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Amnesty International
International Secretariat
1 Easton Street
London WC1X 8DJ
United Kingdom

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IRAN: OVER 900 EXECUTIONS ANNOUNCED IN FIVE MONTHS

Amnesty International has recorded a total of over 900 officially-announced executions in Iran between the beginning of January and the end of May 1989. All were reported in the official Iranian press and were for criminal offences, mostly drug-trafficking. The majority of those executed were hanged but 26 cases of stoning to death were also announced. Amnesty International also continues to receive the names of political prisoners alleged to be among those executed in secret between the end of July 1988 and the beginning of 1989; the organization now has over 1,700 of these names but it remains impossible to estimate accurately the number of political executions which did in fact take place in the latter half of 1988.

Some Iranian leaders have sought to deny the reports of political executions taking place in secret on a massive scale. In an interview broadcast by Tehran Radio on 13 February 1989 Hojatoleslam Rafsanjani, Speaker of the Majlis, stated that following the armed incursion into Iran by the National Liberation Army (NLA) led by the People's Mojahedine Organisation of Iran (PMOI) some people had been executed for having participated in or collaborated with the invading force, and compared these executions to those of convicted war criminals in Europe at the end of World War II. He also suggested that the thousands of PMOI supporters alleged to have been executed had in fact been killed or captured during the incursion and that the PMOI was trying to disguise its losses by giving their names as execution victims. In a letter dated 28 February 1989 which is the most substantive response Amnesty International has yet received from the Iranian authorities in response to its tens of thousands of appeals regarding the political executions, Iran's Permanent Mission to the United Nations in New York stated that

"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."

While Amnesty International does not attempt to estimate the true number of political executions since July 1988, it has gathered reports of their massive number and arbitrary nature from a wide variety of sources, including relatives and friends of victims and former prisoners as well as opposition groups from all parts of the political spectrum. Statements by Iranian leaders supporting a policy of executing political opponents, and criticism of political executions contained in letters allegedly written to Ayatollah Khomeini by Ayatollah Montazeri, his designated heir who subsequently resigned, give further weight to what Amnesty International

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believes is overwhelming evidence that many hundreds of secret political executions did indeed take place.

Amnesty International is unequivocally opposed to executions in all circumstances and is in any case unable to accept the Iranian authorities' claims that all those executed were involved in acts of war, terrorism or espionage. Although the majority of those executed were members or supporters of the PMOI, hundreds of prisoners from other, quite separate, political factions also died. Many execution victims had been in prison for some years, often in parts of the country remote from the NLA incursion in which they could have played no part. Some had been arrested while still at high school, for nothing more than distributing leaflets, some were serving sentences of imprisonment while others had remained in detention for years without ever having been tried. In some cases, former prisoners who had been released after serving their sentences were re-arrested and executed, although they had not taken part in banned political activities since their release.

In his report to the 45th session of the United Nations Commission on Human Rights in January 1989, the Commission's Special Representative on Iran, Mr Reynaldo Galindo Pohl, pointed out that penal provisions governing the death penalty in the Law of Hodoud and Qesas, part of the Islamic Penal Code of Iran, failed to distinguish as required by international standards between "crimes, serious crimes and the most serious crimes." With regard to violent organizations, this meant that all kinds of support, whether active or mere opinion, could be punishable by death. Mr Pohl pointed out that "The absence of these technical differentiations may result in a large number of death penalties," and suggested that technical innovations might be examined ". . . in order to reduce the offences punishable by the highest penalty and give the judges power to choose from a broad range of punishments in order to adapt each punishment to the particular circumstances of the offence and the conditions of the offender."

Amnesty International has been unable to establish whether any of the political prisoners executed received any form of trial or re-trial before their execution. Previous political trials in Iran, however, have been summary in the extreme, often lasting no more than a few minutes, with no defence counsel, no witnesses for the defence and no right of appeal against verdict or sentence.

In December 1988 Amnesty International submitted a list of 325 political prisoners alleged to have been executed to the Iranian authorities, with a request for clarification as to their fate. Despite repeated requests, no reply has yet been received. Amnesty International continues to receive occasional reports that further political executions may have taken place, or that there are political prisoners in imminent danger of execution. Large-scale amnesties were announced by the Iranian authorities to mark the tenth anniversary of the Islamic Revolution in February 1989. According to official statements, 2,600 out of 3,500 political prisoners still held in Iran were to be released, while the other 900 remained in detention. Amnesty International welcomed the amnesties, but regretted they had come too late to save lives of the hundreds, possibly thousands, executed since July 1988.

While the reports of political executions have been denied, the Iranian authorities have openly acknowledged a dramatic increase in executions for non-political offences in the opening months of 1989. On 21 January 1989 a new law came into force making the death penalty mandatory

for those found in possession of more than five kilograms of hashish or opium, or more than 30 grams of heroin, codeine, methadone or morphine. Even before the law came into effect, executions of prisoners convicted of drug trafficking had been stepped up, with 56 alleged offenders hanged in towns across Iran on 16 January. Since then hundreds of people have been executed for drug-trafficking, in some cases combined with other charges such as armed robbery. Many of the executions took place in public, in at least one case apparently employing a gibbet mounted on the back of a lorry which could be driven through the streets with the bodies still hanging. In some instances large numbers of convicted traffickers were hanged on the same day in different towns, leading to as many as 81 being executed in a single day.

Throughout the new anti-drugs campaign the authorities have made statements welcoming and encouraging the harsher measures against trafficking and affirming their intention to continue with them. On 5 April, Tehran Radio quoted Prosecutor General Khoeniha as saying that 313 smugglers had been executed so far and 65 more were to be hanged the following day. He was reported to have stressed that

"The implementation of this law has been very successful up to now, and if at the beginning of the implementation of this law some people had certain doubts, today no-one has any doubts about responding to drug smugglers. We hope that we shall solve this social problem through the decisiveness of the security forces and that the executions will continue until the last smuggler in the country is eliminated."

Press coverage has also been consistently favourable. Iranian newspapers have in the past carried photographs of executions, but have not done so since mid-January when according to Jomhuri-e Eslami (17 January 1989) a ban was placed on photographing executions as such pictures were being "made use of" by the foreign press.

Other areas of criminal activity have also been the object of new initiatives. On 20 January, following the granting of special powers to the judiciary by Ayatollah Khomeini to speed up the punishment of crime, Chief Justice Ardebili called for "speedy implementation of justice" in a Friday prayers sermon in Tehran. He complained that the existing procedures allowed long delays, with many legal steps and formalities before verdicts could be carried out. He referred to two circulars which had been sent to judicial and other authorities throughout the country giving instructions that trials should be "immediate" so that cases could be brought to a close "...in a matter of three, four or five days". "Legal loopholes" which delayed the execution of justice should be eliminated and criminals must be made to know that "...between committing a crime and your execution there will be a difference of ten days - maximum." In a subsequent sermon on 10 February, Ayatollah Ardebili welcomed the judiciary's response to the new directives and cited examples where offenders had been tried and executed within a few days.

Following this dozens of people have been executed all over Iran for offences such as murder, rape and armed robbery. Executions for these offences have always been common, but the opening months of 1989 have seen a dramatic increase in their number: Amnesty International has recorded over 250 between January and the end of May, as opposed to a total of 142 officially-announced executions recorded by Amnesty International for all criminal offences (including drug-trafficking) in the whole of 1988.

Among the victims of these executions have been 26 people, 14 of them women, stoned to death on charges of adultery, prostitution or pimping. Stoning to death is prescribed by the Islamic Penal Code of Iran as the penalty for a variety of sexual offences. According to the Code's provisions, publicly confirmed by Ayatollah Mohammad Gilani, a judge and member of the Council of Guardians in a series of Iranian television programs on Islamic law some years ago, the stones used should not be large enough for the victim to be killed immediately, or "too small to be defined as stones." The punishment is thus designed to prolong the victim's ordeal and cause the maximum amount of suffering.

Stonings in Iran take place in public. For example in April, in the city of Bushehr 12 women and 3 men were stoned to death in a football stadium. Press reports state that thousands of spectators have sometimes been present, and in some instances have referred to the public "participating in" the stoning.

Amnesty International is deeply concerned not only by the very high numbers of executions taking place in Iran, but by the fact that under the new directives to the judiciary they are likely to result from increasingly summary and arbitrary arrest and trial procedures, with insufficient time for evidence to be gathered and assessed, thus increasing the risk of people being executed for offences they did not commit. In this context, the organization notes that a 25-member body was appointed by Ayatollah Khomeini to carry out an urgent review of Iran's Constitution, including the provisions relating to the judiciary. It seems that proposed amendments resulting from this review are to be put to the vote by public referendum at the same time as the presidential elections scheduled for August.

Amnesty International has frequently urged the Iranian authorities to review both the provisions and the implementation of the Islamic Penal Code of Iran, to enforce existing constitutional safeguards for human rights and to ensure that Iranian legislation and administration of justice conform to international human rights standards such as those embodied in the International Covenant on Civil and Political Rights, which Iran has ratified. Amnesty International hopes that the present review will lead to a system of justice which will ensure respect for the fundamental human rights of all Iranian subjects. In this respect, the organization refers the Iranian authorities to the detailed recommendations contained in its 1987 report Iran: Violations of Human Rights (MDF 13/09/87) and the conclusions reached in the above-mentioned report of the Special Representative on Iran to the United Nations Commission on Human Rights.