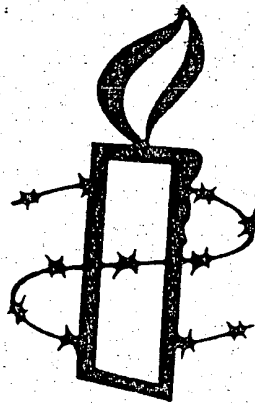


**amnesty international**

**IRAN**

**Imprisonment, torture and  
execution of political  
opponents**



January 1992  
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## **IRAN**

### **Imprisonment, torture and execution of political opponents**

JANUARY 1992

SUMMARY

AI INDEX: MDE 13/01/92

Serious violations of human rights continue in Iran despite the release of many political prisoners during the year. Amnesty International recorded more than 750 executions, political detainees were held in prolonged incommunicado detention and were subjected to physical and psychological torture to force them to give information and to sign statements or give video-recorded interviews repenting their past activities. Physical torture included blindfolding the detainees and suspending them in contorted positions, severe beating and sleep deprivation.

Political prisoners, including prisoners of conscience, were sentenced to prison terms after unfair trials, held in secret, and were denied lawyers for their defence. Proceedings were summary, lasting only minutes in some cases, and prison terms began only from the date of sentencing - the amount of time spent in pre-trial detention, frequently over a year, is not subtracted from prisoners' sentences. Current prisoners of conscience include men aged in their seventies sentenced to up to three years in prison and 30 lashes. Some are frail and in extremely poor health.

While a number of political prisoners were released in 1991 many of them remain subject to physical restrictions, and those who fail to present themselves when summoned risk their own or their relatives' detention.

Amnesty International has called repeatedly for the implementation in both law and practice of basic safeguards for human rights, as contained in the International Covenant for Civil and Political Rights, to which Iran is a state party.

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# IRAN

## Imprisonment, torture and execution of political opponents

### 1. INTRODUCTION

Serious violations of human rights continued in the Islamic Republic of Iran during 1991, with hundreds of political arrests, unfair trials, torture and more than 750 executions. Escalating economic difficulties led to demonstrations and sometimes clashes between the police or Revolutionary Guards and demonstrators in Tehran, and elsewhere in the country such as Zanjan, Esfahan and Qazvin, reportedly resulting in hundreds of arrests in the second half of the year. In December the Tehran military prosecutor was quoted as saying that 300 political arrests, including members of monarchist organizations and the People's Mojahedin Organization of Iran (PMOI) had taken place.

Detailed information on human rights violations in the Islamic Republic of Iran remains difficult to gather and verify. Amnesty International welcomes the fact that the United Nations' Special Representative on the situation of human rights in Iran has been able to visit the country, and that an agreement has been reached to allow the International Committee of the Red Cross (ICRC) access to prisoners. However, Amnesty International has not been allowed access to the country to research or discuss its human rights concerns for more than ten years. There are no independent human rights or other concerned organizations in Iran to gather and assess human rights data, or assist those whose rights are violated to seek redress. The media and means of private communication are subject to strict controls, and individuals who bring human rights abuses to the attention of Amnesty International and other international human rights organizations do so in fear of possible reprisals against themselves or their families.

Parts of this document are based on first-hand testimonies given to Amnesty International by former political prisoners from a variety of opposition groups. The experiences these people describe took place in different prisons, over a period of nearly ten years, from the early 1980s to 1991. The many similarities, the consistency of allegations made in different words by individuals of different backgrounds and beliefs, provide compelling evidence of a pattern of torture and cruel, inhuman and degrading treatment of political prisoners in Iran which continues to the present day.

Amnesty International has repeatedly conveyed its concerns to the Iranian authorities, and submitted reports for clarification and memoranda for comment and discussion. It is a matter of some regret that for many years the authorities chose not to respond to the substance of Amnesty International's communications. During 1991, however, the organization received a number of letters from the authorities offering some clarification, and information on certain cases, and many meetings took place

assurance by Ayatollah Yazdi, quoted in the November 1990 report<sup>2</sup> of the UN Special Representative on the situation of human rights in the Islamic Republic of Iran that "Everyone was entitled to defence counsel and when the accused could not obtain it, the court provided it." In a letter to the Special Representative dated 16 January 1991 quoted in his subsequent report<sup>3</sup> the government stated that provisions regarding the right to legal counsel had been adopted by the Iranian Parliament. The law was reported to have been passed on 31 December 1990 by the Islamic Consultative Assembly. According to subsequent reports, however, the law was not approved by the Council of Guardians, and was not therefore put into effect.

Amnesty International wrote to the Iranian authorities seeking clarification of the status of this law, and requesting a copy of the text on 26 March 1991 and 12 July 1991. On 9 October 1991 Amnesty International received a response from the Embassy of the Islamic Republic of Iran in London, which stated, among other things, that

"On 19th September 1991, a Parliamentary Bill stressing the necessity of attorneys being appointed in all judicial procedures was ratified by the Islamic Republic of Iran's Advisory Assembly."

The text which was finally approved is as follows:

Article 1 - The parties to a lawsuit have the right to appoint a legal counsel and all the courts are obliged to receive counsel in all stages of interrogation and court proceedings;

Sub-article 1 - The parties to a lawsuit in the Special Courts for the clergy also have the right to appoint a legal counsel. Courts will provide a number of qualified members of the clergy as a lawyer; the defendant will choose his own counsel from among them;

Sub-article 2 - Failure to comply with the provisions of the above article for the first time shall be punishable according to the third degree of disciplinary punishment and for the second time, by dismissal from the judicial post held. If a court denies the right of a party to appoint a counsel,

<sup>2</sup> UN document reference A/45/697 dated 6 November 1990, paragraph 202

<sup>3</sup> UN document reference E/CN.4/1991/35 dated 13 February 1991, paragraph 148

As long ago as 14 August 1990 Amnesty International had asked the authorities to inform it of the date of the trial in order to send a delegate to observe the trial. This request and proposal were repeated in a second letter sent on 26 March 1991 and the matter was also raised in direct talks with authorities in May 1991. After receiving information that the trials had taken place, Amnesty International wrote to the Iranian authorities in September 1991, proposing to send a delegate to observe any appeal proceedings which might follow. In November Iranian officials informed Amnesty International that the sentence passed on Ali Ardalan, who is about 76 years' old, had been suspended after he became seriously ill and was hospitalized for urgent treatment. Subsequently, reports were received that the prisoners' appeal against their conviction and sentence had been rejected, and in some cases new charges had apparently been added. All proceedings took place in their absence and at no stage did they have access to a lawyer.

Other political prisoners currently held following unfair trials include alleged members of Forgan, PMOI and Rah Kargar, as well as followers of Ayatollah Shariati, in addition to members of Kurdish and Baluchi organisations which seek various degrees of autonomy. Some have already been in prison for many years and are serving sentences of life imprisonment.

#### 4. TORTURE AND ILL-TREATMENT OF POLITICAL PRISONERS

Amnesty International has interviewed many former political prisoners who had suffered physical and psychological torture. Some of those interviewed were released during 1991. They still bear physical and mental scars of their treatment, and in recounting details of their own suffering have also informed Amnesty International of a number of political prisoners who committed suicide in prison as a result of their treatment.

In 1991, as torture continues, the most basic safeguards for the protection of detainees have yet to be put in place, even though Iran is a state party to the International Covenant on Civil and Political Rights, which forbids the use of torture. Iran's own Constitution states:

"Any form of torture for the purpose of extracting confessions or gaining information is forbidden. It is not permissible to compel individuals to give testimony, make confessions, or swear oaths, and any testimony, confession, or oath obtained in this fashion is worthless and invalid. Punishments for the infringement of these principles will be determined by law."

Similar reports of the torture of political detainees continued to be received by Amnesty International during 1991.

For political prisoners held in Iran stress and uncertainty are constant pressures. Prisoners have been kept blindfolded for hours or days at a time, so that they became disoriented and insecure. Torture and arbitrary punishment may occur at any time, without warning. Uncertainty extends to the future as well as the present. Prisoners have no way of being sure how long they will remain in prison. Those who are tried may not be informed of their sentence for weeks or months. The sentence itself begins only on the day of the judgment and so lengthy periods of pre-trial detention are not subtracted from the prison term. Even when the sentence expires, prisoners may not be released unless they have repented.

Other arbitrary punishments include being kicked or punched, made to stand without moving for hours or days at a time, cancellation of family visits or food being reduced.

Prisoners' attempts to organize group activities have led to harsh punishment. This has applied not only to actions such as protests against prison conditions, but even to organizing a study group or physical exercise.

Several former prisoners interviewed by Amnesty International described how they survived the massacre of political prisoners in 1988. The first one group of prisoners knew of their companions' fate was when through a window they caught sight of a pile of plastic sandals the prisoners had worn lying in the courtyard. Prisoners held at that time have recounted how they were interviewed by a panel of clerics regarding their religious beliefs and their performance of prayers, apparently after a fatwa was issued sanctioning the execution of those who failed to fulfil their religious obligations. After the first mass executions took place in Gohardasht, prisoners in one block were able to communicate messages to other prisoners about the interviews, the identity of the panel members, the questions asked and the executions, through a series of morse signals communicated at great risk using the electric light switches. Another prisoner interviewed subsequently by Amnesty International said that he owed his life to those warning signals.

Some women political prisoners who refused to perform their prayers in 1988 were subjected to five lashes every prayer-time (i.e. 25 lashes a day); they were told this would continue until they died or agreed to pray. One former female prisoner told Amnesty International:

threatened with re-arrest if the former prisoner failed to surrender himself within a certain time.

An increasingly common practice is to allow political prisoners, including prisoners of conscience, to go home on leave of absence. While on leave prisoners must register at designated Islamic Revolutionary Committees, and must also keep in contact with the prison authorities. Such leave may be either for a specific period of days, weeks or months, or may be indefinite. However, even if the leave is for an unspecified period, no one is left in any doubt that their files remain open at the prison, that they are still considered as prisoners and may be recalled to the prison at any time for interrogation or to complete their prison terms.

## 6. EXECUTIONS

Amnesty International has repeatedly expressed concern about the many thousands of executions which have taken place in the Islamic Republic of Iran during the last ten years and remains deeply concerned about the continuing high number of executions.

The Iranian authorities have never responded to Amnesty International's repeated appeals to account for the fate of the thousands of political prisoners executed during the second half of 1988, and no new safeguards are in place to prevent further mass killings from taking place.

During 1991 Amnesty International recorded more than 750 executions. According to press reports published in Iran, the majority of these death sentences were passed for drug smuggling offences, although available evidence shows that the death penalty carries no special deterrent effect in such cases. Other sources have reported the execution of approximately 50 people for their political activities.

Amnesty International believes that the minimum standards for fair trial in all the above cases were not applied.

## 7. ALLEGED EXTRAJUDICIAL EXECUTION OF OPPOSITION ACTIVISTS ABROAD

Amnesty International opposes unconditionally the extrajudicial execution of any individual on political grounds by governments, or by others with the knowledge and acquiescence of a government. The most recent victims in a series of such killings of opposition activists abroad were Dr Abdolrahman Boroumand in Paris in April 1991, and Shapour Bakhtiar and his personal secretary, in Suresnes, France, in August 1991.