

## (Video) Prosecution of Iran's President Is Morally Imperative and Legally Justified

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PARIS, FRANCE, September 3, 2021 /EINPresswire.com/ -- Last week, a number of experts in international law, along with hundreds of other European dignitaries, took part in a virtual conference on what may be the late 20th century's greatest unresolved crime against humanity. More than 1,000 survivors of that crime also participated in the event, with many offering intimate recollections of the Iranian regime's mass executions in [the summer of 1988](#).



(PMOI / MEK Iran) and (NCRI): Attention to the genocidal impulses behind the 1988 massacre, they can help to foster the international will that would be necessary for initiating the prosecution of Raisi and others at the International Criminal Court.

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*Eric David*

Over the span of about three months that year, approximately 30,000 political prisoners were killed upon the order of “death commissions” that were tasked with implementing a fatwa by the regime’s founder and first supreme leader Khomeini. About 90 percent of the death commissions’ victims were affiliated with Iran’s leading pro-democracy opposition, [Mujahedin-e Khalq \(MEK/PMOI\)](#).

Last year, seven United Nations human rights experts said that the international body’s failure to investigate the 1988 massacre “had a devastating impact on the survivors and families as well as on the general situation of human rights in Iran and emboldened Iran to... maintain a strategy of deflection and denial.”

## [The survivors of the 1988 massacre](#)

have repeatedly criticized the international community for policies of “appeasement” toward Tehran. Many point to the legitimization of Iran’s new president, Ebrahim Raisi, who was inaugurated on August 5 in a ceremony attended by, among others, Enrique Mora, the deputy political director of the European External Action Service.

In 1988, Raisi was one of four officials who served on the Tehran death commission that oversaw the entire massacre. And in 2019, he stood at the head of the judiciary when it initiated its long-term campaign of systematic torture. Amnesty International has rightly pointed out that Raisi’s rise to the presidency is “a grim reminder that impunity reigns supreme in Iran.”

Raisi’s presidential inauguration makes it all the more imperative for the United Nations to formally investigate the 1988 massacre and bring Raisi and other leading perpetrators to justice. The alternative is to legitimize the Raisi administration in ways that will inevitably give Tehran a greater sense of impunity than it has ever had before.

Although prosecution at the ICC may carry particular symbolic weight, paragraph 4 of the Preamble of the Statute states, “The States Parties to this Statute [...] Affirming that the most serious crimes of concern to the international community as a whole must not go unpunished and that their effective prosecution must be ensured by taking measures at the national level and by enhancing international cooperation”. As such, all statements have the responsibility to fight against the impunity of the authorities responsible for the 1988 massacre.

As Raisi will most likely be traveling throughout the world as president, there will be ample opportunity for nations to apply that principle in his case. There is overwhelming evidence that Raisi is indeed guilty of the most serious crimes against humanity.



(PMOI / MEK Iran) and (NCRI): The 1988 massacre did not just happen. It was rooted in a fundamental conflict between the people of Iran, demanding freedom, democracy, and economic and social development after the overthrow of the Shah.



(PMOI / MEK Iran) and (NCRI): The authorities had already paved the way to massacre all the prisoners defending the Mojahedin-e-Khalq, MEK, and their causes. One day, Mortazavi came into the ward, and the prisoners asked him to resolve a series of issues and problems.

The case could even be made that the 1988 massacre of political prisoners was an example of genocide and should be prosecuted as such. The fatwa underlying the 1988 massacre was not just political but also religious in nature. It branded members of the PMOI as enemies of God and specifically declared that they “do not believe in Islam.”

Members of the PMOI believe in a democratic and moderate form of Islam that is diametrically opposed to the mullahs’ fundamentalism. The larger purpose of the 1988 massacre was to destroy a certain religious ideology, namely a Muslim faith that is compatible with pluralism and secular-democratic governance, which would allow for Iran to coexist peacefully with the rest of the world.

It is clear that this crime against humanity fits perfectly with the criteria outlined in Article 2 of the 1948 Genocide Convention. That convention clearly defines responsibility for an action that is shared by all the nations that ratified it. Since 1995, the Security Council has never stopped calling States to fight against impunity (see S/RES/1012 and many other resolutions).

Thus the International Law Commission in Art. 9 of its 1996 draft Code of Crimes against Peace and Security of Mankind wrote: “Without prejudice to the jurisdiction of an international criminal court, the State Party in the territory of which an individual alleged to have committed a crime set out in article 17 [genocide],18 [crimes against humanity],19 [crimes against UN officials] or 20 [war crimes] is found shall extradite or prosecute that individual.”

If Western policymakers bring appropriate attention to the genocidal impulses behind the 1988 massacre, they can help to foster the international will that would be necessary for initiating the prosecution of Raisi and others at the International Criminal Court. But even if those



(PMOI / MEK Iran) and (NCRI): In July 1988, Ruhollah Khomeini, issued a decree, stating that all the political prisoners who remain steadfast in their support for the Iranian opposition movement, the People’s Mojahedin Organization MEK.



(PMOI / MEK Iran) and (NCRI): Upon Khomeini’s fatwa, ‘Death Commissions’ were formed in Tehran and across Iran. The prisoners were brought before the Commission (three to four members), and their fates were decided in a few minutes.

policymakers only succeed in convincing their own governments of the seriousness of the crime, it will be sufficient to justify bringing the massacre's perpetrators to justice within their own jurisdictions.

Sweden is in the process of doing just that with a lower-level participant in the massacre, Hamid Noury. In the wake of that action, the stage is set for other nations to go after those who bear the greatest responsibility.

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(PMOI / MEK Iran) and (NCRI): "We urge the international community to recognize the massacre of 30,000 political prisoners in 1988 as genocide and a crime against humanity,"



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(PMOI / MEK Iran) and (NCRI): Publication of indictment and documents in the Case of Hamid Noury, Iranian Regime Henchman, by Swedish Prosecutor Authority.

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