

CRIMINAL COVER-UP

IRAN DESTROYING MASS GRAVES OF VICTIMS OF 1988 KILLINGS



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The mission of JFI is to address and eradicate the practice of impunity that empowers officials of the Islamic Republic of Iran to perpetrate widespread human right violations against their citizens, and to hold them accountable for their actions.

JFI unravels the truth and seeks justice for ethnic and religious minorities, LGBTs, women, and those who are persecuted because of their political beliefs.

To achieve its mission, JFI researches, documents, validates, and litigates individual cases. It further raises public awareness and participates in human rights advocacy through the UN and the EU.

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Cover photo: Three satellite images taken in (from top to bottom) June 2017, August 2017 and September 2017 which show the progress of construction over a suspected mass grave in Vadiéh Rahmat cemetery in Tabriz, East Azerbaijan province. The authorities have poured concrete over more than half of the area in order to construct an open-air space for holding official ceremonies.
© Map data: Google, DigitalGlobe, 2017

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1. EXECUTIVE SUMMARY

For nearly three decades, the Iranian authorities have systematically concealed the whereabouts of the remains of thousands of prisoners of conscience and others detained on politically motivated charges who were forcibly disappeared and extrajudicially executed by the Iranian authorities between late July and early September 1988. Based on information provided by family members of victims, human rights defenders, Persian-language media outlets and political opposition groups, Justice for Iran estimates that there may be more than 120 locations across Iran that contain the remains of these victims. Many grave sites are located in deserted areas inside or in the vicinity of cemeteries.

Research undertaken by Amnesty International and Justice for Iran has documented actions taken by the authorities between 2003 and 2017 to destroy or damage seven confirmed or credibly suspected mass grave sites across Iran. The actions include: bulldozing; hiding the mass graves beneath new, individual burial plots; constructing concrete slabs, buildings or roads over the mass graves; and turning the mass grave sites into rubbish dumps. In at least three cases, the authorities appear to be planning actions that would further damage the mass graves.

Amnesty International and Justice for Iran are not able to identify which government authority is responsible for ordering or authorizing the destruction. The management of cemeteries generally rests with municipal authorities in Iran. However, sites that are believed to contain mass graves of victims of the 1988 prison killings are under regular patrolling and close surveillance by security and intelligence officials. It is, therefore, highly likely that judicial officials and intelligence and security bodies are involved in the decision-making processes related to their desecration and destruction.

Amnesty International and Justice for Iran are gravely concerned that by taking steps to destroy the mass grave sites of the victims of the 1988 prison killings, the Iranian authorities are destroying vital forensic evidence and depriving the victims' families, as well as society as a whole, of their rights to truth, justice and reparation.

At two suspected mass grave sites in Behesht Reza cemetery in Mashhad, Khorasan Razavi province, north-eastern Iran, and in Tazeh Abad cemetery in Rasht, Gilan province, northern Iran, the authorities have built new burial plots over the mass graves while keeping the new owners unaware about the land's harrowing past. At another suspected mass grave site in Vadih Rahmat cemetery in Tabriz, East Azerbaijan province, the authorities have poured concrete over more than half of the area and turned the site into an open-air funeral space.

A fourth suspected mass grave which has faced destruction lies in the grounds of the former premises of the Revolutionary Court in Sanandaj, Kurdistan province. Today it forms part of a crowded shopping area around Shahr-dari Square in Sanandaj.

Three additional sites that are in peril are located near Behesht Abad cemetery in Ahvaz, Khuzestan province; near Golestan Javid cemetery in Khavaran, south-east of Tehran; and near the Baha'i cemetery in Qorveh, Kurdistan province. The first one has been desecrated through rubbish dumping and is at imminent risk due to an ongoing road-widening project. The other two were subjected to bulldozing in 2009 and 2016, respectively. In Qorveh, families were told by an official in the Ministry of Agriculture that the grave site had been classified as agricultural land and the graves were destroyed with the approval of the Office of the Prosecutor in Qorveh on the grounds that they constituted “illegal building” on “agricultural” land.

The locations examined in this report were selected because Amnesty International and Justice for Iran were able to obtain detailed information about both the burial of victims of the 1988 prison killings in these areas and destructive actions taken by the Iranian authorities there, including reliable first-hand testimonies, photo and video evidence, and satellite imagery. The choices also reflect the efforts made to identify sites in different areas across the country.

Between November 2015 and January 2018, Amnesty International and Justice for Iran interviewed, separately or together, 28 former prisoners and 23 family members of prisoners. They provided information about the manner in which the authorities planned and carried out the mass killings of 1988 and concealed the fate and whereabouts of the victims as well as the sequences of events leading to the discovery of the mass graves and the destruction and damage that has since been inflicted on them. In addition, the organizations interviewed 13 individuals, including human rights defenders and eyewitnesses, who provided first-hand testimonies about the burial of victims in mass graves and the destruction that the mass graves have since faced. Some of the interviews were conducted in person while others were done remotely through messaging applications.

Amnesty International and Justice for Iran also managed to obtain satellite imagery, video footage and photographs that provided compelling visual evidence of the destructive actions taken by the authorities at the confirmed or suspected mass grave sites.

The Iranian authorities' systematic concealment of the whereabouts of the victims of the 1988 prison killings amounts in each case to enforced disappearance, which is a crime under international law.

The anguish and distress caused to the families by the authorities' decisions to forcibly disappear and secretly execute their loved ones, to conceal the truth about the whereabouts of their remains, and to desecrate and otherwise damage their mass graves constitute a form of torture or other cruel, inhuman and degrading treatment against the families.

Amnesty International and Justice for Iran call on the Iranian authorities to immediately stop the destruction of the mass grave sites containing the remains of the victims of the 1988 prison killings and ensure that they are preserved and protected as recognized crime scenes until proper, independent forensic investigations can be carried out to determine the identity of the remains and the circumstances of what happened. Those responsible for extrajudicial executions and enforced disappearances must be brought to justice in fair proceedings without recourse to the death penalty.

2. METHODOLOGY

For this report, Amnesty International and Justice for Iran conducted research into seven confirmed or credibly suspected mass grave sites that have been desecrated and otherwise damaged.

The organizations selected these locations because they were able to obtain detailed information about both the burial of victims of the 1988 prison killings in these areas and destructive actions taken by the Iranian authorities there, including reliable first-hand testimonies, photo and video evidence, and satellite imagery. The choices also reflect the efforts the organizations made to identify sites in different areas of the country, spanning from Gilan province in the north to Khuzestan province in the south and from East Azerbaijan and Kurdistan provinces in the west to Khorasan Razavi province in the east.

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Neither organization is able to conduct research on the ground in Iran due to the authorities' refusal to allow them access. However, they managed to obtain satellite imagery, video footage and photographs that provided compelling visual evidence of the destructive actions taken by the authorities at the confirmed or suspected mass grave sites and enabled the organizations to establish a timeline of events. They obtained satellite imagery from Google Earth. The earliest image included in this report that indicates efforts by the authorities to destroy a mass grave site dates back to 2008 and concerns the suspected mass grave site in Tazeh Abad cemetery in Rasht, Gilan province.

3. BACKGROUND

The mass extrajudicial executions of 1988 began shortly after the end of Iran-Iraq war and an unsuccessful armed incursion in July that year by the then Iraq-based People's Mojahedin Organization of Iran, a banned opposition group which advocates the overthrow of the Islamic Republic. Prisoners from across the country were made incommunicado, with no news of them heard for months afterwards. Reports circulated among relatives that prisoners were being executed in groups and buried in unmarked mass graves. Distraught family members searched the cemeteries for signs of freshly dug trenches. Most remain missing to this date.

From late 1988 onwards, families were verbally informed by judicial authorities or prison officials that their relatives had been killed but the bodies were not returned and most locations of burial were not disclosed. In cases where the location was revealed, the officials tormented the families by colloquially referring to the burial site as “damned land” (*la'nat abad*) and describing those killed as “outlaws” who did not deserve a proper burial or tombstone.

Most of those executed were serving lengthy prison sentences, often imposed for the peaceful exercise of their rights, including undertaking activities such as distributing newspapers and leaflets, taking part in peaceful anti-government demonstrations, and having real or perceived affiliations with various political opposition groups. Some had been released several years earlier and then re-arrested in the weeks leading to the killings. Others had already completed their sentences but had not been released because they refused to make statements of “repentance”.

Today, it is still not known exactly how many victims were extrajudicially executed and precisely where the victims were buried in secret. However, minimum estimates by human rights organizations of the number of those killed between late July and early September 1988 range from 4,000 to 5,000. To date, no Iranian official has been investigated or brought to justice for any of the extrajudicial executions. Some of the alleged perpetrators continue to hold political office or other influential positions, including in the judiciary and Ministry of Justice.

Human rights defenders seeking truth, justice and reparation, including relatives of victims, have faced persecution by the authorities. Families have also suffered persistent persecution and harassment at the hands of security and intelligence officials for holding commemorative gatherings or decorating mass grave sites with memorial messages.

The persecution has intensified since 2016 in response to revived calls for an inquiry into the 1988 killings. This was triggered by the release in August 2016 of an audio recording of a meeting in 1988 in which senior officials are heard discussing and defending details of their

plans to carry out mass executions.¹ The release of the audio recording triggered a chain of unprecedented reactions from high-level officials, leading them to admit for the first time that the mass killings of 1988 were planned at the highest levels of the establishment.²

¹ The audio file is available on the Soundcloud page of Radio Zamaneh: soundcloud.com/radiozamaneh/yakydru8jded (in Persian).

² Deutsche Welle Persian, "The reaction of authorities and public figures in Iran to the release of Ayatollah Montazari's audio file", 14 August 2016, bit.ly/2tfxqSI

4. MASS GRAVE SITES IN PERIL

Based on information provided by family members of victims, human rights defenders, Persian-language media outlets and political opposition groups, Justice for Iran estimates that there may be more than 120 locations across Iran that contain the remains of victims of the 1988 prison killings. Many grave sites are located in deserted areas inside or in the vicinity of cemeteries; during the 1980s, it was the established practice of the judicial authorities and security officials to bury the bodies of prisoners executed for political reasons in such areas, which they colloquially referred to as “damned land” (*la’nat abad*).

Amnesty International and Justice for Iran have examined the situation of seven confirmed or suspected containing mass grave sites. Their research reveals that the Iranian authorities have engaged in a number of actions between 2003 and 2017 to desecrate and otherwise damage the sites. They include: bulldozing, hiding the mass graves beneath new, individual burial plots; constructing concrete slabs, buildings or roads over the mass graves; and turning the mass grave sites into rubbish dumps. In at least three cases, the authorities appear to be planning actions that would further damage the mass graves.

Amnesty International and Justice for Iran are not able to identify which particular authority is responsible for ordering or authorizing the destruction of the mass grave sites. The management of cemeteries generally rests with municipal authorities in Iran. However, given the political sensitivity of the sites that are believed to contain mass graves of victims of the 1988 prison killings and the fact that they are regularly patrolled by security and intelligence officials and kept under close surveillance, Amnesty International and Justice for Iran assume that judicial officials and intelligence and security bodies are likely to be involved in some way in the decision-making processes related to their maintenance or destruction.

4.1 AHVAZ

In Ahvaz, officials did not hide the location of the mass graves used after the enforced disappearance and execution of over 44 prisoners who were held for politically motivated reasons in the city’s Karoun prison. Families have said that several Revolutionary Guards officials took them to a barren piece of land 3km east of Behesht Abad cemetery in Ahvaz in November 1988, showed them a concrete slab, and said that the executed prisoners were buried beneath it.³ An eyewitness interviewed by Justice for Iran has corroborated this version of events saying that he saw bodies being dumped at night into freshly dug trenches in early

³ The coordinates of this location are 31.282912, 48.701327.

August 1988.⁴ Families believe that the authorities poured concrete over the mass grave immediately after the burial in order to prevent families from digging up the ground and recovering the bodies of their loved ones.



© ↑ The site of a mass grave in a barren piece of land 3km east of Behesht Abad cemetery in Ahvaz. The location of the remains is believed to be beneath the concrete slab in the foreground.
© Human Rights Activists News Agency, 2011

In the years that followed, the authorities repeatedly desecrated the site, including by turning it into a rubbish dump, and forbade the families from decorating it with memorial messages and holding commemorative gatherings there. Pictures taken at the site in 2011 show piles of rubbish through which the families had to walk in order to visit the resting place of their loved ones.

In May 2017, Amnesty International and Justice for Iran obtained video evidence which showed bulldozers working on a construction project directly alongside the mass grave site, as well as piles of dirt and construction debris surrounding the grave. The Iranian authorities have made no official announcements about the site. However, according to the testimony of a family member who visited the site and talked to a construction worker, the plan is to widen the road running alongside the mass grave site and then remove the concrete covering the location of the graves to clear the area for a “green space” or commercial development.⁵

In September 2017, the two organizations obtained new footage which showed the site was gradually being buried beneath massive piles of construction waste and was, therefore, under increasing threat.⁶

⁴ Interview conducted in person in Turkey in April 2017.

⁵ Amnesty International, *Iran: Desecrating mass grave site would destroy crucial forensic evidence* (Press release, 1 June 2017), <https://www.amnesty.org/en/latest/news/2017/06/iran-desecrating-mass-grave-site-would-destroy-crucial-forensic-evidence/>; Amnesty International, *Iran: Campaign to stop destruction of mass grave of those killed in 1988 prison massacre* (Press release, 4 September 2017), <https://www.amnesty.org/en/latest/news/2017/09/iran-campaign-to-stop-destruction-of-mass-grave-of-those-killed-in-1988-prison-massacre/>

⁶ The video footage was used in the following video that Amnesty International and Justice for Iran jointly released in September 2017: <https://www.youtube.com/watch?v=DmP3zQjFGuo>



☹️↑ Piles of rubbish at the mass grave site in Ahvaz. © Human Rights Activists News Agency, 2011

4.2 MASHHAD

According to the victims' families, there are three mass grave sites located on the outskirts of Behesht Reza cemetery near Mashhad, Khorasan Razavi province, and they contain the remains of, in total, at least 170 prisoners, including prisoners of conscience, who were held in Mashhad's Vakil Abad prison, before being forcibly disappeared in late July 1988, and then killed in secret.⁷ One of the three sites is reported to be located in the southern corner of the cemetery, another in its south-eastern corner and a third on its eastern side (see map below).

Victims' families told Amnesty International and Justice for Iran that, in August 1988, cemetery employees and officials in Mashhad's Revolutionary Court informed them unofficially that the bodies of their loved ones had been dumped into three trenches immediately after the killings. This information was consistent with the observations of eyewitnesses who visited the cemetery in August 1988, and noticed areas of disturbed earth, raised mounds and a few body parts protruding from the ground in the plots of land believed to hold the mass graves. The eyewitnesses were in the area in order to visit the individual graves of relatives who had been executed in the early 1980s and buried in nearby locations.

⁷ The coordinates of the three locations are as follows: 36.167388, 59.705309; and 36.170052, 59.703674. See below for a satellite image of the area obtained from Google Maps.



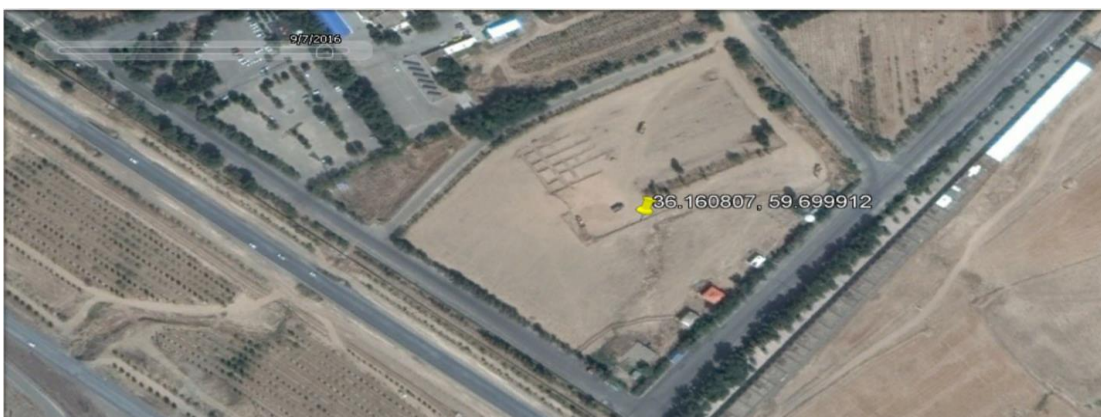
📍↑ The yellow circles indicate the reported locations of three mass grave sites on the edges of Behesht Reza cemetery in Mashhad: (clockwise from top) on its eastern side, in its south-eastern corner and in its southern corner. © Map data: Google, DigitalGlobe, 2017

Over the past three decades, the Iranian authorities have deployed various abusive techniques in order to prevent families from holding commemorative gatherings or decorating these mass grave sites with memorial messages. Amnesty International and Justice for Iran understand that they have consistently destroyed the memorial signs and stones erected by the families, installed security cameras in the area to instil fear, and occasionally directed water over the mass grave sites to create flooding.

Since 2016, the authorities have subjected two out of the three sites to further destruction. Satellite images obtained by Amnesty International and Justice for Iran indicate that, between July and August 2016, a construction project started at the mass grave site located in the southern corner of the cemetery. Images of the area from 7 August 2017 show that the construction work had progressed significantly, covering a major area of the mass grave site beneath new structures. Amnesty International and Justice for Iran are deeply concerned that, if the construction continues at this pace, all traces of the mass grave site will soon be hidden from public view and vital evidence that could one day be used to shed light on the number and identity of those forcibly disappeared and killed in state custody will be lost.



📍↑ This satellite image is from 12 July 2016 and shows the state of the reported mass grave site in the southern corner of Behesht Reza cemetery before the start of construction works. © Map data: Google, DigitalGlobe, 2017



📍↑ This satellite image is from 7 August 2016 when construction work first began on the reported mass grave site located in the southern corner of Behesht Reza cemetery. © Map data: Google, DigitalGlobe, 2017



📍↑ This satellite image is from 27 August 2017 and shows newly constructed structures on the reported mass grave site located in the southern corner of Behesht Reza cemetery. © Map data: Google, DigitalGlobe, 2017

The reported mass grave site located in the south-eastern corner of Mashhad's Behesht Reza cemetery has similarly faced destruction. This site covers a large area of land and the exact location of the mass graves there remains unclear. Different families with whom Justice for Iran and Amnesty International have talked identified different parts of the area as the likely location of the mass grave of their loved ones.

In March 2017, one part of this area which was previously flat was partly covered with mounds of soil, as seen in the picture below. Eyewitnesses have since told Amnesty International and Justice for Iran that the authorities are constructing new burial plots over the site.



📍 Mounds of soil covering parts of the mass grave site located in the south-eastern corner of Behesht Reza cemetery, confirming eyewitness reports from March 2017. © Justice for Iran, 2017

Satellite images obtained by Amnesty International and Justice for Iran show that, between April 2016 and July 2017, another part of this area also underwent a major visible change. The last available satellite image from 27 July 2017 shows that this area has been covered with what appear to be new burial plots.⁸



📍 This satellite image is from 24 April 2016 and shows the state of the reported mass grave site in the south-eastern corner of Behesht Reza cemetery before work began. © Map data: Google, DigitalGlobe, 2017

⁸ Based on satellite images and eyewitness testimonies obtained by Justice for Iran and Amnesty International, it appears that the area that families said was covered by mounds of soil in March 2017 is different from the area which, according to available satellite images, underwent a major visible change in July 2016 and was subsequently covered with new burial plots in July 2017 (see below). According to families, the first area was not subjected to soil dumping until early 2017.

area between June 2017 and September 2017 when the completion of the open space was announced.



📷↑ The suspected mass grave site in Vadih Rahmat cemetery before and after the site underwent destruction in 2017. © People's Mojahedin Organization of Iran, 2017



📍↑ This satellite image from 9 June 2017 shows the state of the suspected mass grave site in Vadih Rahmat cemetery before undergoing destruction. © Map data: Google, DigitalGlobe, 2017



📍↑ This satellite image from 28 June 2017 shows the state of the suspected mass grave site in Vadih Rahmat cemetery soon after the construction process started. © Map data: Google, DigitalGlobe, 2017



📍↑ This satellite image from 11 August 2017 shows the progress of construction over the suspected mass grave site in Vadih Rahmat cemetery. © Map data: Google, DigitalGlobe, 2017



📍↑ This satellite image from 11 September 2017 shows over half of the suspected mass grave site in Vadih Rahmat cemetery covered by concrete. © Map data: Google, DigitalGlobe, 2017



©↑ This picture was shared by domestic news sites reporting the completion of an open-air space in Vadih Rahmat cemetery for holding funerals. The reports do not mention that the space was built over a suspected mass grave. © Shahryar News, September 2017



©↑ This picture was shared by domestic news sites reporting on the official opening of the open-air space built in Vadih Rahmat cemetery for holding funerals. The reports do not mention that the space was built over a suspected mass grave. © Nasle Tadbir, September 2017

4.4 RASHT

According to eyewitnesses interviewed by Amnesty International and Justice for Iran, the bodies of prisoners detained for political reasons and executed in August 1988 in the prison in Rasht, Gilan province, were dumped into three or four trenches dug in an outlying part of Rasht's Tazeh Abad cemetery, which is the city's main burial ground.¹¹ Each trench was estimated to measure around 9m². Since 2008, the authorities have constructed new individual burial plots on top of the mass grave site and sold many of them. Satellite and photo evidence obtained by Amnesty International and Justice for Iran reveal the construction work that occurred between 2008 and 2016.

Justice for Iran interviewed a family member who had talked to several owners of the new burial plots and reported that they consistently said that the authorities had not informed them about the mass graves lying beneath the plots they had bought.



📍↑ The suspected mass grave site in Tazeh Abad cemetery before new individual burial plots were developed in 2008. © PishtazanRaheAzadi

¹¹ The coordinates of the location are 37.282447, 49.617700.



☞↑ New individual burial plots being constructed over the suspected site of mass graves in Tazeh Abad cemetery. © Akhbar Rooz, 2008



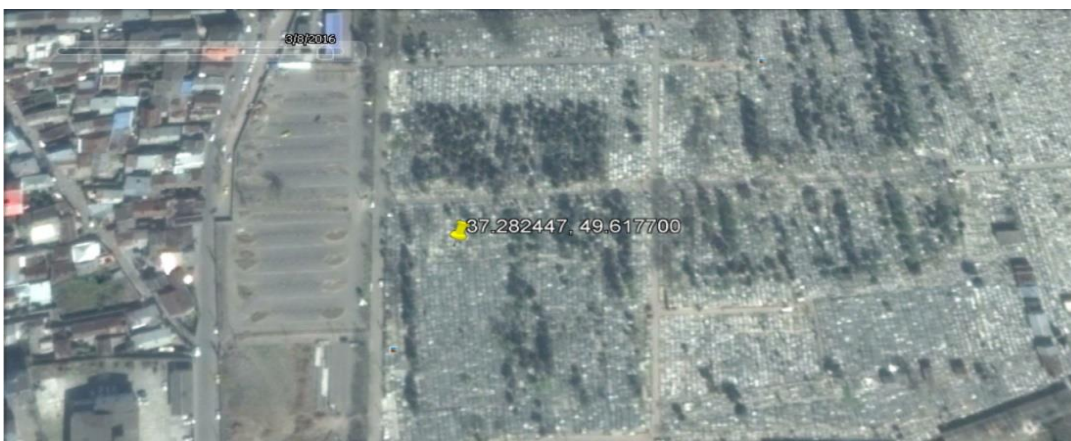
☞↑ Gravestones on top of new burial plots in Tazeh Abad cemetery. © Akhbar Rooz, 2013



⌕↑ This satellite image from 2005 shows, underneath the symbol of a yellow drawing pin, the area believed to be the site of a mass grave in Tazeh Abad cemetery. © Map data: Google, DigitalGlobe, 2017



⌕↑ This satellite image from 2008 shows signs of construction in the area that is believed to be the site of a mass grave in Tazeh Abad cemetery. © Map data: Google, DigitalGlobe, 2017



⌕↑ This satellite image from 2016 shows that the previously flat area that is believed to be the site of a mass grave in Tazeh Abad cemetery has been covered with new individual graves. © Map data: Google, DigitalGlobe, 2017

4.5 QORVEH

In the suburbs of the city of Qorveh in Kurdistan province, western Iran, near a Baha'i cemetery, there is a deserted area of land that is believed to contain the bodies of some of the prisoners held for politically motivated reasons and executed in August 1988 in the cities of Sanandaj, Saqez and Kamyaran, all in Kurdistan province.¹² The judicial authorities did not formally disclose the location of burial when they informed the families in September 1988 that their loved ones had been executed. However, low-level prison guards told some families that the corpses had been buried in barren pieces of land on the outskirts of Qorveh, without providing any additional information.

According to survivors and family members of victims interviewed by Justice for Iran, after weeks of searching covering hundreds of kilometres, families of execution victims ran into a local villager in November 1988 who said he had seen officials dumping bodies into a mass grave next to the Baha'i cemetery in September 1988 and offered to take the families to the site. The families subsequently went to the location with the villager, dug up the area with shovels, and discovered a mass grave containing the bodies of more than 20 men and women. They extracted these bodies, dug a series of individual graves in the same location and then reburied them. The whereabouts of dozens of other victims, who were not in this group, was never discovered.

Survivors and family members have told Amnesty International and Justice for Iran that, since then, the authorities have persistently damaged the gravestones and commemorative signs that the families placed over their loved ones' graves. In July 2016, the authorities bulldozed gravestones and commemorative signs put up by grieving family members in July 2016. According to a number of Kurdish media outlets, several family members subsequently tried to register an official complaint but did not succeed. They were told by an official in the Ministry of Agriculture that the private owner of the land, Khalil Eghdamian, was the only person who could officially make a complaint and that he would not have much chance of success both because the grave site had been classified as agricultural land and the individual graves and the mortuary were destroyed with the approval of the Office of the Prosecutor in Qorveh on the grounds that they constituted "illegal building" on agricultural land.¹³

¹² The coordinates of the site are 35.176722, 47.828333.

¹³ See Democracy Centre for Human Rights in Kurdistan, *The complaint of the relatives of Baha'is and [members] of Komala and the Democratic Party of Iran concerning the destruction of their cemetery did not succeed*, 15 July 2016, <https://mafnews.de/?p=9247%20http://www.bazdasht.com/index3.php?code=4394>; Newroz TV, "The destruction of Baha'i cemetery in Qorveh", 15 July 2016, <http://fa.newroz.tv/kurdistan-farsi/2938-2016-07-15-13-09-58>

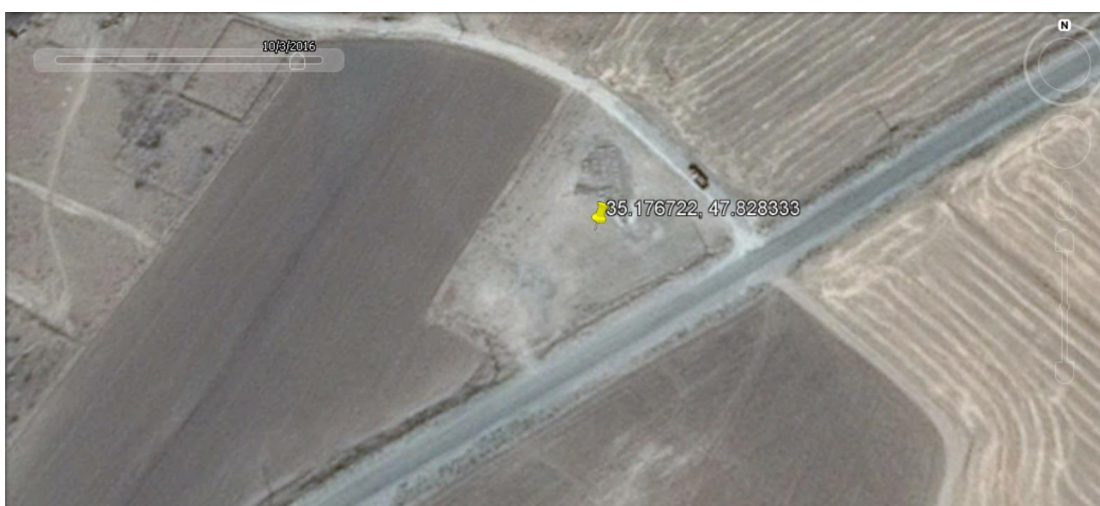


☺↑ The scene left after the individual graves of victims of the 1988 prison killings in Qorveh were destroyed by bulldozers in July 2016. The banner states that the destruction was undertaken pursuant to a judicial order.
© Radio Farda, July 2016

Satellite imageries obtained by Justice for Iran and Amnesty International between 1 May 2014 and 3 October 2016 confirm that the grave site has been destroyed.



⌕ ↑ In this image, which is from 1 May 2014, the concrete structures marking the individual graves of some of the victims of the 1988 executions, as well as a building housing a mortuary and trees planted around the cemetery, are visible. © Map data: Google, CNES / Airbus, 2017



⌕ ↑ This image from 3 October 2016 shows the same area after the individual graves, as well as the building and the trees, were destroyed. © Map data: Google, CNES / Airbus, 2017

4.6 SANANDAJ

In June 2003, a local newspaper in Sanandaj, *Karaftou*, reported that a construction crew had discovered a mass grave during work on a site that used to be the building of the Revolutionary Court in Sanandaj, Kurdistan province, western Iran.¹⁴ Construction work had started in June 2003 and was aimed at converting the building of the Revolutionary Court, which had moved to another location, into a commercial centre. On 12 June 2003, Kurdish opposition group Komala issued a statement on the discovery of the mass grave and reported that the construction workers had been threatened by intelligence officials to remain silent.¹⁵ It appears that *Karaftou* newspaper was also subsequently shut down in connection with its report on the mass grave.

¹⁴ The site was located in a street that was formerly called 6th Bahman Street and today is called Pasdaran Street.

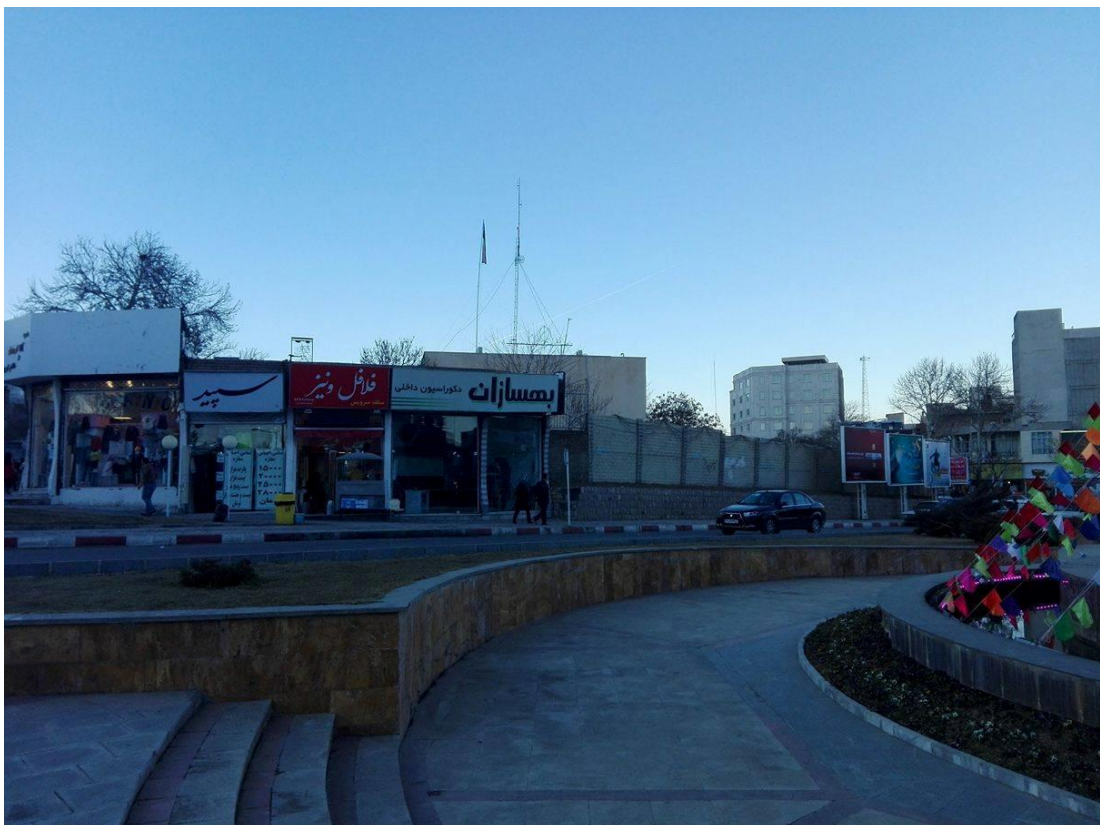
¹⁵ The statement is available at <http://asre-nou.net/1382/khordad/22/m-sanandaj.html>

Amnesty International and Justice for Iran understand that the construction project proceeded despite the discovery of the mass grave, but were not able to obtain any information about what happened to the remains.

The identities of those whose remains were buried in the mass grave are not known. However, Justice for Iran interviewed four former political prisoners who said that there was a detention centre in the former premises of Sanandaj's Revolutionary Court and that, in the early 1980s, some political prisoners were executed in the building's courtyard. The remains in the mass grave could therefore have belonged to them.

Two prisoners who were held in the detention centre in 1988 told Justice for Iran that it was also possible that the remains might have been of political prisoners who were executed during the first six months of 1988, particularly for association with Kurdish opposition groups Komala and the Democratic Party of Iranian Kurdistan. They said that, during this period, dozens of prisoners were held in the detention centre of Sanandaj's Revolutionary Court and were executed in the building's basement. The executions were carried out in secret and the bodies were never returned to the families.

Today, the former location of the mass grave forms part of the area around Shahr-dari Square, which is one of the most crowded places in the city of Sanandaj, due to the shopping facilities there.



☺↑ The mass grave discovered in June 2003 in Sanandaj is believed to have been disguised underneath the area in which the black car is parked, in Shahr-dari Square. © Justice for Iran, 2017

4.7 KHAVARAN

Khavaran is an abandoned area land measuring about 8,600m² in the south-east of Tehran. It is located next to Golestan Javid, an unofficial cemetery where individuals of the Baha'i faith are buried. Since the early 1980s, prison and judicial authorities have referred to this location as "damned land" (*la'nat abad*) and buried there individuals who were detained and executed for politically motivated reasons.

In late 1988, the families of some of the victims of the 1988 prison killings discovered that their loved ones had been buried in a mass grave at this location.¹⁶ Amnesty International and Justice for Iran have interviewed family members who were in the group of families who visited Khavaran in late November or early December 1988 and discovered body parts and torn pieces of clothing protruding from the ground.

A report issued by Amnesty International in 1990 quotes an unnamed woman who described to Amnesty International in 1989 how she had dug up the corpse of an executed man with her bare hands as she searched for the body of her husband, also unnamed, in August 1988:

Groups of bodies, some clothed, some in shrouds, had been buried in unmarked shallow graves in the section of the cemetery reserved for executed leftist political prisoners. The stench of the corpses was appalling but I started digging with my hands because it was important for me and my two little children that I locate my husband's grave.

She unearthed a body with its face covered in blood, but, when she cleaned it, saw that it was not that of her husband.

Over the past three decades, the authorities have bulldozed the area repeatedly. They have also prevented families from holding memorial ceremonies, trampled the flowers planted by them, and broken or removed their memorial stones.

Reports indicate that the latest round of destruction took place between 9 and 16 January 2009 when the authorities bulldozed the mass grave site and destroyed the numerous ad hoc grave markings made by the families as well as the trees plants by them.¹⁷ According to one family member Khatereh Moeini, families who visited the site in late January 2009 said that some layers of the soil seemed to have been removed and some bones were visible beneath a thin layer of soil. According to another family member Ja'far Behkish, the families do not know how deep the ground was dug and whether some remnants of the bodies were removed and transferred to another location.¹⁸

¹⁶ Amnesty International, *Iran: Violations of Human Rights 1987 – 1990* (Index: MDE 13/021/1990), <https://www.amnesty.org/en/documents/MDE13/021/1990/en/>, p. 12.

¹⁷ Amnesty International, *Iran: Preserve the Khavaran grave site for investigation into mass killings* (Index: MDE 13/006/2009), 20 January 2009, <https://www.amnesty.org/en/documents/mde13/006/2009/en/>

¹⁸ Iran Emrooz, "Partial destruction of Khavaran grave site with bulldozers", 20 January 2009, <http://www.iran-emrooz.net/index.php?news1/more/17357> (in Persian).

5. LEGAL ANALYSIS

The Iranian authorities' continued practice of systematically concealing the whereabouts of the victims of the 1988 prison killings amounts in each case to enforced disappearance, which is a crime under international law.

The anguish and distress caused to the families by the authorities' decisions to forcibly disappear and secretly execute their loved ones, to conceal the truth about the whereabouts of their remains, and to desecrate their mass graves constitute a form of torture or other cruel, inhuman and degrading treatment against the families, which is prohibited under Article 7 of the International Covenant on Civil and Political Rights, to which Iran is a state party.

ENFORCED DISAPPEARANCES

The International Convention for the Protection of All Persons from Enforced Disappearance sets out three core elements of an enforced disappearance:

1. There is an arrest, detention, abduction or any other form of deprivation of liberty.
2. That conduct is carried out by agents of the state or by persons or groups of persons acting with the authorization, support or acquiescence of the state.
3. The conduct is followed either by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which places such a person outside the protection of the law.

According to the UN Working Group on Enforced or Involuntary Disappearances, "a detention followed by an extrajudicial execution is an enforced disappearance proper, if it was carried out by governmental agents of whatever branch or level... and, subsequent to the detention, or even after the execution was carried out, State officials refuse to disclose the fate or whereabouts of the persons concerned or refuse to acknowledge the act having been perpetrated at all."¹⁹

Actions taken to destroy or damage mass grave sites constitute an additional denial of the right of families, and society as a whole, to know the truth about the circumstances of the enforced disappearances, and therefore contravene the right to seek, receive and impart information to this end, as provided for in Article 19 of the International Covenant on Civil and Political Rights.

The UN Working Group on Enforced or Involuntary Disappearances has stated that "the right to know the truth about the fate and the whereabouts includes, when the disappeared person is found to be dead, the right of the family to have the remains of their loved one returned to them, and to dispose of those remains according to their own tradition, religion or culture. The remains of the person should be clearly and indisputably identified, including through DNA analysis."²⁰

¹⁹ UN Working Group on Enforced or Involuntary Disappearances, General Comment on the definition of enforced disappearance, http://www.ohchr.org/Documents/Issues/Disappearances/disappearance_gc.pdf, para. 10.

²⁰ UN Working Group on Enforced or Involuntary Disappearances, General Comment on the Right to the Truth in Relation to Enforced Disappearances, http://www.ohchr.org/Documents/Issues/Disappearances/GC-right_to_the_truth.pdf, para. 6.

By forbidding mourning rituals, preventing families from erecting monuments and gravestones or adorning the sites with flowers, pictures, plaques or messages, the Iranian authorities are also violating the cultural rights of family members to take part in burial and mourning rituals and customs according to their beliefs. This breaches Article 15 of the International Covenant on Economic, Social and Cultural Rights, to which Iran is a party.

6. RECOMMENDATIONS

Amnesty International and Justice for Iran request that the UN Special Rapporteur on the situation of human rights in Iran and other relevant UN Special Procedures, including the UN Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, the UN Working Group on Enforced or Involuntary Disappearances, the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, and the UN Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment consider the information contained in this report with a view to undertaking an urgent intervention and call on the Iranian authorities to:

- Immediately stop the destruction and damaging of mass grave sites containing the bodies of the victims of the 1988 prison massacres and ensure that they are preserved and protected until proper, independent investigations can be carried out to determine the identity of the remains and the circumstances of what happened;
- Publicly recognize, in words and actions, that mass graves are crime scenes that require professional forensic expertise to undertake exhumations and ensure preservation of evidence and accurate identification of bodies; and
- Stop the harassment and persecution of the families of the victims of enforced disappearances and mass executions in 1988 and guarantee their rights to truth, justice and reparation, including by conducting a thorough, effective and independent investigation into the extrajudicial and summary executions and enforced disappearances, and bringing to justice those responsible in fair proceedings without recourse to the death penalty.

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MATTERS TO US ALL.**

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CRIMINAL COVER-UP

IRAN DESTROYING MASS GRAVES OF VICTIMS OF 1988 KILLINGS

For nearly three decades, the Iranian authorities have systematically concealed the whereabouts of thousands of political prisoners, including prisoners of conscience, who were forcibly disappeared and extrajudicially executed in 1988.

Amnesty International and Justice for Iran have documented how the authorities have destroyed or damaged mass grave sites across Iran that are believed to contain the remains of the victims. They have bulldozed the sites; hidden mass graves beneath new, individual burial spots; constructed concrete slabs, buildings or roads over some sites; and turned others into rubbish dumps. Satellite images of the areas provide compelling visual evidence of the extent of destruction carried out to date.

By taking steps to destroy the mass grave sites of the victims of the 1988 prison killings, the Iranian authorities are erasing vital forensic evidence and depriving the victims' families, as well as society as a whole, of their rights to truth, justice and reparation. Amnesty International and Justice for Iran call on the authorities to stop the destruction of mass grave sites and ensure that they are preserved until proper, independent investigations can be carried out. Those responsible must be brought to justice in fair proceedings without recourse to the death penalty.