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WRITTEN STATEMENT TO THE 47TH SESSION OF THE UNITED NATIONS COMMISSION ON HUMAN RIGHTS

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Mass executions after unfair trials, arbitrary arrests, including detentions of prisoners of conscience and torture are continuing in Iran, while no substantive measures have been taken to introduce basic safeguards for the protection of human rights.

More than 20 prisoners of conscience were detained in June 1990, apparently for lending their support to an open letter criticising the failure of the government of President Rafsanjani to uphold rights and freedoms provided for under the Iranian Constitution. None has been charged or tried and some are reported to have been subjected to beatings and psychological torture in an attempt to force them to confess to counter-revolutionary activities and conspiracy with foreign powers. At least 16 of these men, some of whom are elderly or in poor health, remain in prison.

A group of approximately 50 women political prisoners from left wing political groups were temporarily released from prison in August 1990, but almost all of them were returned to prison within two to three months. Most of these women are from the opposition groups the Tudeh Party and the Organization of Iranian People's Fedaiyan (Majority). These women prisoners have never "confessed" despite years of persistent torture and ill-treatment. Having been held for many years in pre-trial detention, most of them were subsequently sentenced to prison terms after summary trials. This lengthy pre-trial imprisonment was not subtracted from their prison term. Many of the women from these left-wing groups have sustained injuries, such as broken bones in the feet, as a result of torture. Although the prison sentences imposed on many of them have expired, the authorities have apparently refused to release them until they agree to recant their political beliefs.

Reports from within the prison allege that the treatment of political prisoners from the opposition group the People's Mojahedine Organization of Iran is even more harsh than that suffered by those from the left wing groups.

Amnesty International recently issued a major report about the human rights situation in Iran: Iran: Violations of Human Rights 1987 -1990. This report, and the November 1990 report of the UN Special Representative on Iran, prompted the Iranian authorities to issue a number of statements defending their human rights record. For example, speaking in Tehran on 7 December 1990, the Chief Justice, Ayatollah Yazdi, is reported to have said that not a single prisoner was jailed in Iran because of his views, and that all current inmates were charged with crimes committed against the government. He went on to say that prisoners in Iran are not detained for having written or signed letters addressed to the country's officials. However, Ayatollah Yazdi, and other Iranian officials, have signally failed to provide any legal reason for the continued detention of the prisoners of conscience detained after the release of the critical open letter in June 1990. These men, many of whom were ministers in Mehdi Bazargan's short-lived 1979 transitional government, and distinguished figures in Iranian public life, have not been formally charged with any offence. The authorities have alleged that these men acted in the interests of foreign governments, but no evidence has been put before a court to this effect. A request by Amnesty International to send the Vice Chairman of its International Executive Committee to observe the trial of these men has received no reply. Amnesty International is not aware that any date for the trial to take place has been set. In these circumstances protestations by the Iranian authorities that the evidence of human rights abuse against them is unfounded are shown to be an attempt to evade responsibility for human rights abuses.

The President of the Supreme Court, Ayatollah Moghtadaie is reported to have told the UN Special Representative in October 1990 that,

"Under Iranian law, a defence lawyer was necessary and mandatory and both the accused and the lawyer were given certain facilities. When the accused had not had a lawyer, the Supreme Court revoked the sentence."

Amnesty International is not aware of a single case in which political prisoners have been granted access to legal counsel at any stage of their imprisonment. Women prisoners of conscience detained since 1983 have never had access to lawyers, despite the fact that many of them have been sentenced to long prison terms at court hearings. The Supreme Court has not revoked the sentences in these cases which would appear to belie Ayatollah Moghtadaie's assurances.

There continue to be reports of arrests of political opponents. Hundreds of people were arrested in the course of demonstrations against government policies in various parts of the country during 1990. It is not known how many of these people remain in detention. There were also reports of unrest in Kurdistan and Baluchistan where movements calling for greater regional autonomy have clashed with government forces. Hundreds of people are believed to have been detained as a result of these long-running conflicts, and there are reports of torture and

execution of supporters of such organizations as the Kurdish Democratic Party of Iran, Komala and the Baluchi National Movement.

In Baluchistan a clamp down on the Baluchi National Movement appears to have been coupled with the continuing campaign against drug-trafficking blurring distinctions between prisoners detained for political activities and those arrested for participation in illegal smuggling activities.

Amnesty International also continues to receive reports of relatives of Iranians who have sought refuge from persecution in Iran by leaving the country being detained and threatened in order to put pressure on political refugees to return to Iran.

The absence of judicial or other supervision over the detention process means that detainees have effectively disappeared. Thousands of relatives of political prisoners executed during the massacre which took place in the second half of 1988 have never been officially informed of the fate of those prisoners. Supporters of such organizations as the Peoples Mojahedine Organization of Iran are still being arrested and then disappearing without trace; no public court hearings are held, and no access to detainees is permitted so that it is impossible to say whether they are alive or dead.

On 3 December 1990, a 55-year-old Christian pastor, Reverend Hoseein Soodmand was executed in Mashad. He had converted to Christianity from Islam some 20 years ago and became a practicing minister in the Church of the Assembly of God two years ago. It appears that Reverend Soodmand was executed on charges of apostasy, punishable by death under Iran's Penal Code. His family were not informed of his situation until after his execution, and it is not known whether any trial proceedings preceded his execution.

Executions continue on a massive scale. Amnesty International recorded over 600 executions in 1990. Many of these were killed as a part of the government's anti-drug-trafficking campaign in which thousands of people have been killed after summary trials in a highly charged atmosphere in which the right to be presumed innocent would appear to be seriously undermined. There have been specific allegations that named political prisoners have been among those executed ostensibly as drug traffickers to which the Iranian authorities have not responded.

Article 6 of the International Covenant on Civil and Political Rights, to which Iran is a state party, requires those countries which have not abolished the death penalty not to impose it in contravention of the provisions of the Covenant. Trials before Islamic Revolutionary Courts, responsible for hearing drug-trafficking cases, fall far short of the requirements of Article 14 of the Covenant in that: the right to be presumed innocent is undermined; and defendants are often not given adequate time and facilities for the preparation of a defence as sentences are imposed and carried out within days of arrest.

Amnesty International welcomes steps taken by the Iranian authorities in the course of 1990 to cooperate with the UN Human

Rights Commission. It also welcomes undertakings given to the UN Special Representative that the International Committee of the Red Cross would be permitted access to political prisoners in Iran.

It looks forward to the swift implementation of this undertaking.

However, the organization remains gravely concerned that this cooperation should not be allowed to obscure continuing gross violations of human rights in Iran, and a persistent failure on the part of the government to implement effective human rights safeguards. Iran's second periodic report to the UN Human Rights Committee was due on 21 March 1983. The government's dereliction of its responsibilities as a state party to the ICCPR exemplifies an inadequate response to Iran's human rights crisis. The government continues to deny access to Iran to independent non-governmental human rights organizations, notwithstanding the short, closely supervised visits of the UN Special Representative, or to permit the functioning of independent domestic human rights groups. The government seeks to evade responsibility for its violations of human rights, including safeguards provided under Iranian legislation, by issuing hollow denials rather than applying itself to the difficult task of reform.

Amnesty International calls on the international community to continue to press for the respect of human rights in Iran, and to remain resolute in this stance until verifiable evidence of an improvement in the human rights situation becomes apparent.

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