



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

OHCHR REGISTRY

07 SEP 2012

Recipients: SLD  
.....  
.....  
.....

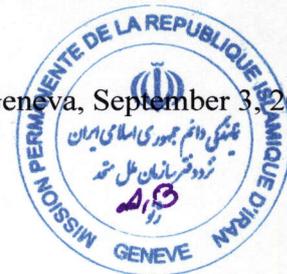
In the name of God

N° 331-2/7112

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: IRAN 142012 dated 19 April 2012 and others communication from special procedures, has the honor to submit herewith the replies of our government with regards to 1- Behrooz Alkhani Aghbarzeh (father's name Fars), 2- Ms. Maryam Bahreman (father's name Manoochehr), and Mr. Fariborz Rais-Dana (father's name Haji-khan)'s cases.

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, September 3, 2012



Office of the United Nations High Commissioner for Human Rights (OHCHR)  
Palais des Nations  
CH-1211 Geneva 10, Switzerland  
Fax No. 022 928 9018

According to information received from Western Azerbaijan department of justice, Mr. Behrooz Alkhani Aghbarzeh (father's name Fars) was arrested on charge of *Moharebeh* for effectively cooperating with -- as well as procurement of supplies for - - Pejak and PKK terrorist groups. Mr. Alkhani was also accused of assassinating the prosecutor of the provincial city of khoy and the illegal possession of a bomb and two assault weapons (namely a Colt pistol and an Uzi submachine gun) obtained for terrorist activity. Mr. Alkhani was tried by branch number one of Oromeyeh's court of revolution. After hearing his defense and that of his attorney, Mr. Yadollah Hesari and the completion of legal protocols, the court -- by issuing verdict number 9009974421100823 dated 15 October 2011 -- sentenced Mr. Alkhani, to death for the crime of *Moharebeh* and to a ten year *Tazeri* prison term for possession of illegal ammunition and weapons, with time already served subtracted.

The sentence was appealed by Mr. Alkhani and his attorney. As a result, branch number 4 of the high court reviewed the case. However, the court -- by issuing verdict number 9109970907400157 dated 20 May 2012 -- announced that Mr. Alkhani had obtained the above firearms and ammunition to engage in *Moharebeh*. Thus, in conjunction with paragraph A of section B of article 265 of the general and revolutionary court bylaws for criminal cases, the court accepted his attorney's argument, and quashed the lower court's sentencing of Mr. Alkhani to ten years of *Tazeri* imprisonment. However the court -- citing paragraph A of article 265 of the above bylaw and Supreme Court verdict number 1387/11/1-709 for uniformity of procedures -- dismissed Mr. Alkhani's bid to overturn his capital punishment sentence.

With regards to Mr. Fariborz Rais-Dana (father's name Haji-khan), the High Council for Human Rights, has approached all judicial authorities and courts.

According to information received from Tehran's department of justice, Mr. Rais-Dana was charged with engaging in propaganda against the system of the Islamic Republic of Iran by his membership in the banned Iran's writers association; as well the issuance of the association's statements during the 2009 sedition and riots against the system and also granting interviews to foreign antirevolutionary media. Mr. Rais-Dana was also accused of issuing a statement on 25 August 2009, accusing agents of the state of raping prisoners. As such Mr. Rais-Dana was tried by branch 28 of Tehran court of revolution. After hearing Mr. Rais-Dana's defense and the completion of all relevant legal procedures, by virtue of article 500 of the Islamic Penal Code, the court – by issuing its verdict number 39/28 dated 8 June 2011 -- found Mr. Rais-Dana guilty and sentenced him to one year in prison; with time served subtracted.

The court's verdict was appealed by Mr. Rais-Dana. As a result the verdict was reexamined by branch 54 of Tehran province's court of appeals. However, through its verdict number 1390/8/4-629 and in conjunction with paragraph A of article 257 of the general and revolutionary courts bylaws for criminal cases, the appeals court upheld the original verdict.

With regards to Ms. Maryam Bahreman (father's name Manoochehr), the High Council for Human Rights, has approached all judicial authorities and courts.

According to information received from Fars province's department of justice, Ms. Maryam Bahreman was charged with spreading misinformation about the system of the Islamic Republic of Iran with the aim of distressing the public. Ms. Bahreman was also charged with defaming the President and other officials of the state. As such Ms. Bahreman was tried by branch 115 of the city of Shiraz's general penal court. After hearing Ms. Bahreman's defense and that of her attorney, Mr. Mahmood Taravat, and the completion of all relevant legal procedures, the court, by virtue of articles 22 (paragraph 5), 47, 609 and 698 of the Islamic Penal Code and through its verdict number 9109977112500302 dated 20 May 2012, found Ms. Bahreman guilty and sentenced her to pay a million Rial pecuniary fine for the crime of defamation and a 25 million Rial pecuniary fine (as an alternative to imprisonment) for spreading misinformation; with time served subtracted.

On 15 September 2012, Ms. Maryam Bahreman will be also tried by branch number two of the city of Shiraz's court of revolution. She is charged with engaging in propaganda against the system of the Islamic Republic of Iran to benefit opposition groups and the defamation of the late founder of the Islamic Republic of Iran, Imam Khomeini and the eminent Leader of the Revolution.