context in which human rights must be established, integrated, promoted and protected. Human rights must be approached in a way that is meaningful and relevant in diverse cultural contexts" (DPI/1627/HR). Mr. Maurice Copithorne (Canada), E/CN.4/1996/59.

XI. APPLICABLE INTERNATIONAL LAW

A. The International Standards for the Treatment of Detainees and Prisoners

1) The Charter of the United Nations

Iran is a founding member of the United Nations and is bound by its purposes and principles and all its provisions without exception as the UN Charter does not permit reservations.

(Except)

Preamble

WE THE PEOPLES OF THE UNITED NATIONS DETERMINED

- to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and
- to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained...

Article 1

The Purposes of the United Nations are: ...

To achieve international co-operation in...promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion...

Article 4

1. Membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organisation, are able and willing to carry out these obligations.

Article 6

A Member of the United Nations which has persistently violated the Principles contained in the present Charter may be expelled from the Organisation by the General Assembly upon the recommendation of the Security Council.

Article 55

With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote:

c. universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

Article 56

All Members pledge themselves to take joint and separate action in co-operation with the Organisation for the achievement of the purposes set forth in Article 55.

Article 103

In the event of a conflict between the obligations of the Members of the United Nations under the present Charter and their obligations under any other international agreement, their obligations under the present Charter shall prevail.

2) The International Covenant on Civil and Political Rights (ICCPR)

Iran had signed and ratified the ICCPR in 1975 and is bound by all its provisions. All states parties, including the Islamic Republic of Iran, are bound to incorporate the covenants' provisions in their national legislation to give effect to those recognised rights, and to abrogate laws that are incompatible with it (article 2.2) and to provide effective remedy in case of any violation of these rights.

(Excerpt)

Preamble

The States Parties to the present Covenant,

Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Recognizing that these rights derive from the inherent dignity of the human person, ...

Considering the obligation of States under the Charter of the United Nations to promote universal respect for, and observance of, human rights and freedoms, ...

Article 2

1. Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

2. Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant.

3. Each State Party to the present Covenant undertakes:

(a) To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity;

(b) To ensure that any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other

competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy;

(c) To ensure that the competent authorities shall enforce such remedies when granted.

Article 4

1. In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the States Parties to the present Covenant may take measures derogating from their obligations under the present Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin.

2. No derogation from articles 6, 7, 8 (paragraphs 1 and 2), 11, 15, 16 and 18 may be made under this provision.

Article 6

1. Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.

2. In countries which have not abolished the death penalty, sentence of death may be imposed only for the most serious crimes in accordance with the law in force at the time of the commission of the crime and not contrary to the provisions of the present Covenant and to the Convention on the Prevention and Punishment of the Crime of Genocide. This penalty can only be carried out pursuant to a final judgement rendered by a competent court.

3. When deprivation of life constitutes the crime of genocide, it is understood that nothing in this article shall authorize any State Party to the present Covenant to derogate in any way from any obligation assumed under the provisions of the Convention on the Prevention and Punishment of the Crime of Genocide.

4. Anyone sentenced to death shall have the right to seek pardon or commutation of the sentence. Amnesty, pardon or commutation of the sentence of death may be granted in all cases.

5. Sentence of death shall not be imposed for crimes committed by persons below eighteen years of age and shall not be carried out on pregnant women.

6. Nothing in this article shall be invoked to delay or to prevent the abolition of capital punishment by any State Party to the present Covenant.

Article 7

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment. In particular, no one shall be subjected without his free consent to medical or scientific experimentation.

Article 8

1. No one shall be held in slavery; slavery and the slave-trade in all their forms shall be prohibited.

2. No one shall be held in servitude.

Article 15

1. No one shall be held guilty of any criminal offence on account of any act or omission which did not constitute a criminal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time when the criminal offence was committed. If, subsequent to the commission of the offence, provision is made by law for the imposition of the lighter penalty, the offender shall benefit thereby. ...

Article 16

Everyone shall have the right to recognition everywhere as a person before the law.

Article 18

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice. ...

Article 19

1. Everyone shall have the right to hold opinions without interference.

2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

Article 21

The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

Article 22

1. Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests.

3) Convention on the Rights of the Child (CRC)

International Standards for the treatment of juvenile offenders and the prohibition of death penalty for juveniles are codified in

the ICCPR and the Convention on the Rights of the Child to which Iran is a party.

(Excerpt)

Preamble

The States Parties to the present Convention,

...

Recalling that, in the Universal Declaration of Human Rights, the United Nations has proclaimed that childhood is entitled to special care and assistance,

...

Bearing in mind that the need to extend particular care to the child has been stated in the Geneva Declaration of the Rights of the Child of 1924 and in the Declaration of the Rights of the Child adopted by the General Assembly on 20 November 1959 and recognized in the Universal Declaration of Human Rights, in the International Covenant on Civil and Political Rights (in particular in articles 23 and 24), in the International Covenant on Economic, Social and Cultural Rights (in particular in article 10) and in the statutes and relevant instruments of specialized agencies and international organisations concerned with the welfare of children,

Bearing in mind that, as indicated in the Declaration of the Rights of the Child, "the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth",

Recalling the provisions of the Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally; the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules); and the Declaration on the Protection of Women and Children in Emergency and Armed Conflict, Recognizing that, in all countries

in the world, there are children living in exceptionally difficult conditions, and that such children need special consideration, ...

Have agreed as follows:

Article 3

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.

3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.

Article 19

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

Article 37

States Parties shall ensure that:

(a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release

shall be imposed for offences committed by persons below eighteen years of age;

(b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time;

(c) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;

(d) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.

B. Applicable Customary International Law Concerning the Administration of Justice

1) Universal Declaration of Human Rights

Iran is bound by the provisions of the Universal Declaration of Human Rights. Although the declaration was made in the form of a resolution of the UN General Assembly which is not binding *per se*, however, the norms contained therein are of customary international law nature and are binding on all states including the Islamic Republic of Iran. These norms are subsequently reaffirmed by a number of international instruments such as the two covenants of 1966 on the Civil and Political Rights and the Economic, Social and Cultural Rights which Iran had signed and ratified.

(Excerpt)

Preamble

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

...

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in co-operation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

...

THE GENERAL ASSEMBLY proclaims THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations...

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no

distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3

Everyone has the right to life, liberty and security of person.

Article 4

No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6

Everyone has the right to recognition everywhere as a person before the law.

Article 9

No one shall be subjected to arbitrary arrest, detention or exile.

Article 10

Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11

(1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

Article 18

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others

and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20

(1) Everyone has the right to freedom of peaceful assembly and association.

(2) No one may be compelled to belong to an association.

2) The Convention against Torture and other Cruel, Inhumane or Degrading Treatment or Punishment (CAT)

While Iran is not a party to the CAT, the provisions of this convention are universally admitted to be part of customary international law of a peremptory nature (*jus cogens*). Article 2.2 of the CAT stipulates that “No exceptional circumstances whatsoever, whether a state of war or a threat of war, internal political instability or any other public emergency, may be invoked as a justification of torture”. Today, no state, including the Islamic Republic of Iran, could overtly argue that it is not concerned by the provisions of the CAT. However, paradoxically Iran considers that in its Islamic legal system, Shari’a laws override the incompatible norms of international law including those banning torture and other cruel, inhumane or degrading treatment or punishment. Thus torture in Iran is permitted in law, applied by judicial decisions and practiced in total impunity.

3) Rome Statute of the International Criminal Court

Iran is not a party to the Rome Statute of the International Criminal Court. The importance of the Statute in this context is that it gives a contemporary and authoritative definition of what constitutes a crime against humanity. Article 7 of the statute

enumerates the acts that constitute a crime against humanity when knowingly committed in a “widespread” or “systematic” manner against any civilian population, regardless whether they are committed in time of armed conflicts or in time of peace.

(Excerpt)

Preamble

The States Parties to this Statute,

...

Affirming that the most serious crimes of concern to the international community as a whole must not go unpunished and that their effective prosecution must be ensured by taking measures at the national level and by enhancing international cooperation,

Determined to put an end to impunity for the perpetrators of these crimes and thus to contribute to the prevention of such crimes,

Resolved to guarantee lasting respect for and the enforcement of international justice,

Have agreed as follows:

Article 7

Crimes against humanity

1. For the purpose of this Statute, "crime against humanity" means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack:

- (a) Murder;
- (b) Extermination;
- (c) Enslavement;
- (d) Deportation or forcible transfer of population;
- (e) Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law;

- (f) Torture;
- (g) Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity;
- (h) Persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender as defined in paragraph 3, or other grounds that are universally recognized as impermissible under international law, in connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court;
- (i) Enforced disappearance of persons;
- (j) The crime of apartheid;
- (k) Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.

2. For the purpose of paragraph 1:

(a) "Attack directed against any civilian population" means a course of conduct involving the multiple commission of acts referred to in paragraph 1 against any civilian population, pursuant to or in furtherance of a State or organisational policy to commit such attack;

C. Applicable International Humanitarian Law

1) *The four Geneva Conventions*

Article 3 [common to the four Geneva conventions and universally accepted]

In the case of armed conflict not of an international character occurring in the territory of one of the High Contracting Parties, each Party to the conflict shall be bound to apply, as a minimum, the following provisions:

(1) Persons taking no active part in the hostilities, including members of armed forces who have laid down their arms and those placed 'hors de combat' by sickness, wounds, detention, or any other cause, shall in all circumstances be treated

humanely, without any adverse distinction founded on race, colour, religion or faith, sex, birth or wealth, or any other similar criteria.

To this end, the following acts are and shall remain prohibited at any time and in any place whatsoever with respect to the above-mentioned persons:

- (a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;
- (b) taking of hostages;
- (c) outrages upon personal dignity, in particular humiliating and degrading treatment;
- (d) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples.

2) Protocol Additional to the Geneva Four Conventions of 12 August 1949, Relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II), 8 June 1977

Iran signed the additional protocols to the four Geneva Conventions in 1977 but did not ratify them. International law however, obliges states signatories of an international instrument not to act in a contrary manner to the aims and objectives of that instrument. Furthermore, Protocol II is a detailed codification of the humanitarian provisions embodied in common article 3 of the four Geneva Conventions which has long been considered part of international customary law applicable to the Islamic Republic of Iran.

(Excerpt)

Fundamental guarantees

Article 4 of the Second Protocol:

1. All persons who do not take a direct part or who have ceased to take part in hostilities, whether or not their liberty has been restricted, are entitled to respect for their person, honour and

convictions and religious practices. They shall in all circumstances be treated humanely, without any adverse distinction. It is prohibited to order that there shall be no survivors.

2. Without prejudice to the generality of the foregoing, the following acts against the persons referred to in paragraph 1 are and shall remain prohibited at any time and in any place whatsoever:

(a) Violence to the life, health and physical or mental well-being of persons, in particular murder as well as cruel treatment such as torture, mutilation or any form of corporal punishment;

(b) Collective punishments;

(c) Taking of hostages;

(d) Acts of terrorism;

(e) Outrages upon personal dignity, in particular humiliating and degrading treatment, rape, enforced prostitution and any form of indecent assault;

(f) Slavery and the slave trade in all their forms;

(g) Pillage;

(h) Threats to commit any of the foregoing acts

3. Children shall be provided with the care and aid they require, and in particular:

(a) They shall receive an education, including religious and moral education, in keeping with the wishes of their parents, or in the absence of parents, of those responsible for their care;

(b) All appropriate steps shall be taken to facilitate the reunion of families temporarily separated;

(c) Children who have not attained the age of fifteen years shall neither be recruited in the armed forces or groups nor allowed to take part in hostilities;

(d) the special protection provided by this Article to children who have not attained the age of fifteen years shall remain applicable

to them if they take a direct part in hostilities despite the provisions of sub-paragraph (c) and are captured;

(e) Measures shall be taken, if necessary, and whenever possible with the consent of their parents or persons who by law or custom are primarily responsible for their care, to remove children temporarily from the area in which hostilities are taking place to a safer area within the country and ensure that they are accompanied by persons responsible for their safety and well-being.

3) Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment

On 15 December 1980 the General Assembly adopted resolution 35/177 in which it referred the task of elaborating the draft *Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment* to the Sixth Committee and decided to establish an open-ended working group for that purpose. The Group worked for a full 8 years and presented a draft to the Sixth Committee. On 9 December 1988, the General Assembly adopted resolution A/RES/43/173 convinced that the adoption of the draft Body of Principles would make an important contribution to the protection of human rights. These principles are human rights norms drawn from existing human rights conventions and customary international law. While the vehicle currying them is a General Assembly recommendation, not binding as such, the principles themselves constitute norms of customary international law that are binding on all states. States that behave contrary to these principles are identified and monitored by the UN human rights mechanisms. It is in this context that the human rights situation in the Islamic Republic of Iran had been on the UN human rights agenda for the last 36 years.

(Excerpt)

Scope of the Body of Principles

These principles apply for the protection of all persons under any form of detention or imprisonment.

Use of terms

For the purposes of the Body of Principles:

(a) "Arrest" means the act of apprehending a person for the alleged commission of an offence or by the action of an authority;

(b) "Detained person" means any person deprived of personal liberty except as a result of conviction for an offence;

(c) "Imprisoned person" means any person deprived of personal liberty as a result of conviction for an offence;

(d) "Detention" means the condition of detained persons as defined above;

(e) "Imprisonment" means the condition of imprisoned persons as defined above;

(f) The words "a judicial or other authority" mean a judicial or other authority under the law whose status and tenure should afford the strongest possible guarantees of competence, impartiality and independence.

Principle 1

All persons under any form of detention or imprisonment shall be treated in a humane manner and with respect for the inherent dignity of the human person.

Principle 2

Arrest, detention or imprisonment shall only be carried out strictly in accordance with the provisions of the law and by competent officials or persons authorized for that purpose.

Principle 3

There shall be no restriction upon or derogation from any of the human rights of persons under any form of detention or

imprisonment recognized or existing in any State pursuant to law, conventions, regulations or custom on the pretext that this Body of Principles does not recognize such rights or that it recognizes them to a lesser extent.

Principle 4

Any form of detention or imprisonment and all measures affecting the human rights of a person under any form of detention or imprisonment shall be ordered by, or be subject to the effective control of, a judicial or other authority.

Principle 5

1. These principles shall be applied to all persons within the territory of any given State, without distinction of any kind, such as race, colour, sex, language, religion or religious belief, political or other opinion, national, ethnic or social origin, property, birth or other status.

2. Measures applied under the law and designed solely to protect the rights and special status of women, especially pregnant women and nursing mothers, children and juveniles, aged, sick or handicapped persons shall not be deemed to be discriminatory. The need for, and the application of, such measures shall always be subject to review by a judicial or other authority.

Principle 6

No person under any form of detention or imprisonment shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment*.¹³¹ No circumstance whatever may be invoked as

¹³¹ *The term "cruel, inhuman or degrading treatment or punishment" should be interpreted so as to extend the widest possible protection against abuses, whether physical or mental, including the holding of a detained or imprisoned person in conditions which deprive him, temporarily or permanently, of the use of any of his natural senses, such as sight or hearing, or of his awareness of place and the passing of time.

a justification for torture or other cruel, inhuman or degrading treatment or punishment.

Principle 7

1. States should prohibit by law any act contrary to the rights and duties contained in these principles, make any such act subject to appropriate sanctions and conduct impartial investigations upon complaints.

2. Officials who have reason to believe that a violation of this Body of Principles has occurred or is about to occur shall report the matter to their superior authorities and, where necessary, to other appropriate authorities or organs vested with reviewing or remedial powers.

3. Any other person who has ground to believe that a violation of this Body of Principles has occurred or is about to occur shall have the right to report the matter to the superiors of the officials involved as well as to other appropriate authorities or organs vested with reviewing or remedial powers.

Principle 8

Persons in detention shall be subject to treatment appropriate to their un-convicted status. Accordingly, they shall, whenever possible, be kept separate from imprisoned persons.

Principle 9

The authorities which arrest a person, keep him under detention or investigate the case shall exercise only the powers granted to them under the law and the exercise of these powers shall be subject to recourse to a judicial or other authority.

Principle 10

Anyone who is arrested shall be informed at the time of his arrest of the reason for his arrest and shall be promptly informed of any charges against him.

Principle 11

1. A person shall not be kept in detention without being given an effective opportunity to be heard promptly by a judicial or other authority. A detained person shall have the right to defend himself or to be assisted by counsel as prescribed by law.

2. A detained person and his counsel, if any, shall receive prompt and full communication of any order of detention, together with the reasons there for.

3. A judicial or other authority shall be empowered to review as appropriate the continuance of detention.

Principle 12

1. There shall be duly recorded:

(a) The reasons for the arrest;

(b) The time of the arrest and the taking of the arrested person to a place of custody as well as that of his first appearance before a judicial or other authority;

(c) The identity of the law enforcement officials concerned;

(d) Precise information concerning the place of custody.

2. Such records shall be communicated to the detained person, or his counsel, if any, in the form prescribed by law.

Principle 13

Any person shall, at the moment of arrest and at the commencement of detention or imprisonment, or promptly thereafter, be provided by the authority responsible for his arrest, detention or imprisonment, respectively, with information on and an explanation of his rights and how to avail himself of such rights.

Principle 14

A person who does not adequately understand or speak the language used by the authorities responsible for his arrest, detention or imprisonment is entitled to receive promptly in a language which he understands the information referred to in

principle 10, principle 11, paragraph 2, principle 12, paragraph 1, and principle 13 and to have the assistance, free of charge, if necessary, of an interpreter in connection with legal proceedings subsequent to his arrest.

Principle 15

Notwithstanding the exceptions contained in principle 16, paragraph 4, and principle 18, paragraph 3, communication of the detained or imprisoned person with the outside world, and in particular his family or counsel, shall not be denied for more than a matter of days.

Principle 16

1. Promptly after arrest and after each transfer from one place of detention or imprisonment to another, a detained or imprisoned person shall be entitled to notify or to require the competent authority to notify members of his family or other appropriate persons of his choice of his arrest, detention or imprisonment or of the transfer and of the place where he is kept in custody.

2. If a detained or imprisoned person is a foreigner, he shall also be promptly informed of his right to communicate by appropriate means with a consular post or the diplomatic mission of the State of which he is a national or which is otherwise entitled to receive such communication in accordance with international law or with the representative of the competent international organisation, if he is a refugee or is otherwise under the protection of an intergovernmental organisation.

3. If a detained or imprisoned person is a juvenile or is incapable of understanding his entitlement, the competent authority shall on its own initiative undertake the notification referred to in the present principle. Special attention shall be given to notifying parents or guardians.

4. Any notification referred to in the present principle shall be made or permitted to be made without delay. The competent authority may however delay a notification for a reasonable period where exceptional needs of the investigation so require.

Principle 17

1. A detained person shall be entitled to have the assistance of a legal counsel. He shall be informed of his right by the competent authority promptly after arrest and shall be provided with reasonable facilities for exercising it.

2. If a detained person does not have a legal counsel of his own choice, he shall be entitled to have a legal counsel assigned to him by a judicial or other authority in all cases where the interests of justice so require and without payment by him if he does not have sufficient means to pay.

Principle 18

1. A detained or imprisoned person shall be entitled to communicate and consult with his legal counsel.

2. A detained or imprisoned person shall be allowed adequate time and facilities for consultations with his legal counsel.

3. The right of a detained or imprisoned person to be visited by and to consult and communicate, without delay or censorship and in full confidentiality, with his legal counsel may not be suspended or restricted save in exceptional circumstances, to be specified by law or lawful regulations, when it is considered indispensable by a judicial or other authority in order to maintain security and good order.

4. Interviews between a detained or imprisoned person and his legal counsel may be within sight, but not within the hearing, of a law enforcement official.

5. Communications between a detained or imprisoned person and his legal counsel mentioned in the present principle shall be inadmissible as evidence against the detained or imprisoned person unless they are connected with a continuing or contemplated crime.

Principle 19

A detained or imprisoned person shall have the right to be visited by and to correspond with, in particular, members of his family

and shall be given adequate opportunity to communicate with the outside world, subject to reasonable conditions and restrictions as specified by law or lawful regulations.

Principle 20

If a detained or imprisoned person so requests, he shall if possible be kept in a place of detention or imprisonment reasonably near his usual place of residence.

Principle 21

1. It shall be prohibited to take undue advantage of the situation of a detained or imprisoned person for the purpose of compelling him to confess, to incriminate himself otherwise or to testify against any other person.

2. No detained person while being interrogated shall be subject to violence, threats or methods of interrogation which impair his capacity of decision or his judgement.

Principle 22

No detained or imprisoned person shall, even with his consent, be subjected to any medical or scientific experimentation which may be detrimental to his health.

Principle 23

1. The duration of any interrogation of a detained or imprisoned person and of the intervals between interrogations as well as the identity of the officials who conducted the interrogations and other persons present shall be recorded and certified in such form as may be prescribed by law.

2. A detained or imprisoned person, or his counsel when provided by law, shall have access to the information described in paragraph 1 of the present principle.

Principle 24

A proper medical examination shall be offered to a detained or imprisoned person as promptly as possible after his admission to the place of detention or imprisonment, and thereafter medical

care and treatment shall be provided whenever necessary. This care and treatment shall be provided free of charge.

Principle 25

A detained or imprisoned person or his counsel shall, subject only to reasonable conditions to ensure security and good order in the place of detention or imprisonment, have the right to request or petition a judicial or other authority for a second medical examination or opinion.

Principle 26

The fact that a detained or imprisoned person underwent a medical examination, the name of the physician and the results of such an examination shall be duly recorded. Access to such records shall be ensured. Modalities there for shall be in accordance with relevant rules of domestic law.

Principle 27

Non-compliance with these principles in obtaining evidence shall be taken into account in determining the admissibility of such evidence against a detained or imprisoned person.

Principle 28

A detained or imprisoned person shall have the right to obtain within the limits of available resources, if from public sources, reasonable quantities of educational, cultural and informational material, subject to reasonable conditions to ensure security and good order in the place of detention or imprisonment.

Principle 29

1. In order to supervise the strict observance of relevant laws and regulations, places of detention shall be visited regularly by qualified and experienced persons appointed by, and responsible to, a competent authority distinct from the authority directly in charge of the administration of the place of detention or imprisonment.

2. A detained or imprisoned person shall have the right to communicate freely and in full confidentiality with the persons who visit the places of detention or imprisonment in accordance with paragraph I of the present principle, subject to reasonable conditions to ensure security and good order in such places.

Principle 30

1. The types of conduct of the detained or imprisoned person that constitute disciplinary offences during detention or imprisonment, the description and duration of disciplinary punishment that may be inflicted and the authorities competent to impose such punishment shall be specified by law or lawful regulations and duly published.

2. A detained or imprisoned person shall have the right to be heard before disciplinary action is taken. He shall have the right to bring such action to higher authorities for review.

Principle 31

The appropriate authorities shall endeavour to ensure, according to domestic law, assistance when needed to dependent and, in particular, minor members of the families of detained or imprisoned persons and shall devote a particular measure of care to the appropriate custody of children left without supervision.

Principle 32

1. A detained person or his counsel shall be entitled at any time to take proceedings according to domestic law before a judicial or other authority to challenge the lawfulness of his detention in order to obtain his release without delay, if it is unlawful.

2. The proceedings referred to in paragraph I of the present principle shall be simple and expeditious and at no cost for detained persons without adequate means. The detaining authority shall produce without unreasonable delay the detained person before the reviewing authority.

Principle 33

1. A detained or imprisoned person or his counsel shall have the right to make a request or complaint regarding his treatment, in particular in case of torture or other cruel, inhuman or degrading treatment, to the authorities responsible for the administration of the place of detention and to higher authorities and, when necessary, to appropriate authorities vested with reviewing or remedial powers.

2. In those cases where neither the detained or imprisoned person nor his counsel has the possibility to exercise his rights under paragraph 1 of the present principle, a member of the family of the detained or imprisoned person or any other person who has knowledge of the case may exercise such rights.

3. Confidentiality concerning the request or complaint shall be maintained if so requested by the complainant.

4. Every request or complaint shall be promptly dealt with and replied to without undue delay. If the request or complaint is rejected or, in case of inordinate delay, the complainant shall be entitled to bring it before a judicial or other authority. Neither the detained or imprisoned person nor any complainant under paragraph 1 of the present principle shall suffer prejudice for making a request or complaint.

Principle 34

Whenever the death or disappearance of a detained or imprisoned person occurs during his detention or imprisonment, an inquiry into the cause of death or disappearance shall be held by a judicial or other authority, either on its own motion or at the instance of a member of the family of such a person or any person who has knowledge of the case. When circumstances so warrant, such an inquiry shall be held on the same procedural basis whenever the death or disappearance occurs shortly after the termination of the detention or imprisonment. The findings of such inquiry or a report thereon shall be made available upon request, unless doing so would jeopardize an ongoing criminal investigation.

Principle 35

1. Damage incurred because of acts or omissions by a public official contrary to the rights contained in these principles shall be compensated according to the applicable rules on liability provided by domestic law.

2. Information required to be recorded under these principles shall be available in accordance with procedures provided by domestic law for use in claiming compensation under the present principle.

Principle 36

1. A detained person suspected of or charged with a criminal offence shall be presumed innocent and shall be treated as such until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

2. The arrest or detention of such a person pending investigation and trial shall be carried out only for the purposes of the administration of justice on grounds and under conditions and procedures specified by law. The imposition of restrictions upon such a person which are not strictly required for the purpose of the detention or to prevent hindrance to the process of investigation or the administration of justice, or for the maintenance of security and good order in the place of detention shall be forbidden.

Principle 37

A person detained on a criminal charge shall be brought before a judicial or other authority provided by law promptly after his arrest. Such authority shall decide without delay upon the lawfulness and necessity of detention. No person may be kept under detention pending investigation or trial except upon the written order of such an authority. A detained person shall, when brought before such an authority, have the right to make a statement on the treatment received by him while in custody.

Principle 38

A person detained on a criminal charge shall be entitled to trial within a reasonable time or to release pending trial.

Principle 39

Except in special cases provided for by law, a person detained on a criminal charge shall be entitled, unless a judicial or other authority decides otherwise in the interest of the administration of justice, to release pending trial subject to the conditions that may be imposed in accordance with the law. Such authority shall keep the necessity of detention under review.

General clause

Nothing in this Body of Principles shall be construed as restricting or derogating from any right defined in the International Covenant on Civil and Political Rights.

XII. MAKING THE CASE FOR THE HIGH COMMISSIONER FOR HUMAN RIGHTS

The 1988 Extra-Legal Executions in Iran: Justice Delayed is Justice Denied

The UN *Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions*¹³² (Minnesota Protocol) provide the following:

Principle 8: “... Intergovernmental mechanisms shall be used to investigate reports of any such executions and to take effective action against such practices. Governments, including those of countries where extra-legal, arbitrary and summary executions are reasonably suspected to occur, shall co-operate fully in international investigations on the subject”.

Principle 9: “There shall be thorough, prompt and impartial investigation of all suspected cases of extra-legal, arbitrary and summary executions, including cases where complaints by relatives or other reliable reports suggest unnatural death”.

Principle 11: “In cases in which the established investigative procedures are inadequate because of lack of expertise or impartiality, because of the importance of the matter or because of the apparent existence of a pattern of abuse, and in cases where there are complaints from the family of the victim about these inadequacies or other substantial reasons, Governments shall pursue investigations through an independent commission of inquiry or similar procedure. Members of such a commission shall be chosen for their recognized impartiality, competence and independence as individuals. In particular, they shall be independent of any institution, agency or person that may be the subject of the inquiry. The commission shall have the authority

¹³² Recommended by the UN Economic and Social Council resolution 1989/65 of 24 May 1989

to obtain all information necessary to the inquiry and shall conduct the inquiry as provided for under these Principles”.

Principle 12. “The body of the deceased person shall not be disposed of until an adequate autopsy is conducted by a physician, who shall, if possible, be an expert in forensic pathology. Those conducting the autopsy shall have the right of access to all investigative data, to the place where the body was discovered, and to the place where the death is thought to have occurred. If the body has been buried and it later appears that an investigation is required, the body shall be promptly and competently exhumed for an autopsy. If skeletal remains are discovered, they should be carefully exhumed and studied according to systematic anthropological techniques”.

Principle 18: “Governments shall ensure that persons identified by the investigation as having participated in extra-legal, arbitrary and summary executions in any territory under their jurisdiction are brought to justice. Governments shall either bring such persons to justice or co-operate to extradite any such persons to other countries wishing to exercise jurisdiction. This principle shall apply irrespective of who and where the perpetrators or the victims are, their nationalities or where the offence was committed”.

Principle 19. Without prejudice to principle 3 above, an order from a superior officer or a public authority may not be invoked as a justification for extra-legal, arbitrary or summary executions. Superiors, officers or other public officials may be held responsible for acts committed by officials under their authority if they had a reasonable opportunity to prevent such acts. In no circumstances, including a state of war, siege or other public emergency, shall blanket immunity from prosecution be granted to any person allegedly involved in extra-legal, arbitrary or summary executions.

Principle 20. The families and dependents of victims of extra-legal, arbitrary or summary executions shall be entitled to fair and adequate compensation within a reasonable period of time.

These principles are a codification of general international law. Some of them embody norms that had acquired the status of *jus cogens*. They do not permit any derogation even in time of emergency or war. The UN that had formulated them is expected to ensure their effective implementation.

The state of human rights in the Islamic Republic of Iran has been monitored by Iranian and international human rights activists, NGOs, journalists and independent personalities. The United Nations' General-Secretary, the UN Commission on Human Rights and its successor, the Human Rights Council and its Special Procedures have documented thousands of extra-legal, arbitrary and summary executions in Iran. Despite the reliable information available on serious violations of human rights against dissident groups and political prisoners attributed to Iranian state actors, the government of the Islamic Republic of Iran denied any wrongdoing and refused to investigate or to cooperate with the UN, except in what would help promote its stand on human rights and justify its call to terminate the Special Representative's mandate and what would facilitate removing the question of the situation of human rights in Iran from the UN agenda. The government's defiant attitude went unchallenged and impunity prevailed for the last three decades.

Con Coughlin, one of Britain's leading journalists and a world-renowned expert on the Middle East who monitored Khomeini's revolution from its inception wrote that after the end of the war with Iraq, "Khomeini personally authorized the mass execution of thousands of political prisoners... He issued an order to intelligence officials that any prisoners who still declared their support for the Mujahideen should be executed immediately"¹³³. The revelations of Hussein-Ali Montazeri designated successor to Iran's Supreme Leader, Ayatollah Khomeini, in his memoir of 2000 had authoritatively confirmed these facts. Many of those killed however, had been held in prison for many years, some of them were members or sympathisers of the PMOI; others had

¹³³ Con Coughlin, "Khomeini's Ghost: The Iranian Revolution and the Rise of Militant Islam", HarperCollins Publishers, New York 2010 edition, p. 240

nothing to do with the Mujahideen. In some cases former prisoners who had been released after serving their sentences were re-arrested and executed even though they had not taken part in any political activity since their release. Amnesty International had also confirmed this statement in a report published in 1991,¹³⁴ referred to above.

The recent publication of an audio recording (August 2016) of Ayatollah Montazeri, made in the midst of the mass executions of political prisoners in the summer of 1988, revealed the dimension of this horrific crime and underscored the need to investigate this atrocity.

In his book cited above, Con Coughlin wrote “Whatever Khomeini’s motive, Montazeri, who as deputy leader (of the Islamic Republic of Iran) had responsibility for assessing prisoners’ sentences, was appalled, and wrote to Khomeini arguing that the mass executions were against the interests of the Islamic state”. Following his protest, Montazeri’s status as heir of the Supreme Leader was revoked and he was placed under house arrest.

Based on testimonies of former officials of the Iranian regime, over 30,000 were executed in the period of a few months in 1988. Such mass extra-legal, arbitrary and summary executions are crimes against humanity. According to the statute of the International Criminal Court, they must be investigated and the perpetrators must be held to account. “In no circumstances, including a state of war, siege or other public emergency, shall blanket immunity from prosecution be granted to any person allegedly involved in extra-legal, arbitrary or summary executions” (principle 19 above) and “The families and dependents of victims of extra-legal, arbitrary and summary executions shall be entitled to fair and adequate compensation within a reasonable period of time” (principle 20 above).

¹³⁴ Amnesty International, Iran: Violation of Human Rights (Amnesty Press: London, 1991) p.12

According to the reports of the UN Special Representative and Special Rapporteur, the 1988 extra-legal, summary or arbitrary executions in Iran had never been investigated by the Iranian authorities. When Special Representative, Professor Reynaldo Galindo Pohl, reported that the Government of Iran had not cooperated as promised in investigating the alleged violations, and had only replied to questions raised by him to serve Iran's foreign policy, he was barred from visiting Iran. Today, suspect perpetrators of such crimes are evolving within the Iranian administration and some of them are currently holding governmental positions including those who have been reported to have publically and unrepentantly admitted that they have participated in the executions.

The report of UN Secretary-General submitted pursuant to General Assembly resolution A/70/173 on the situation of human rights in Iran to the thirty-first session of the Human Rights Council states:

- The Secretary-General remains deeply troubled by reports of increased executions, amputations, arbitrary arrest and detention, unfair trials, and possible torture and ill-treatment of human rights activists, lawyers, journalists and opposition activists.
- He reiterates his call on the Government to introduce a moratorium on the use of the death penalty, and to prohibit executions of juvenile offenders in all circumstances.
- The Secretary-General urges the Government to create space for human rights defenders, lawyers and journalists to perform their duties without fear of arrest, detention and prosecution, and to release political prisoners, including human rights defenders and lawyers, detained solely for legitimately and peacefully exercising their rights to freedoms of expression, association and peaceful assembly.

- The Secretary-General encourages the Government to invite the Special Rapporteur on the situation of human rights in Iran and to fully cooperate with him.

Under international pressure, Iran had chosen to invite different Special Rapporteurs dealing with matters falling under the International Covenant on Economic, Social and Cultural Rights while ignoring those holding mandates under the International Covenant on Civil and Political Rights. The tactical and selective invitations of the Special Representatives and Rapporteurs were designed to serve the needs of the Government's foreign policy. Iran's participation in the Universal Periodic Review process and its interaction with the UN Special Procedures had been proven to be a simple exercise opportunistically used to mollify international opinion. Recommendations to undertake reforms of substance, whether made by the Special Procedures or in the context of the UPR process were ignored, and requests for visits by the Special Rapporteur on the situation of human rights and the Special Rapporteur on extra-legal, summary or arbitrary executions remained unanswered since 2005.

XIII. CONCLUSION

Since the events of the summer of 1988, the UN mechanism for the promotion and protection of human rights have undergone profound reforms which, at least in theory, have strengthened the methods of intervention of the inter-governmental institutions in situations of serious concern. One of the innovations brought about by the said reforms is the establishment of the voluntary peer review mechanism known as Universal Periodic Review (UPR). The situation of human rights in Iran had so far been examined twice within the UPR process but unfortunately the issue of the mass executions had not been duly examined for the sole reason that the UN does not want to discourage Iran from cooperating. Is it complacency or a failure of the UN system? The reply to this question is in the Office of the High Commissioner for Human Rights.

The Reports of the different UN Human Rights bodies including those of the UN Secretary-General to the Human Rights Council and to the UN General Assembly had demonstrated that the Government of the Islamic Republic of Iran is unwilling to cooperate with the international community for the investigation of Extra-Legal, Arbitrary or Summary Executions, particularly in what concerns the 1988 events. In the absence of any willingness of the Government of Iran to cooperate with the UN mandate holders, it was expected that the UN High Commissioner for Human Rights would put in motion principle 8 recommended by Economic and Social Council resolution 1989/65, that “... Intergovernmental mechanisms shall be used to investigate reports of any such executions and to take effective action against such practices”.

Appointing a commission of inquiry to look into the reported heinous crimes according to applicable international law is one of the prerogatives of the High Commissioner. Not only will it reveal the truth and identify the perpetrators, it will also prevent recurrence and do justice to the victims and their families. Any

further delay in upholding the UN principles cited above will fall under the legal maxim “justice delayed is justice denied”.

ANNEXES

ANNEX I

The suspect perpetrators of the 1988 mass executions

Following Khomeini's *fatwa* issued at the end of July 1988, 'Death Commissions' were established under what the regime called 'Amnesty Commissions' in more than 70 towns and cities. Until 2016 only the names of the members of the 'Death Commission in Tehran' were in the public domain. They came to notoriety because Khomeini had directly appointed them.

The 'Death Commissions' comprised a religious judge, a prosecutor, and a representative of the Intelligence Ministry. Individuals such as the deputy prosecutor and heads of prisons had a direct role in implementing Khomeini's *fatwa*. The religious judge and the prosecutor were appointed by the Supreme Judicial Council headed at the time by Abdul-Karim Mousavi Ardebili.

At a press conference on 6 September 2016 in Paris, the NCRI announced the names and details of 60 senior Iranian officials responsible for the 1988 mass executions. The identity of the majority of the suspects had remained secret for nearly three decades. Most of the officials continue to hold key positions in the various institutions of the regime. At least 47 were members of the 'Death Commissions' in Tehran and 10 other Iranian provinces.

JVMI obtained the following list of the suspects from the NCRI. As presented in this Report, the mass executions of 1988 had no doubt taken place. Some of the suspect perpetrators had actually admitted their participation in the implementation of the mass executions decreed by the supreme leader, Ayatollah Khomeini. The allegations held against the named officials are of serious nature under Iranian legislation and could amount to crimes against humanity under international law. Since successive

Iranian governments vehemently refused to investigate such allegations, the responsibility to investigate must be entrusted to the United Nations specialised agencies, be it the existing special procedures of the UN Human Rights Council or an *ad hoc* investigative body under the auspices of the High Commissioner for Human Rights.

Identified Members of ‘Death Commissions’ in Tehran and Other Provinces

1. Tehran’s Death Commission

Hossein-Ali Nayyeri



City: Tehran

Position at the time of 1988 mass executions: Head of Tehran’s Islamic Revolutionary Courts; head of the Death Commission in Tehran

Present post and occupation: Head of the Supreme Disciplinary Court for Judges and deputy head of the national Supreme Court

He was appointed as the Head of the Death Commission in Tehran upon Khomeini’s order. The order, which was issued on 26 July 1988 according to Iran’s former deputy supreme leader Hossein-Ali Montazeri, states:

“[T]hose who are in prisons throughout the country and remain steadfast in their support for the Monafeqin [PMOI], are waging war on God and are condemned to execution.”

“The task of implementing the decree in Tehran is entrusted to Hojjatol-Islam Nayyeri, the religious judge, Mr. Eshraqi, the Tehran prosecutor, and a representative of the Intelligence Ministry.”

The Death Commission started its work in Tehran’s Evin prison on 28 July 1988. The commission operated in both Evin and Gohardasht prisons. It is reported that they used helicopters to commute rapidly between Evin and Gohardasht to issue death sentences.

Mostafa Pour-Mohammadi



City: Tehran

Position at the time of 1988 mass executions: Representative of Ministry of Intelligence and Security in the “Death Commission” in Tehran

Present post and occupation: Iran’s Minister of Justice

All those executed in Tehran and Karaj were sentenced to death under his direct supervision. In 2005, Human Rights Watch accused him of committing crimes against humanity for his role in the “Death Commission” and described him as a Minister of Murder.

Morteza Eshraqi



City: Tehran

Position at the time of 1988 mass executions: Tehran’s Prosecutor; member of Death Commission in Tehran

Present post and occupation:

Lawyer practicing in Tehran

The task of issuing death sentences in Tehran was entrusted to him directly by Khomeini. Death sentences for thousands of prisoners affiliated with the PMOI and other opponents were signed by him.

Ebrahim Raeesi



City: Tehran

Position at the time of 1988 mass executions: Tehran's Deputy Prosecutor, member of Death Commission in Tehran

Present post and occupation: Head of Qods Razavi Endowment Foundation, President of Governing Board of the Fifth Assembly of Experts.

A.K.A. Seyyed Ebrahim Reissi al-Sadat

At the time of the 1988 mass executions, he also headed the revolutionary court dealing with political groups that involved arrests, torture, and execution of members of political groups, in particular the PMOI.

In addition to Nayeri, Pour-Mohammadi, Eshraqi and Raeesi, other clerics at times sat in on the Tehran Death Commission, sometimes as alternates or replacements for the commission's primary members. Additionally, the heads of prisons often attended sessions. The following individuals took part in numerous Death Commission 'trials':

Ali Mobasheri



City: Tehran

Position at the time of 1988 mass executions: Religious judge, also acting as substitute to Hossein-Ali Nayeri in Death Commission

Supreme Court judge

Present post and occupation:

He joined the judiciary in 1981 and is responsible for murdering the regime's opponents in Evin Prison. He reportedly described Asadollah Lajevardi, the infamous governor of Evin Prison who widely known as the "butcher of Evin", as a great man representing unique values.

Mohammad Esmail Shushtari



City: Tehran

Position at the time of 1988 mass executions: Head of Prison Organization; member of Death Commission

Present post and occupation: Head of the Presidency's Inspectorate Office (until August 2016)

He served as Minister of Justice for 16 years under Ali-Akbar Hashemi Rafsanjani and Mohammad Khatami.

Ali Razini



City: Tehran

Position at the time of 1988 mass executions: Head of the Judicial Organization of the Armed Forces

Present post and occupation: Deputy of Legal Affairs and Judicial Development of the Judiciary

Khomeini's order 24 July 1988 to him states: "... You are assigned:
1. Set up special courts to deal with war offences in all war zones and deal with offenders in accordance with Sharia disregarding rules and regulations which can be restrictive and troublesome.
2. Any act that may lead to failure of Islamic front or be a threat to lives or cause bodily harm, punishment will be death."

Seyed Hossein Mortazavi Zanjani



City: Tehran

Position at the time of 1988 mass executions: Governor of Evin Prison

Present post and occupation: businessman, owner of a publicity firm.

He began his career in the cultural section of Evin prison, working under the butcher of Evin, Assadollah Lajevardi. After Lajevardi's departure in 1985 he was first appointed as Governor of Gohardasht (Rajai-Shahr) Prison and then Evin Prison.

Mohammad Moghisseh



City: Karaj

Position at the time of 1988 mass executions: Head of Gohardasht (Rajai-Shahr) Prison

Present post and occupation: President of the 28th branch of

Revolutionary Court

According to survivors of the 1988 mass executions, Moghisseh was directly and personally involved in the executions of political prisoners in the 1980s. Using the pseud name "Haj Nasserian" he was a prosecutor in Evin Prison. In the 1988 mass executions, after trials that would take only a few minutes, he would take the prisoners personally to the prison's boiler room for execution.

European Union on 13 April 2011 decided to ban him from entering EU for his direct role in violations of human rights.

‘Death Commission’ Members in other Iranian Provinces

2. East Azerbaijan Province

Mirza Najaf Aghazadeh



City: Tabriz

Position during 1988 Mass executions: Chairman of the provincial Death Commission.

Present post and occupation: administrative secretary of Grand Ayatollah Makarem Shirazi in East Azarbaijan and Retired judiciary employee.

He was in charge of issuing the final rule for death penalties in the cities of Tabriz, Ardabil and Maragheh, according to his mandate as a provincial Sharia judge, issued to him directly by Khomeini and Mousavi Ardebili.

During the 1988 mass executions, he ruled on the death penalty of 250 prisoners in Tabriz and 70 prisoners in Ardebil.

During the 1988 mass executions in the province of East Azarbaijan, executions have been carried out in cities of Tabriz, Ardabil and Maragheh.

Mukhtar Heydarzadeh

City: Tabriz

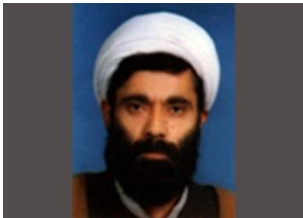
Position during 1988 Mass executions: provincial Prosecutor and member of the provincial Death Commission.

Current Position: Head of the logistics section of Administrative Justice Court

He was the Prosecutor of the Islamic Revolutionary court in Tabriz, East Azarbaijan during the 1988 mass executions. He was involved in repression, torture, and execution of opponents of the regime as well as the mass executions of political prisoners held in Tabriz in 1988.

He together with Mullah Mirza Najaf Aghazadeh the Sharia judge of Azarbaijan province and Mohammadi the representative of the Intelligence ministry, were members of the provincial Death Commission. In July 1988 he executed more than 200 PMOI members in the city of Tabriz and 79 of them in the city of Ardebil.

Khalil Abedi



City: Tabriz

Position during 1988 Mass executions: Sharia Judge in city of Tabriz

Present post and occupation: Running a law office in city of Tabriz

During the 1980's he was a Sharia Judge in Tabriz and a member of Death Commission during the 1988 mass executions.

Mahboubi

City: Tabriz

Position during 1988 Mass executions: Representative of the ministry of intelligence in the provincial Death Commission.

Present post and occupation: unknown.

Ali Dadizad



City: Tabriz

Position in 1988 mass executions: Deputy Prosecutor.

Present post and occupation: Ethics teacher in Tabriz

He was the Friday prayer leader in Jolfa for a while, currently serves as professor of ethics in Tabriz.

Haj Seyyed Abol-Hassan Chapari

City: Tabriz

Position in 1988 mass executions: Director General of the Prisons organization in East Azerbaijan Province.

Present post and occupation: unknown.

Mohammad Ali Nosrati Zaglujeh



City: Tabriz

Position in 1988 mass executions: Director of Tabriz Prison.

Present post and occupation: secretary of the Drug Coordination Council of East Azerbaijani

After Khomeini's Fatwa (religious decree) to mass executions, he turned the prison carpentry workshop (which was launched for profitable activities) into an execution chamber.

As eyewitness accounts stated, while comfortably sitting on a sofa during the executions, he ordered the collective hanging of the prisoners. He has long been one of the police chiefs in western and eastern Azarbaijan province, he also played a major role in suppressing the 2006 uprising of the people of Tabriz.

3. Ardabil Province (formerly a part of East Azerbaijan Province)

Mir-Naghi Ghazi-Pour (Ghazi Tabatabai)



City: Ardabil

Position in 1988 mass executions: Sharia Judge.

Present post and occupation: Head of second branch of Administrative Judge

As a Sharia judge he was responsible for the execution of tens of PMOI affiliated prisoners. It's said that not even one prisoner remained alive. Also there are at least 11 names of released political prisoners who were arrested again during the 1988 mass executions and were executed.

Mirza Buick Khalil-Zadeh Moravej



City: Ardabil

Position in 1988 mass executions: Friday prayers leader.

Present post and occupation: *Deceased 2001*

He gave advice for executions to Khomeini's representative in the city of Ardabil (Sharia judge called Tabatabai). He was also Khamenei's Friday prayer leader and representative until his death. The commander of IRGC and the representative of the Intelligence Ministry were under his hegemony.

He was personally involved in the execution of three PMOI members, Mahmoud Yahyavi, Afshin Nourani and Sirous. He was also directly involved in the mass executions of 14 PMOI members in a venue called Refrigerator room of Ardebil 'post' prison in July 1981.

During the 1988 mass executions he was one of the main instigators of the execution of PMOI prisoners in the city of Ardabil.

Hossein Mirsadeghi

City: Ardabil

Position in 1988 mass executions: Prosecutor of the city of Ardabil.

Present post and occupation: Unknown

Mirsadeghi was a native of Zanjan, who was appointed as Ardabil prosecutor in 1981. He together with two others called Akbari and Bayat (Prosecutor and the Deputy Prosecutor)

Were directly involved in all the executions and tortures of prisoners between 1981 and 1988. Mirsadeghi was one of the main instigators of the 1988 mass executions who travelled to Ardabil with the Death Commission.

4. Khuzestan Province

Seyyed Alireza Avaei



City: Dezful

Position in 1988 mass executions: Prosecutor and a member of the Death Commission in Dezful

Present post and occupation: Head of the Presidency's Inspectorate

Office

After receiving Khomeini's fatwa, he was the main person in charge of executions and killings in Younesko Prison in Dezful. He has been described by witnesses as one of the cruellest murderers of the inmates during the 1988 mass executions. According to eye-witness accounts, teenage prisoners were executed in the area behind the prison yard.

Shamsedin Kazemi

City: Dezful

Position in 1988 mass executions: Head of prison

Present post and occupation: Unknown

He was a member of the Death Commission in Dezful Younesko prison during the 1988 mass executions and together with the prosecutor Ali Avai and the representative of the intelligence ministry Naser held martial court style interrogations by asking the prisoners whether they were ready to fight with PMOI or not? And executed those who had a negative response.

Gholam-Reza Khalaf Rezai-Zare'e

City: Dezful

Position during 1988 mass executions: Member of the Death Commission in Dezful (south-west Iran)

Present post and occupation: Supreme Court judge

He was part of the Death Commission during 1988 mass executions, and was very active. He put a lot of pressure on political prisoners after June 20th 1981. Gholamreza Khalaf Rezai-Zare' was promoted to chief of justice for several provinces due to his complaisance and active role during the 1988 mass executions. He was later assigned as deputy of the regime's Supreme Court.

Reza Sarami

City: Ahvaz

Position during 1988 mass executions: Director of Khuzestan prisons

Present post and occupation: Retired; was Iran's Deputy Inspector General until 2016.

He was the director of Khuzestan's prisons from 1985 to 1996, responsible for all executions in Khuzestan Prisons. Prior to 1988 Mass executions, he gathered all PMOI affiliated prisoners and told them, "You are all hypocrites and will be executed". He had also called the leftist prisoners apostates who should receive a death sentence.

Hamid Moussavi

City: Masjed Soleiman

Position during 1988 mass executions: Representative of the Intelligence ministry

Present post and occupation: Unknown.

The Death Commission had allegedly executed 31 people in this city.

5. Gilan Province

Allah-Verdi Moqaddasi-Far



City: Rasht

Position during 1988 mass executions: Religious Judge and member of the Death Commission in Rasht (northern Iran)

Present post and occupation: Deputy of Judicial affairs of

Administrative Judicial Court

At the time of the mass executions, he was the religious judge of Rasht and a top member of the “Death Commission” in that city. With the help of another mullah by the name of Heydari and other members of the “Death Commission” in court sessions that lasted only a few minutes, he ordered the execution of large numbers of the regime’s opponents.

He was active in suppression and execution of dissidents in Mazandaran and Gilan Provinces throughout 1980s as a religious judge.

Alimorad Heydari

City: Rasht

Position during 1988 mass executions: Deputy Religious Judge of city of Rasht and Religious Judge of eastern cities of Gilan Province

Present post and occupation: He is deceased.

He was a member of the “Death Commission” of Gilan Province. He assisted mullah Moghadassifar, the religious judge of Rasht in issuing death sentences. He also acted as the Religious Judge of eastern cities of Gilan Province.

Hossein Moayed Abedi

City: Rasht

Position during 1988 mass executions: Director General of the Ministry of Intelligence in Gilan Province

Present post and occupation: Deputy Director General of company in charge of constructing apartments in sea resort in Bandar Anzali (adjacent to Rasht)

He was the prison warden of Bandar Anzali from 1981 to 1985. He was transferred to the prosecutor’s office in 1985 and subsequently to the Ministry of Intelligence. He was Director General of the Ministry of Intelligence in Gilan Province in 1988 at the time of the mass executions. Shayaeste Vatandoost, a political prisoner, has testified that Hossein Moayed Abedi, as the representative of the MOIS was one of the individuals in charge of mass executions of political prisoners in Naval Prison of Rasht. Regarding the mass executions in the women’s ward of the Naval Prison of Rasht, she said: “Only two inmates were summoned for the ‘tribunal’: Faranak Tavoosi and Maryam Vahedi. They were summoned at 9 and 10 am of 30 July 1988. When they returned to the ward they said that Abedi and two other individuals whom they could not establish their identities, asked them three questions without being blindfolded. The two girls thought the

questions were raised for their release. The questions were as follows: What is your view of *Monafeqin* Organization? (*Monafeqin* is the regime's derogatory term for the PMOI). What is your view of Islamic Republic? Are you willing to repent before television? Faranak was supposed to be released in a month and was supposed to be released on 7 September 1988. Mahnaz was just arrested and was sentenced to 10 years of imprisonment. The two were executed alongside 24 others, including Shahin Samai, who were not summoned before this court or the Death Commission."

Mohsen Khodaverdi

City: Rasht

Position during 1988 mass executions: Revolutionary Prosecutor

Present post and occupation: Deceased (he committed suicide)

At the time of the mass executions he was the Revolutionary Prosecutor and signed off the execution of prisoners in Rasht Prison during the mass executions period.

Ali Abdollahi Ali-Abadi



City: Rasht

Position during 1988 mass executions: Warden of Naval Prison; member of the Death Commission in Rasht

Present post and occupation: Coordinator of the Headquarters of

the Armed Forces

According to an eyewitness, the Death Commission in Rasht was comprised of local authorities, i.e. the prosecutor, representative of the Intelligence Ministry, the interrogator and Abdollahi, the prison warden. According to various testimonies, about 120

prisoners were held at the Naval Prison. Only two prisoners survived the mass executions. According to eyewitnesses, Abdollahi Ali-Abadi played a key role in massacring the inmates.

Zeinolabedin Qorbani Lahiji



City: Lahijan and Astaneh-Ashrafieh

Position during 1988 mass executions: Religious judge and member of the Death Commission in Lahijan and Astaneh-Ashrafieh

Present post and occupation:

Member of the Assembly of Experts (representative of the Supreme Leader from Gilan Province); Friday prayer's Imam in the city of Rasht

Zeinolabedin Qorbani Lahiji was the Sharia judge and the Friday prayer's Imam in Lahijan in 1988. From the 2nd term of the regime's Assembly of Experts, he has been a member of the assembly. During the 1988 mass executions he was the Sharia Judge for both Lahijan and Astaneh-Ashrafieh cities.

Seyyed Ahmad Ghatilzad



City: Bandar Anzali

Position during 1988 mass executions: Sharia Judge for Bandar-Anzali and West of Gilan

Present post and occupation: He was the Friday Prayer's Imam for Bandar-Anzali (died in 2013)

He was assigned as Sharia Judge to the following cities by direct orders from Khomeini: Some'h-sara, Abkenar, Fuman, Pare-sar and Anzali in Gilan province. He issued death sentences while transiting between these cities. He was

the chief prosecutor in Gilan for 16 years and a Supreme Court judge for many years. Because of his crimes, he was infamous as “ghateljzadeh” (born to kill) among the prisoners.

Seyyed Taghi Badavam

City: Fuman

Position during 1988 mass executions: Representative of the MOIS.

Present post and occupation: Retired agent of the Ministry of Intelligence; took up industrial activities, factory owner.

He was involved in the interrogation and torture of the prisoners during the 1980s, and during the 1988 mass executions he was the representative of the ministry of Intelligence in the “Death Commission”.

Nasser Ashuri Qal’e Roudkhan



City: Fuman

Position during 1988 mass executions: Prison manager of the IRGC’s prison in Fuman; member of the Death Commission in Gilan Province (northern Iran)

Present post and occupation: Managing director of the Atieh Damavand Investment Company

He was part of the “Death Commission” during the 1988 mass executions. He had a lot of influence on the “Death Commission”. He is a former Member of Parliament (Majlis). Atieh Damavand Investment Company’s main investor is the Bank of Industry and Mining.

6. Khorasan Province (currently split into three separate provinces)

Hossein Valipour

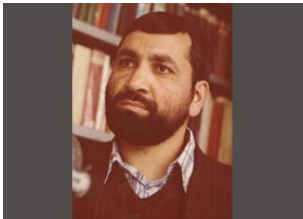
City: Mashhad

Position during 1988 mass executions: Deputy Prosecutor of Mashhad's prison (representative of the Prosecutor).

Present post and occupation: Does not hold a position in the regime.

He was actively involved in mass executing during the 1988 mass executions.

Hassan Zarif-Jalali



City: Mashhad

Position during 1988 mass executions: Prison director

Present post and occupation: Died in 1999 due to illness

He was the prison's director during the 1988 mass executions. He was involved in running the prisons in various prisons of Khorasan since the beginning of 1979 revolution and had an active role in repression.

Morteza Bakhtiari



City: Birjand

Position during 1988 mass executions: Birjand's Prosecutor

Present post and occupation: Deputy Custodian of Astan Quds Razavi conglomerate (Deputy of

Ebrahim Raeesi)

As prosecutor he was one of the key people in the Death Commission in Birjand during the 1988 mass executions.

He has been an official of the regime's judicial system since the 1980s, holding top posts, including chief of the regime's prisons, Minister of Justice (2009 to 2013) and deputy chief prosecutor under Mahmoud Ahmadinejad.

The European Union put sanctions on Bakhtiari and another two ministers in the form of a visa ban and asset freeze in October 2011 due to human rights abuses. The Treasury of the United Kingdom also put him among asset freeze targets in October 2011 due to the same reason.

7. Kermanshah Province

Zekrollah Ahmadi



City: Kermanshah

Position at the time of 1988 mass executions: Religious judge

Present post and occupation: Head of religious seminary

During the 1988 mass executions he acted as the religious judge and issued the execution orders in accordance with Khomeini's decree.

Abdolreza Mesri



City: Kermanshah

Position at the time of 1988 mass executions: Representative of the Revolutionary Prosecutor

Present post and occupation: Member of Parliament

In 1984-1985 he was the head of interrogators and also acted as deputy prosecutor. In this capacity he was involved in implementation of Khomeini's order.

Brig. Gen. Ahmad Nourian



City: Kermanshah

Position at the time of 1988 mass executions: Head of Dizel-Abad Prison in Kermanshah; member of the Death Commission in Kermanshah Province (western Iran)

Present post and occupation: Coordinator of the Tharallah Garrison in Tehran (one of the main garrisons responsible for the protection of Tehran)

In 1988 as head of the prison he was a member of the Death Commission. Along with Abdolreza Mesri, another member of

the Death Commission, he was notorious for ruthlessness in interrogation and torture of the political prisoners.

8. Mazandaran Province

Abbas-Ali Soleimani



City: Babolsar

Position at the time of 1988 mass executions: Friday Prayers Leader and member of the Death Commission in Babolsar

Present post and occupation: Member of Assembly of Experts and Khamenei's representative in Zahedan

As Friday prayers leader he was actively engaged in the 1988 mass executions. The judicial system in Babolsar city was operating under his supervision. He has written in his biography that he was appointed as Friday prayers leader of Babolsar to confront the PMOI's activities in that city.

Saeidi

City: Sari

Position at the time of 1988 mass executions: Prosecutor in the city of Sari, north of Iran

Present post and occupation: Unknown

9. Fars Province

Ramazani

City: Shiraz

Position at the time of 1988 mass executions: Religious judge

Present post and occupation: Unknown

He was the religious judge in the city of Shiraz. He was known as a notorious judge. According to very few survivors of Shiraz, nearly all political prisoners in Shiraz were executed in 1988.

Eslami

City: Shiraz

Position at the time of 1988 mass executions: Prosecutor (in the city of Shiraz)

Present post and occupation: Unknown

Eslami was the prosecutor in the "Death Commission" during the 1988 mass executions in Adelabad Prison in Shiraz. The executions were carried out in the same prison.

Majid Torabpour

City: Shiraz

Position at the time of 1988 mass executions: Head of prisons in Fars, Kohkiloye and Boyer Ahmad provinces (based in Shiraz)

Present post and occupation: Unknown

Khalil Torabpour

City: Shiraz

Position at the time of 1988 mass executions: Head of Adel Abad Prison (City of Shiraz)

Present post and occupation: Unknown

10. Hamedan Province

Mohammad Salimi



City: Hamedan

Position at the time of 1988 mass executions: Religious judge in Hamedan and western border areas of Iran

Present post and occupation:
Member of the Guardian Council (until mid-2016)

He was dispatched to Iran's western border area upon the order of Khomeini at the request of the then president of the Supreme Court to deal with the files related to the people affiliated to the PMOI. He also held the presidency of the revolutionary court in Hamedan and was the religious judge during the 1988 mass executions.

11. Isfahan Province

Mohammad Ali Zanjirei



City: Isfahan

Position at the time of 1988 mass executions: Head of Prison in Isfahan

Present post and occupation: Senior advisor to the Head of the state Prisons' Organisation

He had an active role in the mass executions of political prisoners in 1988 in the city of Isfahan. In 2011 the EU imposed sanctions on him for human rights violations as an official of prison.

Iran's key institutions currently run by suspect perpetrators of the 1988 mass executions

Among the 60 officials whose identities were established in September 2016 by the NCRI were the current Supreme Leader, the Vice President of Iran for Legal Affairs, four members of the State Expediency Council, six members of the Assembly of Experts (the highest decision-making body of the regime, tasked with selecting the Supreme Leader's successor), and at least 12 high-ranking Judiciary officials including the current Justice Minister, and top commanders of the Armed Forces. Additionally, some of Iran's largest financial and trade institutions are run and controlled by the suspect perpetrators of the 1988 mass executions.

The regime's Supreme Leader

- Ali Khamenei - was at the time of the mass executions President of the Islamic Republic and a key decision-maker.

Four members of the State Expediency Council (Exigency Council)

- Ali-Akbar Hashemi Rafsanjani – the council's chairman, was at the time the Speaker of the Majlis (Parliament) and Deputy Commander of the Armed Forces. He was the *de facto* number two official of the regime after Khomeini. (*Deceased, January 2017*)
- Ali Fallahian, then-Deputy Intelligence Minister who later went on to become Intelligence Minister, is currently a member of the State Expediency Council.
- Gholam-Hossein Mohseni-Ejei was the Judiciary's representative in the Intelligence Ministry during the mass executions and is now a member of the State Expediency Council.
- Majid Ansari was at the time the head of the state Prisons' Organization and is now a member of the State Expediency Council.

Khamenei and Rafsanjani worked alongside Khomeini in launching the mass executions. Khomeini's former heir Hossein-Ali Montazeri said in a letter that Khomeini sought counsel on his dangerous decisions from these two individuals alone.

Six members of the Assembly of Experts (the highest decision-making body of the regime, tasked with selecting the Supreme Leader's successor)

Six members of the assembly had a direct role in deciding the mass executions. They are:

- Ali-Akbar Hashemi Rafsanjani (*Deceased, January 2017*)
- Ebrahim Raeesi, was a member of the 'Death Commission' in Tehran and is currently a member of the Assembly of Experts' board.
- Mohammad Reyshahri, was Intelligence Minister at the time of the executions. It was within his prerogatives the selection of the ministry's representatives in the 'Death Commissions'.
- Morteza Moqtadaee, was at the time of the executions a member and spokesperson of the Supreme Judicial Council.

- Zeinolabedin Qorbani Lahiji, was a religious judge and a member of the 'Death Commission' in Lahijan and Astaneh-Ashrafieh
- Abbas-Ali Soleimani, was a member of the 'Death Commission' in Babolsar.

The Judiciary

In addition to the Justice Minister, 12 of the highest-ranking Judiciary officials were identified in connection with the mass executions. They include:

- Mostafa Pour-Mohammadi, the Justice Minister under Hassan Rouhani's presidency. Allegedly, he was the primary Intelligence Ministry's official involved in the 1988 mass executions.
- Hossein-Ali Nayyeri, the head of the Supreme Disciplinary Court for Judges. He was the Judiciary's representative and head of the 'Death Commission' in Tehran in 1988.
- Gholam-Hossein Mohseni-Ejei, the First Deputy Chief and spokesperson of the Judiciary – he was the Judiciary's representative in the Intelligence Ministry during the mass executions.
- Ali Mobasheri, a Supreme Court judge was a religious judge and Nayyeri's deputy at the time of the mass executions.
- Ali Razini, Deputy of Legal Affairs and Judicial Development of the Judiciary was a religious judge and head of the Judicial Organization of the Armed Forces at the time of the executions.
- Gholam-Reza Khalaf Rezai-Zare'e, a Supreme Court judge, was a member of the 'Death Commission' in Dezful, in the province of Khuzistan, south-west Iran.
- Allah-Verdi Moqaddasi-Far, a senior member of judiciary, was a religious judge and a member of the 'Death Commission' in Rasht.

Suspect perpetrators of the mass executions currently holding official positions within the Presidency

- Majid Ansari, the Vice President of Iran for Legal Affairs, was at the time of the mass executions the head of the State Prisons' Organisation.
- Mohammad Esmeil Shushtari, until August 2016 was the head of the Presidency's Inspectorate Office. He was a member of the Supreme Judicial Council at the time of the mass executions.
- Seyyed Alireza Avaei, current head of the Presidency's Inspectorate Office, prosecutor and a member of the 'Death Commission' in Dezful during the executions.

The Armed Forces

- Ali Abdollahi Ali-Abadi, the Coordinator of the Headquarters of the Armed Forces, member of the 'Death Commission' in Rasht (Gilan Province in Northern Iran).
- Brig. Gen. Ahmad Nourian, the Coordinator of the Tharallah Garrison in Tehran (one of the main garrisons responsible for the protection of Tehran) member of the 'Death Commission' in Kermanshah Province (Western Iran).

Key financial institutions

Some of Iran's largest financial and trade institutions are run and controlled by the suspect perpetrators of the 1988 mass executions.

- The head of the Astan Quds Razavi conglomerate (in Khorasan Province), Ebrahim Raeesi, and his deputy, Morteza Bakhtiari, were both officials responsible for the mass executions. The huge conglomerate's wealth stands at tens of billions of dollars, and it has huge financial, trade, agriculture, ranching, food product, mining, vehicle manufacturing, petro-chemical, and pharmaceutical enterprises. According to its officials, it is the largest endowment institution of the Islamic world.

- Shah-Abdol-Azim endowment foundation in southern Tehran, headed by Mohammad Mohammadi Reyshahri.
- Nasser Ashuri Qal'e Roudkhan, managing director of the Atieh Damavand Investment Company, was a member of the Death Commission in Gilan Province. The company's main investor is the Bank of Industry and Mining.

12. Key Decision-Makers of the 1988 Mass Executions

Ali Khamenei



Position at the time of 1988 mass executions: President and a key decision-maker.

Present post and occupation: Supreme Leader

Khamenei and Ali-Akbar Hashemi Rafsanjani worked alongside Khomeini in initiating the mass executions. Khomeini's former heir Hossein-Ali Montazeri said in a letter that Khomeini sought counsel on his dangerous decisions from these two individuals alone.

Ali-Akbar Hashemi Rafsanjani



Position at the time of 1988 mass executions: Speaker of the Majlis (Parliament) and Deputy Commander of the Armed Forces, the de facto number two official of the regime after Khomeini.

Present post and occupation: Chairman of the State Expediency Council; member of the Assembly of Experts (the highest

decision-making body of the regime, tasked with selecting the Supreme Leader's successor) (*Deceased January 2017*)

Rafsanjani was President of Iran from 1989 until 1997. He was Chairman of the Assembly of Experts from 2007 until 2011.

Seyyed Abdulkarim Mousavi Ardabili



Position at the time of 1988 mass executions: President of the Supreme Judicial Council

Present post and occupation: Head of Mofid Seminary and a religious authority (*Deceased November 2016*)

He was first to receive Khomeini's death decree and he was fully aware of the 1988 mass executions. He was the highest judicial authority during the mass executions of some 30,000 political opponents of the regime in 1988.

Ahmad Khomeini



Position at the time of 1988 mass executions: Khomeini's chief of staff.

Present post and occupation: *Deceased.*

Supreme Judicial Council (SJC)

The National Supreme Judicial Council was the highest judicial authority in the country. This judicial body was dissolved in 1989 after the mass executions in 1988. The council was comprised of

five members: President of the National Supreme Court (as the highest judicial figure); Prosecutor-General; and three religious judges.

Seyyed Abdulkarim Mousavi Ardabili



Position at the time of 1988 mass executions: President of the Supreme Judicial Council

Latest occupation: Head of Mofid Seminary and a religious authority
(Deceased November 2016)

He was first to receive Khomeini's death decree and he was fully aware of the 1988 mass executions. He was the highest judicial authority during the mass executions of some 30,000 political opponents of the regime in 1988.

Mohammad Mousavi Khomeiniha



Position at the time of 1988 mass executions: Member of the Supreme Judicial Council, Prosecutor-General

Present post and occupation: Member of Association of Combatant Clerics

During the US Embassy occupation in Tehran, he was Khomeini's representative among "Muslim Students following the Line of Imam." In 1985, he was appointed as the country's Attorney-General by Khomeini and remained in that post until 1989.

Morteza Moqtadaee



Position at the time of 1988 mass executions: Member and spokesperson of the Supreme Judicial Council

Present post and occupation: Head of Qom Seminary, member of

Assembly of Experts

He started his activities within the Judiciary since March 1979 when he was appointed as a judge in revolutionary courts and was involved in operating courts in Tehran, Qom, Khoramshahr, Abadan, Malayer and Zanjan.

Seyyed Mohammad Mousavi Bojnourdi



Position at the time of 1988 mass executions: Member of the Supreme Judicial Council

Present post and occupation: Member of Association of Combatant Clergy

He started working in Khomeini's office in a section responsible for answering questions in 1979. In 1981 he launched the Supreme Court for Judges upon Khomeini's order. He was a member of Supreme Judicial Council from 1982 until 1990.

Seyyed Mohammad Hassan Marashi Shushtari



Position at the time of 1988 mass executions: Member of the Supreme Judicial Council

Present post and occupation: Deceased 2009

He was known to be one of the main founders of the Judiciary. In 1983 he joined the judiciary apparatus in Ahwaz, provincial capital of Khuzestan, as a religious judge first, and then the head of revolutionary court until 1985. He was involved in trials and executions of opponents in Khuzestan province between 1983 and 1985. After leaving the SJC, he served in the National Supreme Court and was also member of Assembly of Experts.

Ministry of Intelligence and Security (MOIS)

Based on Khomeini's decree, a representative of MOIS was present in all 'Death Commissions' in Tehran and other cities.

Mohammad Mohammadi Reyshahri



Position at the time of 1988 mass executions: Intelligence Minister

Present post and occupation:
Member of Assembly of Experts;
Head of Shah Abdul-Azim
Endowment

A.K.A. Mohammad Mohammadi-Nik. All representatives of the Ministry of Intelligence and Security (MOIS) in the Death Commissions were appointed by him. Following the 1979 revolution he was the head of Army Revolutionary Court, and was also Revolutionary Prosecutor and Special Prosecutor for the Clergy. He issued death sentences as a Revolutionary Court judge for Sadeq Qotbzadeh, Omid Najaf Abadi, and Mehdi Hashemi. He was the first Intelligence Minister when the post was established in 1984.

Ali Fallahian



Position at the time of 1988 mass executions: Deputy Intelligence Minister

Present post and occupation: Member of State Expediency Council

Before 1985 he was a religious judge in Khuzistan courts and was directly involved in killings and murders. He served as Intelligence Minister from 1989 to 1997. He was a member of the Assembly of Experts from 2007 until 2016.

Since 7 November 2007 he has been on the wanted list by Argentina's Judiciary for his role in the 1994 terrorist bombing of a Jewish community center in Buenos Aires. Interpol issued a red notice for him and other suspects for their alleged roles in the attack in 2007. There is also an international arrest warrant for him for planning the assassination of Kurdish leaders at the Mikonos Restaurant in Berlin. He was tried in absentia by a German court.

Mostafa Pour-Mohammadi



Position at the time of 1988 mass executions: Representative of Intelligence Ministry in the "Death Commission" in Tehran

Present post and occupation: Iran's Minister of Justice

All those executed in Tehran and Karaj were sentenced to death under his direct supervision. In 2005, Human Rights Watch accused him of committing crimes against humanity for his role in the "Death Commission" and described him as a Minister of Murder.

Javad Ali-Akbarian



Position at the time of 1988 mass executions: Deputy Minister of MOIS

Present post and occupation: Deputy Head of Shah Abdul-Azim Endowment

In the early days after the Revolution he was in charge of investigation in the revolutionary General Prosecutor and also served as revolutionary prosecutor in Gonbad and Esfahan. He was also in charge of planning directorate, admin and finance of foreign intelligence of the MOIS under Reyshahri. After leaving MOIS in 1989, he was appointed as deputy international head of Islamic Culture and Communications Organization and vice-chair of this organization.

Gholam-Hossein Mohseni-Ejei



Position at the time of 1988 mass executions: The Judiciary's representative in the Intelligence Ministry

Present post and occupation: First Deputy Chief and spokesperson of the Judiciary; member of the State Expediency Council

He played an active role in the decision making circle responsible for implementation of death sentences.

Human Rights Watch called for him to be put on trial for crimes against humanity committed during the mass executions. In 2011, the European Union put him on its sanctions list for his role in serious violations of human rights and persecution of Iranian people during the events of 1988.

Other Officials who Allegedly Played a Role in the Mass Executions

Majid Ansari



Position at the time of 1988 mass executions: Head of the state Prisons' Organisation

Present post and occupation: Vice President of Iran for Legal Affairs; member of the State

Expediency Council

Mohammad Esmail Shushtari



Position at the time of 1988 mass executions: Head of Prison Organization; member of Death Commission.

Latest occupation: Head of the Presidency's Inspectorate Office

(until August 2016)

He served as Minister of Justice for 16 years under Ali-Akbar Hashemi Rafsanjani and Mohammad Khatami.

Seyyed Alireza Avaei



City: Dezful

Position in 1988 mass executions: Prosecutor and a member of the Death Commission in Dezful

Present post and occupation: Head of the Presidency's Inspectorate Office

After receiving Khomeini's fatwa, he was the main person in charge of executions and killings in Younesko Prison in Dezful. He has been described by witnesses as one of the cruellest murderers of the inmates during the 1988 mass executions. According to eye-witness accounts, teenage prisoners were executed in the area behind the prison yard.

ANNEX II

1988 EXECUTIONS AND RELATED MASS GRAVES IN IRAN

Thousands of prisoners were executed in prisons across Iran, particularly in the notorious Evin and Gohardasht prisons. The victims were too many to be buried individually. They were collectively ditched in purpose dug trenches constituting mass graves. This method had been used occasionally in Tehran and elsewhere since 1981, but in 1988 it became a systematic procedure to dispose of prisoners bodies.

JVMI has obtained reports about the whereabouts of numerous mass graves in Iran. The total number of mass graves is not known at this stage but our sources confirmed the existence of dozens of mass graves related to the 1988 mass executions.

The families of the victims held detailed information on the location of the mass graves where their loved ones are buried. The information they provided names 12 Iranian provinces where mass graves have been discovered including Tehran, Khuzistan, Fars, Gilan, Mazandaran, Northern Khorrasan, Lorestan, Isfahan, Semnan, Ilam, East Azerbaijan, and West Azerbaijan. The families reported that the number of victims in the discovered mass graves vary from place to place and extend from dozens to thousands.

It is reported that the victims were usually transferred to secret locations mainly at night in trucks, containers or even meat transport vehicles and were ditched in pits dug in advance for the purpose.

The existence and location of a number of these mass graves have previously been exposed. The details of some of the graves were secretly relayed to the families by agents wishing to clear their conscience. Others were discovered by pure chance. In some places, since the corpses were buried hastily and the depth

of the pits was not very deep, heavy rainfall had washed away the soil and the bodies surfaced, revealing the mass grave. For example in Menjil in northern Iran, following rainfall, a mass grave of 80 prisoners was discovered. In several places, animals had dispersed the soil and the corpses surfaced.



The body of an executed prisoner is seen in a mass grave

Alleged Locations of the Mass Graves

The mass graves discovered in the following Iranian towns and cities have been located by local residents, eyewitnesses, former prisoners, families of victims, or from testimonies by former prison officials:

- 1 - Ahwaz, Khuzistan Province
- 2 - Amol, Mazandaran Province
- 3 - Arak, Central Province
- 4 - Bandar Anzali, Gilan Province
- 5 - Bandar-e Gaz, Golestan Province
- 6 - Borazjan, Bushehr Province
- 7 - Dezful, Khuzestan Province

- 8 - Gatchsaran, Kohkiluyeh Province
- 9 - Gonbad, Mazandaran Province
- 10 - Gorgan, Golestan Province
- 11 - Hamedan, Hamedan Province
- 12 - Isfahan, Isfahan Province
- 13 - Kerman, Kerman Province
- 14 - Kermanshah, Kermanshah Province
- 15 - Lahijan, Gilan Province
- 16 - Mashhad, Northern Khorasan Province (Previously Khorasan Province)
- 17 - Orumieh (Urmia), West Azerbaijan Province
- 18 - Qazvin, Qazvin Province
- 19 - Saleh-Abad, Ilam Province
- 20 - Shiraz, Fars Province
- 21 - Some'e Sara, Gilan Province
- 22 - Tabriz, East Azerbaijan Province
- 23 - Tehran, Tehran Province
- 24 - Tonekabon, Mazandaran Province
- 25 - Zahedan, Sistan & Baluchistan Province
- 26 - Zanzan, Zanzan Province

Khavaran Cemetery

One of the most famous and perhaps the largest mass grave discovered to date is in southern Tehran at a place called Khavaran. In 1996 during a routine soil sampling carried out by a road construction company (Avand Construction Company), a large mass grave was discovered. The grave contained the corpses of what is estimated to be thousands of political prisoners. The publication of this news led to families flocking to the site of the mass grave in Khavaran, however the regime's security forces fired in the air, forcing people to disperse. The following day, a number of employees of the construction company were arrested and charged with publishing the news.



Mourners gather at Khavaran Cemetery to remember the massacre



Families visit Khavaran Cemetery where their relatives were mass buried

Other mass graves

In several sites including in the city of Shiraz, several weeks after the bodies were buried the regime overturned the soil, and later in order to destroy any trace of the bodies, it sprayed acid on the ground and covered the area with concrete.

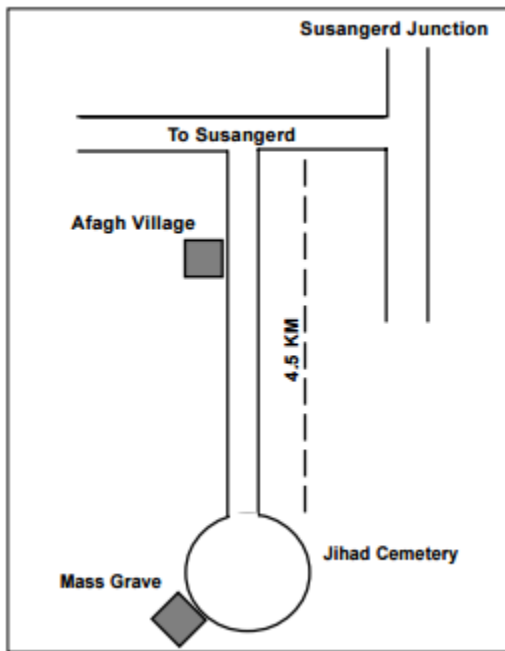
In some instances, ordinary graves were dug over the site of the mass graves so that the area would have the appearance of an ordinary cemetery. In some locations, asphalt was put over the site of mass graves. Other sites of mass graves were later flattened and in other cases government offices were built over the site of the mass graves and others were sold by the regime.

Ahvaz, Khuzistan Province

- Grave site: Susangerd-Ahwaz highway, Past Afagh village, near Jihad cemetery.

- Estimated number of victims: Hundreds

- Estimated date of burial: August 1988

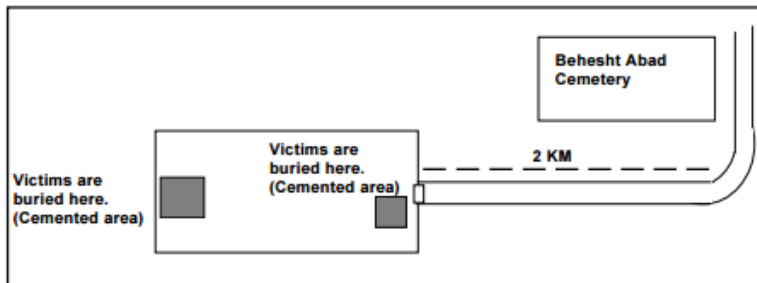


Ahvaz, Khuzistan Province

- Grave site: Kut Abdollah Rd., near Behesht Abad cemetery.

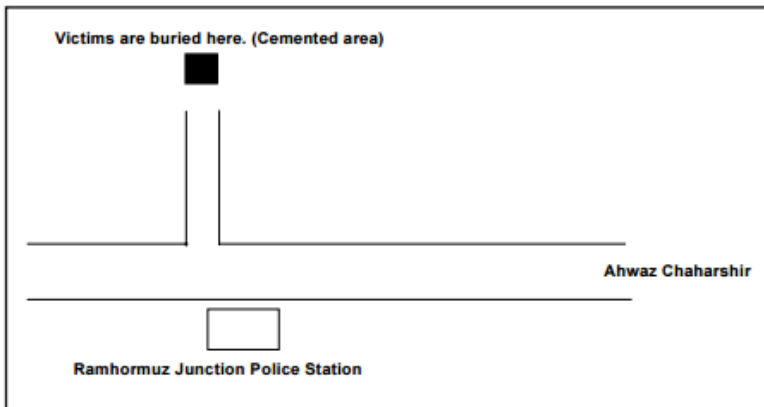
- Estimated number of victims: Hundreds

- Estimated date of burial: 3 August 1988



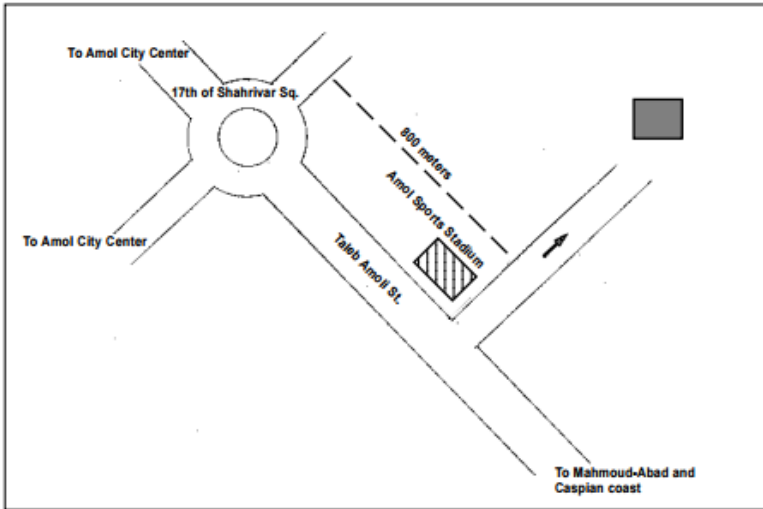
Ahvaz, Khuzistan Province

- Grave site: Near Chaharshir police station, Ramhormuz junction
- Estimated number of victims: Hundreds
- Estimated date of burial: 3 August 1988



Amol, Mazandaran Province

- Grave site: Amol, Taleb Amoli St., next to Amol sports stadium. A 4-5 km stretch of dirt road,
- Estimated number of victims: Hundreds
- Estimated date of burial: October 1988



Arak, Central Province

- Grave site: Most graves are reportedly located on Arak-Boroujed Highway, 5 km outside Arak.
- Estimated number of victims: Dozens
- Date of burial: Unknown

Bandar Anzali, Gilan Province

- Grave site: Kalvir public cemetery in Bandar Anzali
- Estimated number of victims: A group of 20 and a group of 30 (possibly all women)
- Estimated date of burial: August 1988

Bandar Anzali, Gilan Province

- Grave site: Ab-Kenar neighbourhood, newly built prison. Mass grave is located in the middle of prison yard.
- Estimated number of victims: Reportedly, at least 16 victims from Ab-Kenar neighbourhood.

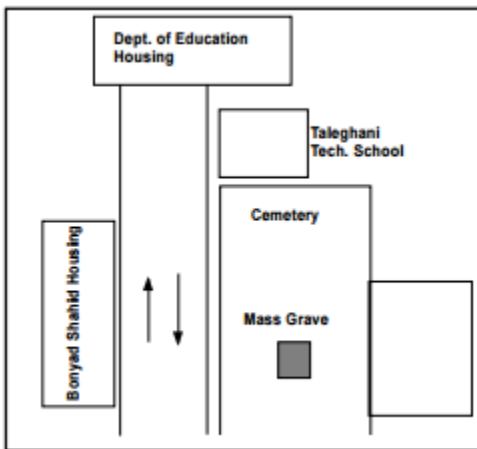
- Estimated date of burial: After the cease-fire in the Iran-Iraq war in summer 1988

Borazjan, Bushehr Province

- Grave site: 2 km from Borazjan-Gonaveh highway, on the right side of the road, near a shrine.
- Estimated number of victims: Dozens
- Estimated date of burial: August 1988

Gachsaran, Kohkiluyeh Province

- Grave site: Gatchsaran cemetery
- Estimated number of victims: Dozens
- Estimated date of burial: 1981 & 1988



Gonbad, Golestan Province

- Grave site: Behind Imamzadeh zeid. 1 km out of city.
- Number of victims: Dozens
- Estimated date of burial: 1982, 1989

Gorgan, Golestan Province

- Grave site: Behind Imamzadeh Abdollah, Bahai's cemetery.
- Estimated number of victims: Hundreds
- Estimated date of burial: October 1988

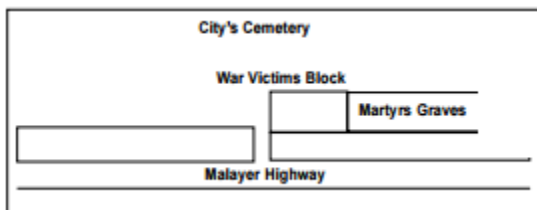
Gorgan, Golestan Province

- Grave site: Golestan forest
- Estimated number of victims: Dozens
- Estimated date of burial: Unknown

Hamedan, Hamedan Province

- Grave site: City cemetery, Malayer highway, Bagh-e-Behesht Zahra, on the right hand side of the highway, past war victims' graves.
- Estimated number of victims: Hundreds
- Estimated date of burial: July 1988
- Remarks

The victims are buried on the western and northern ends of the cemetery. Most tomb stones are intact, with the date of execution written on them.



Isfahan, Isfahan Province

- Grave site: Isfahan, Bagh-e Rezvan cemetery, Block 41
- Estimated number of victims: Reportedly, more than 350

- Estimated date of burial: Aug-Sept 1988

Isfahan, Isfahan Province

- Grave site: Isfahan, Bagh-e Rezvan cemetery, blocks 5, 7, 8 & 9

- Estimated number of victims: Dozens

- Estimated date of burial: October 1988

Kerman, Kerman Province

- Grave site: Road between Joupar and Kerman in Behesht-e Zahra cemetery known as “Rah-Joupari Behesht-e Zahra”. There are 14 graves on whose stones the year 1989 is marked. These are mass graves of political prisoners who were executed at this site during the night. Eight graves are in one row and six are in one column, perpendicular to one another.

- Estimated number of victims: Hundreds

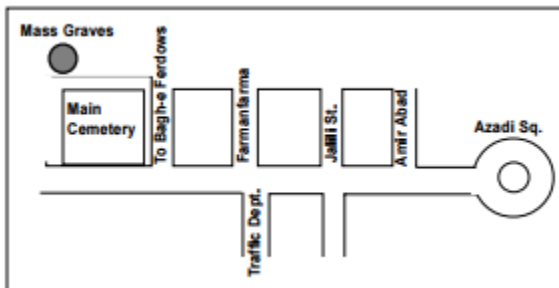
- Estimated date of burial: March 1988

Kermanshah, Kermanshah Province

- Grave site: Bagh-e Ferdows, Silo St., near children’s graves, west of the city’s cemetery. The regime has named it “La’nat Abad” (The place of the damned),

- Estimated number of victims: Dozens

- Estimated date of burial: November 1988, January 1989



Lahijan, Gilan Province

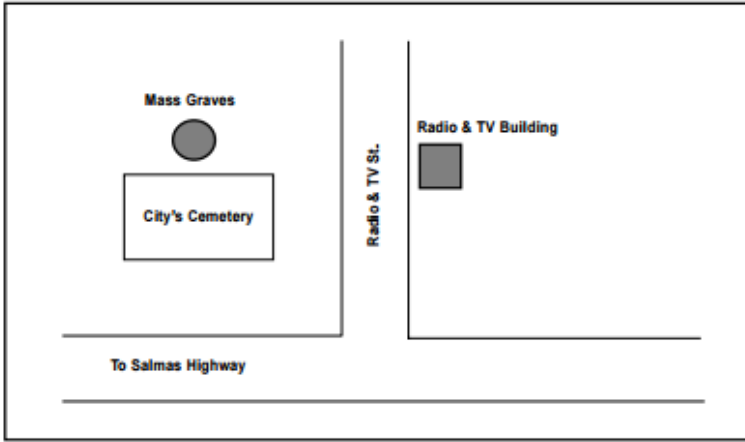
- Grave site: Lahijan, West Kashef St., Karvansarabar neighbourhood, Agha Seyyed Morteza cemetery
- Estimated number of victims: Hundreds
- Estimated date of burial: August 1988
- Remarks: Reportedly, There are three mass graves, 2 by 10 meters in size. They have been covered with concrete.

Mashhad, Khorassan Province

- Grave site: "La'nat Abad", Asgharieh Rd., Past Hashem Abad
- Estimated number of victims: Hundreds
- Estimated date of burial: Unknown

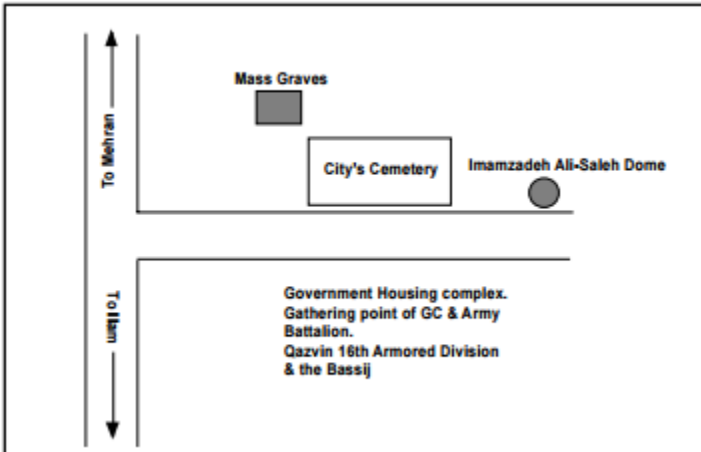
Orumieh, West Azerbaijan Province

- Grave site: Radio & TV Ave., city's cemetery, opposite the Radio & TV building.
- Estimated number of victims: Hundreds
- Estimated date of burial: July & October 1988



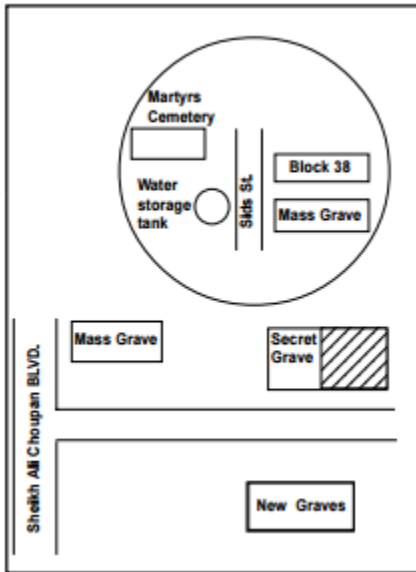
Saleh-Abad, Ilam Province

- Grave site: When entering the Imamzadeh (shrine), left-hand side on top of the hill, 500-700 meters.
- Estimated number of victims: Hundreds
- Estimated date of burial: Mostly in Aug.-Sept. 1988



Shiraz, Fars Province

- Grave site: Dar-ol-Rahma cemetery, block 38
- Estimated number of victims: approximately 1,000
- Remarks: The grave site a dirt area. Top of the graves have been cemented.



Tabriz, East Azerbaijan Province

- Grave site: Tabriz, Rah Ahan St., Vadi-Rabmat cemetery and the cemetery behind Tabriz expressway.
- Estimated number of victims: Hundreds
- Estimated date of burial: October 1988
- Remarks: Certain sections in Tabriz cemetery have been named as "La'nat Shodeh" (damned) and "Nefrin Shodeh". The families have put some tomb stones which were vandalized by the Guards

Tehran, Tehran Province

- Grave site: Tehran, Behesht-e Zahra cemetery, block 93 or 103.
- Estimated number of victims: Dozens
- Estimated date of burial: 1988

Tehran, Tehran Province

- Grave site: Tehran, Khavaran St., Aramaneh (Armenian) cemetery. The entire area consists of mass graves.
- Estimated number of victims: At least 7 victims identified (from among 860 executed in two days)
- Estimated date of burial: August 1988

Zahedan, Sistan and Baluchistan Province

- Grave site: Zahedan cemetery, Beheshte Mostafa St., Garage St.
- Number of victims: Hundreds
- Estimated date of burial: November 1988

Mass graves discovered in 2016

Following the release of Ayatollah Montazeri's audio tape, information supplied to the JVMI in late 2016 by the families of the victims confirms the discovery of at least eight mass graves. They are:

1. **Mashhad** (north-east Iran): A mass grave in which approximately 70 people have been buried.

MASHHAD



2. **Zanjan** (north-west Iran): In a section of the northern cemetery. In later years, other graves were built over the mass graves and new gravestones placed above the area.
3. **Bandar-e Gaz** (northern Iran): The area is completely forested.
- 4/5. **Tonekabon** (northern Iran): Two mass graves have been identified. One of the sites was flattened two years ago with bulldozers and divided and parts of it were sold off. The second site is situated beneath the Abbas Abad – Kolardasht Road, near the forest. The area has been turned into an asphalt road.
6. **Some'e Sara** (northern Iran): a butchery of Kasma.
7. **Kermanshah** (western Iran): An area approximately 1,000 square meters. Other people have been buried in other graves above the site of the mass grave and in later years new gravestones have been placed above the ground. A section of the mass grave was poured over with asphalt and turned into a road.

KERMANSHAH



8. **Dezful** (south-west Iran): The site of the mass grave was turned into an IRGC centre called the Sacred Defence Centre.

DEZFUL



Our investigation into the location of other mass graves related to the 1988 massacre continues.

Biographies of the Reporting Team Members

Tahar Boumedra

Former chief of the Human Rights Office of the United Nations Assistance Mission for Iraq (UNAMI) and legal expert.

Tahar was Chief of the Human Rights Office of UNAMI, as such he was also representative of the UN High Commissioner for Human Rights and adviser to the Special Representative of the Secretary-General (SRSG) on Camp Ashraf affairs from 2009 until 2012. He was the Regional Director of Penal Reform International (PRI) for the Middle East and North Africa (MENA). He worked with the MENA governments to introduce human rights-based reforms in the penal and prison systems in the region. Previous to that he taught international law and human rights at Constantine University and the Ecole Nationale d'Administration, Algeria.

Malcolm Fowler

Former member of the Human Rights Committee of the Law Society of England and Wales.

Malcolm has 50 years of knowledge and experience in Criminal Law proceedings. In 1995 Malcolm gained his Higher Rights of Audience as a Criminal Advocate. In the same year, he became Chair of the Criminal Law Solicitors Association. Malcolm went on to become President of the Birmingham Law Society in 1998. Malcolm was also Chair of the Law Society's Criminal Law Committee. During his 16 years on the Law Society's Human Rights Committee, Malcolm was simultaneously a Law Society Council member. He is also a former member of the Law Society's Conduct Committee, and he remains a Trustee of the Society's Charity Board.

Azadeh Zabeti

Vice President, Committee of Anglo-Iranian Lawyers (CAIL).

Azadeh is the Director of the Centre for Human Rights, Democracy and the Rule of Law in Iran (UK).

**A publication of 'Justice for the Victims of the
1988 Massacre in Iran' (JVMI)**

February 2017

