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IRAN

Open Letter from Amnesty International to His Excellency Hojjatoleslam val Moslemin Sayed Mohammad Khatami on the occasion of his inauguration as President

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The following is the text of an Open Letter from Amnesty International to His Excellency Hojjatoleslam val Moslemin Sayed Mohammad Khatami sent on 1 August 1997.

Your Excellency,

As the occasion of your inauguration as President approaches on 4 August 1997 (13 Mordad 1376), I am writing to you as Secretary General of Amnesty International to welcome the commitments in the field of human rights made in your election platform. We trust that the next four years will witness a program of legal and administrative reform in Iran which will enable the people of your country to enjoy to the full their internationally recognised human rights.

Amnesty International is an independent non-governmental organization which promotes the indivisibility and interdependence of all human rights and freedoms and which campaigns to prevent some of the most flagrant violations of those rights. As the 50th anniversary of the Universal Declaration on Human Rights approaches, we welcome the statements you have made about the need for social justice and for the benefits of economic development to reach all strata of Iranian society, thereby enabling them to enjoy their economic and cultural rights, as enshrined in such instruments as the International Covenant on Economic, Social and Cultural Rights, which Iran ratified in 1975. However, increasing economic prosperity and equality will not on their own lead

to the development of a new civil society in Iran without concurrent increases in civil and political rights, which you have indicated will also be a feature of your presidency. Such rights would allow Iranians the freedom to express their political and religious beliefs without fear of persecution and would protect the rights of minorities.

Full participation in public life, without discrimination, along with respect for the rule of law and full implementation of those individual rights currently enshrined in the Iranian Constitution and the International Covenant on Civil and Political Rights (ICCPR), to which Iran is a state party, would go a long way to securing freedom of expression and belief. Progress in this regard is needed urgently, given the ongoing patterns of serious and widespread human rights violations which our organization has documented both before and since the establishment of the Islamic Republic of Iran in 1979.

We also urge you to undertake the following recommendations which would help to establish a practical framework for ensuring respect for human rights in Iran:

- **release all prisoners of conscience** currently held in Iran. These include Dhabihullah Mahrami and Musa Talibi, both Baha'is accused of apostasy. Possible prisoners of conscience include Faraj Sarkouhi, an editor currently on trial for espionage and attempting to leave the country illegally, and at least three Grand Ayatollahs said to be held under house arrest on account of their opposition to government policies
- **review legislation** to ensure that no one may be imprisoned as a prisoner of conscience solely on account of their non-violent political or religious beliefs or activities, their colour, language, ethnic origin or gender
- **ensure freedom of religion** for all religions, not just those recognized in the Constitution
- **review cases of all political prisoners** whether convicted before or after the changes in legislation which have come into effect in recent years with a view to retrying them in accordance with international standards for fair trial, or to releasing them. They include such people as Abbas Amir Entezam, a former Deputy Prime Minister arrested in 1979 and charged with espionage, currently held in a government-owned house in Tehran. Those held without trial should be brought to trial promptly and fairly on recognizably criminal charges, or be released
- **ensure that torture is prohibited** in all circumstances, not just for the purpose of obtaining confessions as currently stated in the Constitution, including corporal punishments amounting to cruel punishment or torture. Anyone found guilty of torture or cruel, inhuman or degrading treatment should be brought to justice
- **review the use of the death penalty**, with a view to progressively restricting the number of crimes for which this most serious and irrevocable of penalties may be applied

- **ensure that impartial and thorough investigations** are carried out into allegations of human rights violations including torture, “disappearances”, and extrajudicial executions. The methods and findings of such investigations should be made public.

We have also noted reports that you have stated that you are “opposed to terrorism”. We hope that this statement, along with comments such as those earlier in the year by His Excellency Ayatollah Khamenei, the Leader of the Islamic Republic, who said that a powerful country should not attempt to spread Islam to other regions by the use of force will lead to a clear commitment by your government that no state official will be involved in ordering, carrying out or condoning extrajudicial executions or “disappearances”, and that anyone found to have been involved in such acts will be brought to justice. In this respect we urge you to make an unequivocal written statement condemning any threat to the life of Salman Rushdie and pledging to take all necessary steps to guarantee his physical safety.

Your commitment to promoting the position of women in Iranian society and ensuring equality of opportunity for both women and men is also particularly welcome. We urge Your Excellency to give international expression to this commitment by your government’s accession, without reservations, to the UN Convention on the Elimination of All Forms of Discrimination against Women, and full implementation of this convention in practice.

Amnesty International also believes that it is incumbent on all states to press for improvements in the human rights situation internationally. For example, in **Bosnia-Herzegovina**, human rights protection should be at the centre of a long-term strategy to ensure the implementation of the Peace Agreement’s key provisions, including an end to impunity for war crimes, and provision of adequate resources for the national institutions created by the Peace Agreement. In **Tajikistan**, Iran has an important role to play as part of the contact group which is overseeing the implementation of the peace accord. We hope that Iran will actively promote full respect of human rights in Tajikistan’s national reconciliation process. In addition, the situation in the **Great Lakes region of Central Africa** remains of grave cause for concern. Iran, as part of the international community, should do its utmost to ensure that parties to the conflicts in the region stop targetting unarmed civilians and that perpetrators of gross human rights violations do not enjoy impunity, but are brought to justice. Furthermore, on no account should refugees be forcibly repatriated to the countries of the Great Lakes region where they are likely to face serious human rights abuses in the present circumstances.

International action is all the more important in such circumstances as they can lead to the mass outflow of refugees, for whom the international community must take responsibility, an issue highlighted in Amnesty International’s current campaign entitled *Refuge! Human Rights have no borders*. Iran, as host to the largest number of refugees in the world, should promote respect for human rights in neighbouring countries, rights which are intimately connected to the outflow of refugees. In addition, on no account should refugees or asylum seekers in Iran, mostly Iraqis and Afghans, be refouled. All asylum seekers should have access to a fair and satisfactory asylum determination process, and to representatives of UNHCR. Furthermore, implementing the domestic recommendations referred to above would help to reduce the flow of refugees and asylum seekers from Iran to other countries.

Iran should also play a full and effective part in fora promoting the development, implementation, and monitoring of international human rights instruments. In this respect, we urge Your Excellency to promote the protection of human rights defenders, such as through discussion concerning the draft UN declaration on human rights defenders, and to ensure that Iran continues to press for the establishment of a just, fair and effective permanent international criminal court. In particular it is important that an independent prosecutor be permitted to initiate investigations on the basis of information from any source. In addition, Iran should ensure that any overdue reports to the various treaty monitoring bodies are submitted as speedily as possible, in particular that required under the ICCPR.

We look forward to witnessing the beginning of a new era for human rights in Iran and an improved relationship between the Government of the Islamic Republic of Iran and Amnesty International, including access for our delegates to carry out fact finding, trial observations and government talks.

Yours sincerely,

Pierre Sané
Secretary General

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