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*Mission Permanente
de la République Islamique d'Iran
auprès des Nations Unies
et des autres Organisations Internationales à Genève*

N° 331-1/8386

The Permanent Mission the Islamic Republic of Iran to the United Nations Office and other international organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights, and with reference to note: IRN 8/2011 dated 18 April 2012, has the honor to submit herewith the replies of our government with regards to Mr. Aref Hamediyani and Mr. Kameran Mortazai, case.

The Permanent Mission of the Islamic Republic of Iran avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights, the assurances of its highest consideration.

Geneva, October 5, 2012



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With regards to Mr. Aref Hamediyani, the High Council for Human Rights has approached all pertinent judicial authorities and courts.

According to information received from Khuzestan province's department of justice, Mr. Hamediyani was arrested on 19 April 2012 and charged with:

1. Importation and fabrication of drug paraphernalia.
2. Use of psychotropic substances.
3. Possession of opium.
4. Possession of burnt opium.
5. Possession of opium residue.
6. Possession of Hashish.
7. Possession of Marijuana.

As such Mr. Hamediyani was tried by branch 2 of Ahvaz Court of Revolution. The court, after hearing Mr. Hamediyani's defense and that of his attorneys – Messrs. Amin Ameri Abdolsalam Saki and Hamid Hemadi – and the completion of all relevant legal protocols and by virtue of articles 5, 8, 19 and 20 of the amended narcotics law and added articles (as approved by the Expediency Council on 10 October 1997), found Mr. Hamediyani guilty. Subsequently by issuing verdict number 9009976122201710 dated 20 February 2012, the court sentenced Mr. Aref Hamediyani to death for the first charge filed against him, a 60.000 Rial pecuniary punishment and one whip stroke for the second charge, confiscation of paraphernalia and a 1.600.000 Rial pecuniary punishment for the third charge and a 3.000.000 Rial pecuniary punishment plus 60 whip strokes for the rest of his offenses. On 18 April 2012, the court's initial verdict was submitted to the secretariat of the high court for judgment.

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With regards to Mr. Kameran Mortazai, the High Council for Human Rights has approached all pertinent judicial authorities and courts.

According to information received from competent authorities, Mr. Mortazai was charged with active membership in an illegal organization, with the aim of disturbing national security. As such he was brought before branch 28 of Tehran Court of Revolution. After hearing Mr. Mortazai's defense and completion of the judicial process, by virtue of article 449 of the Islamic Penal Code, the court found Mr. Mortazai guilty and by issuing verdict 90/7/24-150/28 sentenced him to four years in prison, with time already served deducted.

The court's initial verdict was appealed by the condemned. As a result, branch 36 of the appellate court of Tehran reexamined the verdict. However the Court -- by issuing verdict number 1390/10/5-1124 based on article 257 of the code governing the rules of procedure for general and revolutionary courts when hearing criminal cases -- rejected Mr. Mortazai's appeal and announced that the original conviction stands.