

Babak Emad
The International Secretary of AIPP (in Exile),
P.O.Box 95
12 22 Farsta
Sweden

**AMNESTY
INTERNATIONAL**



AMNESTY INTERNATIONAL INTERNATIONAL SECRETARIAT
Peter Benenson House, 1 Easton Street
London WC1X 0DW, United Kingdom
T: +44 (0)20 7413 5500 F: +44 (0)20 7956 1157
E: amnestyis@amnesty.org W: www.amnesty.org

21 August 2008

Ref: MDE/13/003/2008.DD

Dear Babak, friends and all those who strive to advance the cause of human rights in the world

Greetings and best wishes to you and all of those gathered in Stockholm to commemorate the 20th anniversary of the 1988 “prison massacre” in Iran.

As you know, in the second half of 1988 and the early part of 1989, the Iranian authorities carried out a wave of executions sanctioned at the highest levels of government, in which an estimated 4,500 to 5,000 – the true number has never been disclosed – political prisoners, including prisoners of conscience, were killed in many prisons throughout Iran.

Those executed were political activists, all of whom were civilians and many of whom were convicted of crimes not carrying the death penalty; many others still were prisoners of conscience.

Those executed were overwhelmingly sentenced to death following summary trials and in many cases, a series of questions relating to political or religious opinion. The then designated successor to Ayatollah Khomeini, Grand Ayatollah Montazeri protested against the arbitrariness of these executions, which were systematically carried out in large numbers in, for example, both Tehran and provincial centres.

The executions were aimed at eliminating the perceived political threat posed by those political parties ranged against the government and hundreds if not thousands of those executed were buried in unmarked mass graves throughout the country, such as those in the Khavaran Cemetery in south Tehran.

Amnesty International’s campaigning on this issue dates from the time of the “prison massacre” itself. Its report, 'Iran: Violations of human rights 1987-1990' (December 1990; AI Index MDE 13/21/90), exposed the magnitude of the killings and has been the basis for Amnesty International's subsequent campaigning.

For me, one particular case represents the arbitrariness, tragedy and ongoing lack of judicial process regarding of the executions. Not long after the waves of executions abated, one woman described to

Amnesty International how she dug up the corpse of a dead man in August 1988, in the Khavaran Cemetery, while she was searching for her own husband's body. She found it important to find the body of her husband both for her and her two little children. Writing in 1990 –Amnesty International recounted that “she unearthed a body with its face covered in blood but when she cleaned it off she saw it was not her husband.” It was discovered days later. He had been 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.

Now, twenty years after the then Iranian authorities began this wave of largely secret, summary and mass executions in September 1988– one of the worst abuses to be committed in Iran – Amnesty International is renewing its call for those responsible for the “prison massacre” to be held accountable by being brought to justice.

We believe that there should be no impunity for such gross human rights violations, regardless of when they were committed. The organisation is urging the Iranian government - as international human rights law requires - to establish an independent and impartial investigation, with a view to exposing the facts of the killings in order that the victims' families should have access to the truth, and to bring to justice those responsible for this gross violation of human rights.

Those responsible for ordering, organising or carrying out the killings should be prosecuted and tried before a regular and legally constituted court and with all necessary procedural guarantees, in accordance with international fair trial standards. If found guilty, they should be punished with appropriate penalties that take into account the grave nature of the crimes but without resort to the death penalty or corporal punishments. The failure to do so, despite the time that has elapsed since the killings, does not in any way reduce this responsibility.

Amnesty International is also urging the Iranian authorities not to prevent or impede relatives of the dead and others to visit the place at Khavaran, in south Tehran, where hundreds of those who were summarily executed were buried, a great many in mass, unmarked graves. Many family members of the dead and others are likely to wish to visit this place in order to grieve for and pay their respects to their executed loved ones on or about 29 August, which many Iranians mark as the date when the “prison massacre” began. Amnesty International reminds the Iranian government of its obligations under international law to allow for those who gather peacefully to express their views without fear of arrest.

Dear Babak and friends, you have asked Amnesty International to take part in initiatives aimed at documenting the “prison massacre” and determining who may have been involved.

I would like to let you know that we fully support initiatives aimed at bringing together and recording in a systematic way, information from a range of sources about past human rights violations, and placing them on the public record. These efforts raise public awareness about the killings and draw attention to the failure of the Iranian authorities to investigate what occurred and bring to justice those responsible for these gross human rights violations.

These efforts could be useful in some instances as a basis for investigation in respect of any criminal trials that may take place in the future, as well as helping to identify background and contextual factors which permitted or encouraged human rights violations, with a view to ensuring non-repetition.

They can serve a useful purpose when they allow individuals who are directly affected – such as relatives of those killed – to speak about and share their experiences, as this can have a therapeutic and beneficial effect if conducted in a safe and supportive environment, as well as possibly leading to new information becoming available.

Such initiatives are, however, no substitute for a proper process of investigation and due process of accountability. Amnesty International has for many years worked to ensure that there are independent, impartial and competent investigations into human rights abuses with a view to bringing perpetrators to justice, such as the organization's participation in the preparatory work for the Rome Statute of the International Criminal Court, and in regard to the 1998 indictment in Spain and later the same year arrest in the UK, of Augusto Pinochet, former president of Chile. The standards required for such proceedings, ones that we have worked to see established, include a regular and legally constituted court and trials that meet international standards of fairness with all necessary procedural guarantees. These are the only types of tribunals Amnesty International supports.

Babak and friends gathered in Stockholm, we support and share your efforts in working to end all human rights abuses in Iran and holding to account those alleged of gross human rights violations, whether today or those carried out in the past. Just as we reach out to work for justice for the victims of the 1988 “prison massacre”, I urge you to join with us to campaign against the execution of juveniles offenders in Iran, for the rights of women, for an end to repression of dissent; and an end to torture and the ongoing and extensive use of the death penalty.

In solidarity, yours sincerely,

Drewery Dyke
Middle East and North Africa Programme
Amnesty International