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IRAN:  
AMNESTY INTERNATIONAL'S RESPONSE TO  
LETTER DATED 28 FEBRUARY 1989 FROM THE PERMANENT MISSION  
OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS

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Amnesty International welcomes the substantive response (see Appendix) from the Permanent Mission of the Islamic Republic of Iran to the concerns described in our document, Iran: Political Executions (MDE 13/29/88). Amnesty International believes that dialogue with governments can contribute to mutual understanding in the shared interest of promoting respect for human rights.

While the letter from the Permanent Mission of the Islamic Republic of Iran to the United Nations accurately describes parts of Amnesty International's mandate it nonetheless appears to have misunderstood and in some areas misinterpreted our specific role in the international protection of human rights. This, we believe, has led to the erroneous conclusion that Amnesty International "has occasionally deviated from its ideals, objectives and procedures."

Amnesty International has as its object to secure throughout the world the observance of the provisions of the Universal Declaration of Human Rights, by:

- a) irrespective of political considerations, working towards the release of and providing assistance to persons who in violation of the aforesaid provisions are imprisoned, detained or otherwise physically restricted by reason of their political, religious or other conscientiously held beliefs or by reason of their ethnic origin, sex, colour or language, provided that they have not used or advocated violence (referred to as "prisoners of conscience");
- b) opposing by all appropriate means the detention of any prisoners of conscience or any political prisoners without trial within a reasonable time or any trial procedures relating to such prisoners that do not conform to internationally recognized norms;
- c) opposing by all appropriate means the imposition and infliction of death penalties and torture or other cruel, inhuman or degrading treatment or punishment of prisoners or other detained or restricted persons whether or not they have used or advocated violence.

The Permanent Mission of the Islamic Republic of Iran states that Amnesty International has remained silent in the face of "crimes and violations of human rights" committed by Iranian opposition groups, particularly the People's Mojahedine Organization of Iran (PMOI). It should

PM000074

be noted that Amnesty International holds governments responsible for upholding international human rights standards to which they are committed. Where offences are committed by opposition groups then it is within the jurisdiction of governments to determine criminal responsibility, and to bring those responsible to justice. In contrast individuals who have their rights violated by the state do not have this power, which is another reason why Amnesty International addresses itself primarily to governments. In situations where opposition groups have taken on certain governmental attributes, such as effective authority within territories under their control Amnesty International has treated them as quasi-governments and has approached them on the basis that they have the means and the responsibility to protect human rights. None of the Iranian opposition groups inside or outside the country can be said to fall within this category.

Amnesty International is unequivocal in its total condemnation of the torture or execution of prisoners by anyone, including opposition groups. We are willing to consider, seriously and objectively, any information relating to such cases that the Government of the Islamic Republic of Iran wishes to make available.

Amnesty International takes no position on the question of violence. We neither condemn nor condone acts of violence perpetrated by opposition groups in any country including those committed in Iran by the PMOI or others. We agree with the Mission's statement that those involved in recognizably criminal acts should be brought to justice in accordance with the law. We would add that this must be done in a way that conforms to a government's commitments under international law, specifically that they should be tried in accordance with international standards for a fair trial such as Article 14 of the International Covenant on Civil and Political Rights which Iran has ratified.

The Permanent Mission of the Islamic Republic of Iran suggests that the involvement of the PMOI in violence means that it cannot be considered a political group. This is not an opinion shared by Amnesty International. As explained above, we take no position on the use of violence by opposition groups, but we believe that the stated aims of the PMOI in opposition to the present government in Iran are undeniably political, and again this is a standard which we apply consistently across a broad range of countries.

In his references to Amnesty International's efforts to stop executions in Iran the Permanent Mission of the Islamic Republic of Iran again appears to have misunderstood the organization's position on the death penalty. Amnesty International is totally and unequivocally opposed to the death penalty in all cases and without any reservations. It is suggested that we overlooked the context of the public executions in Eslamabad. In fact the context of the armed incursion is clearly described in our report. Amnesty International's position is that the carrying out of executions can never be justified, whatever the context. Amnesty International's document expresses its opposition to the executions which have taken place in Iran since August 1988. The public executions in Eslamabad are referred to as evidence, confirmed by the official press, that some executions had taken place. It is entirely consistent for Amnesty International to oppose these executions, irrespective of the crimes alleged to have taken place.

However, these executions are only a small proportion of the more than

1,700 political executions now recorded by Amnesty International since August 1988. President Khamenei has stated that those executed were convicted "spies and traitors". However, information available to Amnesty International indicates that many of those executed could have played no direct part in the armed incursion or in any alleged atrocities which accompanied it because they were imprisoned in many different parts of the country at the time. It is our understanding that these prisoners, together with thousands of others executed since 1979, were killed after summary trials or even after no trial at all. International human rights standards clearly provide 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 for extrajudicial executions or of executions after an unfair trial. We are not aware of a single case where a defendant in a political trial has been represented by a defence lawyer. Fundamental safeguards such as the right to call witnesses for the defence, and the right to appeal against verdict and sentence were absent from these trials. We have asked the Iranian authorities repeatedly for information about the charges brought against execution victims, and the procedures followed at their trials, but we have never received a reply to these inquiries about specific cases.

In December Amnesty International submitted a list of 325 names of reported execution victims to the Iranian authorities asking for details of the reasons for their execution, and of the trial procedures followed. We have received no reply to this request. If these people received fair trials prior to their execution, and were accorded the safeguards provided for by the International Covenant on Civil and Political Rights and other international human rights standards, then Amnesty International would be pleased to see evidence of this.

The conclusion of the Mission's letter demonstrates a further misunderstanding of Amnesty International's work when it suggests that Amnesty International's duties "only constitute the defence of the rights of political prisoners and prisoners of conscience". This is simply not the case. Amnesty International's mandate extends to the protection of all prisoners, including non-political prisoners, from torture and execution.

In offering this elaboration of our document as requested by the Permanent Mission of the Islamic Republic, and in attempting to clarify some misunderstandings, Amnesty International very much hopes that a dialogue with the Iranian authorities will develop so that such misunderstandings can be overcome. We stand by our findings, but we are convinced that we would be better informed if we were able to discuss our concerns with the Iranian authorities directly as we have repeatedly but unsuccessfully requested the opportunity to do.

APPENDIX:

Letter dated 28 February 1989 from the Permanent Mission of the Islamic Republic of Iran to the United Nations, addressed to the Secretary General, in response to Amnesty International's document Iran: Political Executions (MDE 13/29/88) and News Release dated 13 December 1988 (MDE 13/31/88).