



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

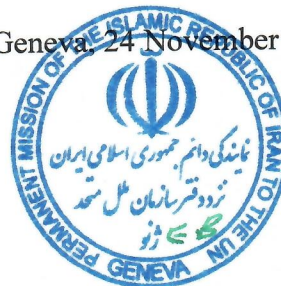
*In the Name of God, the Compassionate, the Merciful*

Ref. 2050/618884

The Permanent Mission of 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 the latter's Communication No. UA IRN 23/2020 dated 1 October 2020, has the honor to transmit, herewith, the comments of the Judiciary of the Islamic Republic of Iran concerning Messrs. **Arsalan Khodkam** and **Heidar Qorbani**.

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, 24 November 2020



Office of the United Nations  
High Commissioner for Human Rights  
Palais des Nations  
CH-1211 Geneva 10  
Email: [registry@ohchr.org](mailto:registry@ohchr.org)

**In the Name of God, the Most Compassionate, the Most Merciful**

**Comment**

**By**

**The High Council for Human Rights**

**Of the Islamic Republic of Iran**

**Regarding Messers. Arsalan Khodkam and Heidar Qorbani**

With reference to Letter with subject “Urgent Joint Appeal of the Special Procedures on Messers. **Arsalan Khodkam** and **Heidar Qorbani**”, the responses of the Justice Administrations of West Azarbaijan Province and Kurdistan Province are provided as hereunder:

With regards to **Heidar Qorbani**, by virtue of statement from the Justice Administration of Kurdistan Province, the aforesaid has been handed down the death penalty after being accorded due process of law and presenting his own and his defense attorney’s pleadings for membership in terrorist enemy groups, effective participation in the armed actions of the said group and complicity in the murder of three persons. The death sentence, pronounced by virtue of Articles 127, 128, 211 and 287 of Islamic Penal Code, has been upheld by the Supreme Court.

Mr. **Qorbani** in his explicit confessions - offered without having been under duress - has said:

“I travelled to Iraq where I got familiar with a liaison agent. After returning home, that person contacted me by August 2016, saying he would dispatch a three-member armed group to the Iranian border. Following two days of necessary arrangements, I went to pick them up. They were carrying three Kalashnikov rifles, backpack, six grenades and three radio transmitters. I dropped them in one of those villages and was paid IRR 63,000,000 with which I bought a stolen Peugeot 405. On 24 September 2016, at 7 PM, as previously planned, I gave a lift to the three persons and provided them with necessary guidance about the residence of the targets.”



The aforesaid has facilitated the commission of the crime (murder of three persons in Kamyaran County) and purchased a stolen car to pick up the armed terrorists at the border and drive them to Kamyaran County to take them the area where the three victims lived and show them their residence, thereby being involved in murder thereof. Furthermore, the abovenamed has been effectively involved in the terrorist operation by this grouplet through facilitating the assassins after carrying out the terrorist act with full knowledge of the objectives of the grouplet. The accused had then gone into hiding in his domicile where he was arrested by criminal police. Within 24 hours, he was arraigned on charges levelled against him whilst being given access to lawyer. It was noted to him to watch out for his statements. The aforesaid was then indicted and the indictment was confirmed by the prosecutor of Kamyaran County. In light of the security nature of the case, the accused was sent to the provincial capital city.

The aforesaid's confessions to criminal police and bailiffs were taken under no duress. Furthermore, the abovenamed, confessed to having committed said offense once more to the provincial examining judge under no pressure. His own statement as well as his lawyer's has been signed. Allegations of torture and no family visit are totally devoid of any standing and no physical or mental complication has been reported.

With regards to **Arsalan Khodkam**, with reference to Letter No. 10/99/4891-37209, dated 27 September 2020, upon announcement by the West Azarbaijan Province Justice Administration, the aforesaid was serving in a military unit from 2007 to 12 May 2018 when he was arrested. He was put on intelligence radar and tracking after a report emerged of his suspected ties with a terrorist group. Finally, his communications with the terrorist group and cooperation in providing security information to the group were established as true. Some of criminal acts committed by the abovenamed are listed as hereunder:

Taking and relaying pictures of military bases and stations where he was serving; relaying images and names of military commanders, heads and staff, revealing date and time of arrival and departure of staff and vehicles, relaying news and information about conferences, operations access routes, names of operation battalions, missions, arms and military equipment, information appertaining to fuel and rations used in the military units, information appertaining to daily activities, military plans and training, privileges for the staff and relaying images of combat fatigues and staff uniform and dozens of other categories of confidential information.

In application of Note to Article 48 of Code of Penal Procedure, the aforesaid had access to court-appointed lawyer, and as noted in the file, during the preliminary investigation, he had signed the proces-verbal and deposition of interrogation in the presence of defense attorney. Even at court martial, the defense attorney attached pleadings to the file. Neither the convict nor the defense attorney have spoken of torture and pressure in the prosecutor's office or in court. Moreover, no proof has been produced of torture. At time of release from detention, the convict had expressed nothing about torture or maltreatment by prison guards.

Mr. **Khodkam**, during 36 days of detention, received three family visits and held seven phone conversations with [REDACTED] as authorized by the judicial authorities. Allegations of detention of his spouse to pressure him to confess are unsubstantiated. His spouse was summoned on 12 May 2018 after her husband said she had been involved in some criminal acts. But she was released on bail. Given the documents available, the aforesaid demanded pardon from the military tribunal and he confessed to all charges in clear terms and upon admission to prison, he had not demanded any medical visit for physical complication.

As noted earlier, all allegations raised by the family of the convict and his close associates have resulted from their communications with foreign-based websites in a bid to pressure the judiciary to repeal or stay the verdict. They are all devoid of any truth. The abovenamed is currently held in jail and, like other inmates, is enjoying family visits, and has access to phone as well as health and medical facilities.