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IRAN: PRESIDENCY OF EBRAHIM RAISI A GRIM REMINDER OF THE CRISIS OF IMPUNITY

Today's announcement that Ebrahim Raisi will assume the presidency of Iran, instead of being investigated for crimes under international law, is a grim reminder of the international failure to address a crisis of systematic impunity in Iran, Amnesty International said today. Iran's presidential elections took place on 18 June 2021 and Ebrahim Raisi was declared as Iran's next president on 19 June 2021.

In a [report](#) issued in 2018, which documented past and ongoing crimes against humanity related to the prison massacres of 1988, Amnesty International identified Ebrahim Raisi as a member of the "death commission" which carried out the enforced disappearance and extrajudicial executions of several thousand political dissidents in Evin and Gohardasht prisons near Tehran between late July and early September 1988. Victims' bodies were mostly buried in unmarked mass graves. The organization has, therefore, called for Ebrahim Raisi to be criminally investigated for the crimes against humanity of murder, enforced disappearance and torture in accordance with international law and standards, including by states that exercise universal jurisdiction.

Since he was appointed as the Head of the Judiciary in March 2019, Ebrahim Raisi also oversaw the arbitrary arrests of thousands of peaceful protesters, dissidents, human rights defenders and members of persecuted ethnic and religious minorities. Under his watch, the judiciary has granted blanket impunity to government officials and security forces responsible for unlawfully killing hundreds of men, women and children and subjecting thousands of protesters to mass arrests and at least hundreds of them to enforced disappearance, and torture or other ill-treatment during and in the aftermath of the nationwide protests of November 2019.

According to international human rights law and standards, including the UN Updated Set of principles for the protection and promotion of human rights through action to combat impunity, public officials who are personally responsible for gross violations of human rights, in particular those involved in security, intelligence and judicial sectors, must not continue to serve in state institutions. Those against whom there is evidence of involvement in crimes under international law must be criminally investigated and, if there is sufficient admissible evidence, prosecuted, and suspended from official duties during the criminal proceedings.

The crisis of systemic impunity prevailing in Iran, however, has enabled individuals reasonably suspected of responsibility for crimes under international law and gross violations of human rights to avoid justice and, instead, rise to powerful positions. This situation has not only had a devastating impact on victims and their families, but also eroded the rule of law and facilitated the repetition of crimes under international law and human rights violations in Iran in a widespread, as well as systematic manner.

It is long overdue for member states of the UN Human Rights Council to take concrete steps to address the crisis of systematic impunity for the most serious crimes under international law committed in Iran. This includes establishing an impartial and independent mechanism to collect, consolidate, preserve, and analyse evidence that meets general standards of admissibility in criminal proceedings in order to facilitate future fair and independent criminal proceedings.

CRIMES UNDER INTERNATIONAL LAW AND HUMAN RIGHTS VIOLATIONS

In 1980, at the age of 20, Ebrahim Raisi became the Prosecutor General of Karaj. Between 1981 and 1988, he was first the Prosecutor General of Hamedan and then the Deputy Prosecutor of Tehran. He was appointed as the Prosecutor of Tehran between 1989 and 1994, the First Deputy to the Head of the Judiciary from 2004 to 2014, the Prosecutor General of Iran from 2014 to 2016, and the Head of the Judiciary from 2019 to date.

Over the four decades where Ebrahim Raisi has held these positions, Iran's judiciary has been a key driver of human rights violations and crimes under international law, subjecting tens of thousands of people to gross human rights violations, including arbitrary arrests and detentions, enforced disappearance, torture and other ill-treatment, grossly

unfair trials, punishments violating the prohibition of torture and other ill-treatment, such as flogging, amputation and stoning, and summary, arbitrary or extrajudicial executions.

In Iran, intelligence, and security bodies, as well as prosecution officials involved in carrying out arrests and conducting interrogations, fall under the supervision of the judiciary. Iran's prisons and detention centres are also managed by the judiciary.

As a top prosecution and judicial official, Ebrahim Raisi may bear criminal responsibility for the crimes committed by his subordinates. Under international law, top officials can be held responsible for the acts of their subordinates if they knew or should have known of the crimes and failed to prevent or stop the crimes or to punish those responsible.

DISCRIMINATORY ELECTORAL PROCESSES AND WIDESPREAD REPRESSION

Ebrahim Raisi's rise to the presidency follows electoral processes that are inherently discriminatory. A wide range of political actors are barred by the Guardian Council from standing on account of their political opinions and real or perceived lack of "loyalty" to the principles of the Islamic Republic and the doctrine of "Velayet-e Faqih" (supreme leadership by a religious jurist), including those who oppose theocracy and advocate alternative secular political systems.

Women and members of religious minorities are excluded, in law and practice, from standing as candidates for many public offices, including the presidency.

The Guardian Council is a 12-member body, consisting of six Islamic jurists and six lawyers, which – amongst other things – vets candidates and supervises laws for compliance with Shari'a law. The Islamic jurists are appointed by the Supreme Leader and the lawyers by the parliament from a list of candidates selected by the head of the judiciary. Three of the current lawyers were appointed after Ebrahim Raisi was appointed as the head of the judiciary in 2019.

Of the 592 people who registered to stand as presidential candidates in 2021, 585 were disqualified by the Guardian Council.

Furthermore, Iran's electoral processes take place in a political environment marked by serious violations of the rights to freedoms of expression, association and peaceful assembly. Expressing ideas deemed critical of the Islamic Republic system is routinely criminalized through vague and overly broad criminal charges related to "national security". Media outlets face censorship and the authorities also heavily suppress the freedom to engage in political activity. For example, 14 dissidents were arbitrarily detained, subjected to torture and other ill-treatment and faced unjust prosecution for signing an open letter on 11 June 2019 calling for the resignation of Iran's Supreme Leader, Ali Khamenei, and a fundamental change to the country's Constitution.

In May and June 2021, Iran's cyber police and prosecution authorities announced the establishment of several special task forces to ensure a "healthy" social media environment for the presidential elections, and warned that anyone producing or sharing content that "casts doubt on the healthiness of the elections" or encourages people to boycott the elections or reduce turnout would face criminal prosecution.

The UN Human Rights Committee has reiterated that respecting the rights to freedom of expression, association and peaceful assembly is essential for the effective exercise of the right of every citizen to take part in the conduct of public affairs, the right to vote and the right to be elected; these rights are guaranteed under Article 25 of the International Covenant on Civil and Political Rights, to which Iran is a party.

BACKGROUND ON THE 1988 PRISON MASSACRES

In its 2018 report *Blood-soaked secrets: Why Iran's 1988 prison massacres are ongoing crimes against humanity*, Amnesty International concluded that, in addition to committing the crime against humanity of murder in 1988, by extrajudicially executing thousands of political dissidents in secret, the Iranian authorities are committing the ongoing crimes against humanity of enforced disappearance, persecution, torture and other inhumane acts, including by systematically concealing the fate of the victims and the whereabouts of their remains.

Survivors and families of the victims of the mass extrajudicial executions and enforced disappearances have been cruelly denied truth, justice and reparation for decades and faced persecution for seeking accountability.