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REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Letter dated 28 February 1989 from the Permanent Representative
of the Islamic Republic of Iran to the United Nations addressed
to the Secretary-General

I have the honour to enclose herewith the text of the note verbale from this Mission addressed to Amnesty International in response to the latter's report, dated 13 December 1988, concerning human rights in the Islamic Republic of Iran.

It would be highly appreciated if the present letter and its annex were circulated as a document of the General Assembly under item 12 of the preliminary list.

(Signed) Mohammad Ja'afar MAHALLATI
Ambassador
Permanent Representative

* A/44/50.

ANNEX

Note verbale dated 28 February 1989 from the Permanent Mission of
the Islamic Republic of Iran to the United Nations addressed to
Amnesty International

The Permanent Mission of the Islamic Republic of Iran to the United Nations presents its compliments to Amnesty International and wishes to refer to the latter's report of 13 December 1988, and invite its attention to the following.

At the very outset, it ought to be admitted that Amnesty International, in the course of its activities, has occasionally deviated from its ideals, objectives and procedures, and has allowed itself to be misled by political propaganda and the false claims of various groups. There is no need to say that this conviction on our part is realistic and based upon the activities of Amnesty International in preceding years. This fact is more clearly reflected in the annual report of Amnesty International on the alleged abuse of human rights in Iran and in its attitudes towards terrorist groups opposed to the Iranian government.

As an example, it should be recalled that Amnesty International, in accordance with its own guidelines, has the duty to condemn those dissident groups which carry out torture and murder. These guidelines provide that, "Amnesty International, in compliance with its principles, condemns torture and execution of prisoners by anybody, including groups opposed to governments. AI's opposition to torture and execution is expressly stated in this Organisation's publications and through its media."

Even though the members of PMOI, whom Amnesty International always defends, have repeatedly carried out torture and execution against their prisoners and even against ordinary people, Amnesty International has constantly remained silent in the face of these crimes and flagrant violations of human rights.

Amnesty International's ideals and policies, as provided by its statute, basically calls for unconditional and immediate freedom of prisoners of conscience; immediate and fair trial for political prisoners and abolition of torture and capital punishment. Groups defended by AI in its annual report, particularly its report issued on 13 December 1988, are neither ideological nor political in their nature. As expressly admitted in AI's report, Baghdad-based members of PMOI, in cooperation and coordination with an enemy fighting with Iran, embarked on

military attack and aggression against Iran.

The admission of this fact and abundant other irrefutable evidence show that this petty group's activities are neither political nor confined to a party or legal framework. Rather, PMOI is a group that in accordance with its strategy has carried out large-scale terrorist and military acts. In addition to launching joint military operations along with our enemy and committing treason and acts of espionage against our national security, PMOI has assassinated the President of the Republic, President of the Supreme Court, the Prime Minister, cabinet ministers, Members of Parliament as well as tens of thousands of ordinary people.

Therefore, having established the fact that this petty group's activities are not deemed political, one has to accept and admit that the punishment of traitors, mercenaries involved in the war, terrorists and those accused of the assassination of personalities and ordinary people, should on the basis of sovereignty of states be determined by each country's competent courts in accordance with their judicial and civil laws. It is evident that in the Islamic Republic of Iran, in accordance with lofty Islamic teachings and provisions of the Constitution, torture, degrading treatment, and other inhumane acts are totally prohibited even in connection with those accused of or convicted for terrorist and treacherous acts. Accordingly, defending the members of such terrorist groups, with their notorious record or false claims that are totally inconsistent with our principles and laws may, by no means, be included in the framework of Amnesty International's ideals and objectives.

The following points are especially raised in relation to AI's report dated 13 December 1988 concerning the alleged violation of human rights in Iran:

1. In its report, based only on part of the "Notes" of the correspondent of Jomhuri Eslami newspaper, dated 9 August 1988, Amnesty International alleges that groups of people have been hanged in various cities of Iran during the month of July 1988. In order to clarify the matter, the text of the "Notes" of the correspondent of Jomhuri Eslami, published in its issue of 9 August and used by Amnesty International in its report is quoted here. The text reads: "There the eyes of the people of Eslamabad were gazing at a new scene that they were digesting with satisfaction. The steel foundation of a two storey building was the stage, the looks of the people were fixed on the bodies that were hanging from the steel beam of the second storey like the motionless pendulum of a run-down clock. Three of the Monafeghin (PMOI) elements, who had given up their city to foreigners, were punished on that day."

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What is important here is that Amnesty International, by quoting only one part of the article published in a newspaper without any reference to the contents of the whole article, arrives at the conclusion it desires and thus uses the article of a newspaper for its own purpose.

First of all, we have to know that these notes have been written in the thick of the war and military operation. Secondly, the writer of this article, from the very beginning, tries to depict the scenes of the battle with the enemy and its consequences. The incidents reported have indeed had nothing to do with the internal political situation and the foundations of the judiciary in connection with the activities of parties and political and ideological opponents. Amnesty International does not even know that Eslamabad, to which it refers in its report as the place where punishments were meted out, is one of the important cities overrun by the enemy and occupied by the enemy for some time.

Therefore, the punishment of the agents in the battle field is directly related to the necessity for the defence of the country's sovereignty and territorial integrity, to which the national laws on the punishment of war criminals, spies and agents of the army of aggression are applicable.

Furthermore, it is to be noted that if the contents of a newspaper's article may be invoked, the sentence following the paragraph quoted by Amnesty International is also important and worthy of attention, i.e., "The hearts of the people of Eslamabad were still bleeding for the massacre of patients carried out by these traitors in this city's hospital." This one sentence, itself, is the clear condemnation of the enemy's elements for their flagrant violation of human rights, to which Amnesty International has made no reference.

2. In order to substantiate the alleged violation of human rights in Iran, Amnesty International writes in its report: "In the beginning, some of the Iranian officials denied the existence of political executions in Iran, but in early December, President Khamenei admitted the existence of such executions in a statement that was read on Radio Tehran."

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.

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Because, as referred to by Amnesty International in its statement, the President of the Islamic Republic of Iran had openly and accurately mentioned the execution of persons with direct organisational contacts with the army which invaded the sovereignty and territorial integrity of Iran, and which, through a treacherous espionage network, realised the enemy's aggressive intentions. President Khamenei had talked of punishment of individuals who, as admitted by themselves, had in an offensive against Iran killed 40,000 Iranians defending their Islamic homeland (video cassettes of these confessions are available).

Therefore, as may be noted, the punishment of such persons should be studied in light of laws and regulations on the defence of national sovereignty, and frustration of the conspiracies hatched by traitors and agents of an enemy fighting against this country. Such punishment has nothing to do with the laws prescribing the judiciary's treatment of political opponents. These individuals were criminals who would indisputably be sentenced to the most aggravated punishment in any country and at any time, and the determination of such punishment is only within the unquestionable, legitimate and lawful jurisdiction of sovereign countries.

On the basis of the above facts, therefore, it may be noted that Amnesty International, in contravention of its ideals and objectives, has deviated from its duties, which only constitute the defence of the rights of political prisoners and prisoners of conscience. It has not only failed to condemn opponents of the government and perpetrators of torture and killings, but has also voiced support for spies and internal traitors during the time of war.

In light of the commitment of the Islamic Republic of Iran to greater enhancement of human rights and promotion of humanitarian and peaceful measures at national and international levels, the Permanent Mission of the Islamic Republic of Iran while requesting clarification from Amnesty International on the allegations contained in its report of 13 December 1988, suggests that Amnesty International refrain from preparing any report on the basis of false claims and fake evidence given by terrorist groups which only seek to realise political objectives and ambitions. Under such circumstances, Amnesty International will be able to play a major role in depoliticizing humanitarian issues at the international level. The Islamic Republic of Iran in its turn is ready to support and endorse any positive measures taken to this end.
