

Iran's leadership guilty of crimes against humanity

June 8, 2010

says report by UN jurist

Iran's Supreme Leader, Ali Khamenei, former President Ali Akbar Hashemi Rafsanjani, recent presidential candidate Mir Hossein Mousavi, and a number of sitting and retired judges and officials, including former head of the Supreme Court, Abdolkarim Mousavi Ardebili, are all liable to arrest under international law for complicity in the murder of thousands of political prisoners at the end of the Iran/Iraq War. This is the conclusion of a [145-page report](#) by Geoffrey Robertson QC, who urges the Security Council to set up a special court, along the lines of the International Tribunals for Yugoslavia and Rwanda, to try these men "for one of the worst single human rights atrocities since the Second World War".

The report concludes that the leaders were guilty of implementing a *fatwa* issued by Ayatollah Khomeini in July 1988, which sentenced thousands of political prisoners to death without a trial. At Tehran's notorious Evin Prison and twenty other prisons throughout Iran, dissidents who had previously been sentenced to various prison terms and had refused to recant their religious beliefs were blindfolded and paraded before judges who directed thousands to the gallows. "They were hung from cranes, four at a time, or in groups of six from ropes hanging from the stage of the prison assembly hall. Their bodies were doused with disinfectant, packed in refrigerated trucks, and buried by night in mass graves, the locations of which are still withheld from their families."

Mr Robertson concludes that the leaders of Iran planned for this "final solution" when it became clear that they would have to accept a truce with Iraq. Death committees (a religious judge, a prosecutor and an intelligence official) were sent to prisons to arrange the extermination of steadfast sympathizers of Mojahedin Khalq Organization. Then came the turn of the Marxists and atheists who were born in Muslim families and were declared apostates. The men were hanged and the women were tortured until they

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repented.

The evidence set out in the report shows that the victims were killed because of their beliefs about religion – because they were atheists or because they were Muslims who opposed the Ayatollah's version of Islam (the "Guardianship of the Jurist") that had been adopted by the theocratic state. Mr Robertson points out that the crime of genocide includes the destruction of groups because of their religious beliefs or non-beliefs and that those who implemented the *fatwa*, which directed the extermination of prisoners because of their different religious beliefs, were committing genocide. The significance of this finding is that it would give the international community a legal basis for arresting many of the present leadership of Iran.

The report uncovers official statements justifying the slaughter and identifies those present leaders who are suspected of participating in its implementation and cover-up. The best known are the current Supreme Leader, Ayatollah Ali Khamenei, and Hojatoleslam Ali Akbar Hashemi Rafsanjani, Commander of the Armed Forces at the time, who would have dispatched the killing squads. The report uncovers hitherto unknown statements by Mir Hossein Mousavi justifying the action, the then Prime Minister and now one of the leaders of the reform movement. Mr Robertson says "he has not given any account of his role at the time, or his reaction to it today, although he is frequently asked. His statements at the time were part of the cover-up".

Mr. Robertson names other currently powerful judges as being complicit in the killings. He says that the scale and cold-bloodedness of these killings, and the fact that they were carefully planned, makes them of greater infamy than the slaughter at Srebrenica and the allied prisoner death marches by Japan at the end of World War II.

The report accuses Tehran of continuing to deny relatives of the victims their right to know where their loved ones are buried. Some months after they were killed, the families were given plastic bags containing their belongings, but were refused all information about their burial places. The location of mass graves has been established in Tehran's cemetery area, but attempts by families to gather there to mourn on anniversaries of the massacre have been dispersed by the authorities.

The situation in Iran today, the report argues, illustrates the consequences of impunity for crimes against humanity that have never been properly investigated or acknowledged. Some of the leaders who engaged in

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such a level of lawlessness and barbarity against their own people and their acolytes remain in powerful positions in the judiciary and the state, whose Supreme Leader Ali Khamenei has in the past year called upon the Revolutionary Guards to use violence against peaceful protests. “Those staged television show trials of the 1980s, with televised ‘confessions’ by leftist prisoners wracked by torture and fear for their families, writes Geoffrey Robertson, re-emerged in 2009, this time featuring ‘Green Movement’ reformists confessing to participation in an international conspiracy. Once again, dissidents are being prosecuted for being *moharebs* (“warriors against God”) and some are being sentenced to death”.

Mr Robertson argues that the Security Council has the power and the duty to set up a special court to prosecute those responsible for the massacre “because there is no statute of limitations on crimes against humanity”.

The inquiry was conducted for the Washington-based Abdorrahman Boroumand Foundation, an NGO concerned with human rights and democracy in Iran.