

# The UN must try Iran's 1988 murderers

Geoffrey Robertson

The mass murderers of 1988 now hold power in Tehran. The world must make them face justice

Monday 7 June 2010 19.02 BST

This weekend marks the first anniversary of the death of democracy in Iran - the rigged election which the Supreme Leader Ayatollah Ali Khamenei declared lost by reform candidate Mir Hossein Mousavi. Afterwards protesters were shot dead in the street and taken for torture to Tehran's notorious Evin prison; several have been hanged as *mohareb* - enemies of God. This intolerance of dissent should have come as no surprise: this is the same regime that got away with the murder of thousands of political prisoners - and has never been called to account.

It happened in the summer of 1988, after the war with Iraq ended in a bitter truce. Iran's prisons were full of students sentenced for protesting against Ayatollah Khomeini in the early 1980s - Marxists and leftists of all varieties and supporters of the Mujahedin-e Khalq Organisation - a guerrilla movement with a different version of Islam. They had been sorted by prison officials into groups of those who remained "steadfast" in their political beliefs or who were apostates. The regime decided they should be eradicated so they would not trouble the postwar government, and Khomeini issued a secret fatwa authorising their execution.

Revolutionary guards descended on the prisons and a "death committee" (an Islamic judge, a revolutionary prosecutor and an intelligence ministry official) took a minute or so to identify each prisoner, declare them *mohareb* and direct them to the gallows erected in the prison auditorium, where they were hanged six at a time. Later their bodies were doused in disinfectant and transported in meat trucks to mass graves. Their belongings were returned in plastic bags to their families three months later, but the regime still refuses to reveal the location of the graves and continues to forbid relatives from gathering at one site which has been identified in a Tehran cemetery.

Comparisons between atrocities are invidious, but this involved almost as many casualties as Srebrenica and was a cold-blooded killing by the state of prisoners after the war had ended. It bears some comparison to the death marches of allied prisoners at the end of the second world war - the Japanese generals responsible were sentenced to death at the Tokyo trials. So who was responsible for the Iranian prison slaughter?

Ayatollah Khomeini is dead. But the three leading figures of his regime are still very much alive, and available to be put on trial in an international court. The then president, Ali Khamenei, is now Iran's Supreme Leader - the man who endorsed last year's rigged election. Ali Rafsanjani, still a powerful political player, was then the commander of the Revolutionary Guard, who were ordered to carry out the killings. Then there is the man who in 1988 was Iran's prime minister - Mir Hussein Mousavi, today's reform movement leader.

Mousavi was challenged at election meetings last year by chants of "1988" but has declined to tell what he knows of the mass murder. In the course of an inquiry conducted for the US-based Abdorrahman Boroumand Foundation I have come across an interview he gave to Austrian television in December 1988. In answer to allegations Amnesty International was making, he dishonestly said the prisoners were planning an uprising: "We had to crush the conspiracy - in that respect we have no mercy." He appealed to western intellectuals to support the right of revolutionary governments to take "decisive action" against enemies. It is an irony that the regime he defended with such hypocrisy now crushes his own supporters without mercy.

But this is what happens when political and military leaders are vouchsafed impunity. The UN did not bother about Saddam Hussein's use of poison gas at Halabja earlier that year, and it turned a deaf ear to Amnesty reports about the prison slaughter (Iranian diplomats claimed the deaths had occurred in battle). But there is no statute of limitations on prosecuting crimes against humanity, and the mass murder of prisoners already serving sentences for political protests must count as one of the gravest of unpunished crimes. The fact that they were killed ostensibly because they did not believe in God - the God of the ayatollah's revolution - makes their slaughter a form of genocide: the destruction of a group because of its attitude to religion.

Most of the judges and officials who implemented the fatwa are still in high office in Tehran - under a supreme leader who, when asked about killing prisoners replied: "Do you think we should have given them sweets?" There is still time for the UN security council to enforce international law by setting up a court to try the perpetrators of the prison massacres. This may be a better way to deal with a theocracy whose behaviour in 1988 provides the best reason for concern over its future behaviour with nuclear weapons.

. Geoffrey Robertson QC's report *The Massacre of Political Prisoners in Iran 1988* can be downloaded here.

. This article was amended on 8 June 2010. Due to an editing error, the original incorrectly described the MKO - Mujahedin-e Khalq Organisation - as "a guerrilla sunni-Marxist movement". This has been corrected.

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