



*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. 2050/761060

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 6/2021, dated 22 February 2021, and pursuant to the former's Note Verbale No. 2050/755370, dated 20 April 2021, has the honor to transmit, herewith, the comments of the Judiciary of the Islamic Republic of Iran regarding Mr. Ali Khasraji, Mr. Hossein Silavi, Mr. Nasser Khafajian, Mr. Behnam Mahjoubi and Mr. Javid Dehghan.

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, 26 April 2021



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**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 Mr. Ali Khasraji, Mr. Hossein Silavi, Mr. Nasser Khafajian,**

**Mr. Behnam Mahjoubi and Mr. Javid Dehghan**

As per the announcement received by the Judiciary, the latest judicial status of **Ali Khasraji, Hossein Silavi, Nasser Khafajian, Behnam Mahjoubi, and Javid Dehghan** are provided as hereunder:

General Considerations:

The phrase “Systematic crackdown on minority groups” enumerated in the joint communication is based on bogus and exaggerated information, totally disregarding legal implications thereof. It is in contrast violation of principles of impartiality and transparency;

- The phrase “Ahwazi Arab minority” is an absolute fabrication which does not serve to restore peace and, instead undermines the foundations of justice with undue discrimination;

- In fact, the said phrase refers to the "al-Nidhal al-Arabi le-Tahrir al-Ahwaz<sup>1</sup>" terrorist group, which lacks any ethnic identity or historical background. The terrorist group's inhumane actions, supported by some hostile countries, have not gone unnoticed from anyone;
- Conviction of members of the aforementioned terrorist group and execution of sentences for crimes attributed thereto were not only in full compliance with the law, but also were carried out upon exhaustion of all legal procedures and formalities. Being a Kurd, Arab or Baluch perpetrator of a crime deserving the death penalty under no circumstances whatsoever may exert any effect on due process and specifying the punishment; and
- Verdicts and judgments against the above-named have been issued on the strength of established reasons, evidence and documents existing in the case file in accordance with legal regulations. Therefore, the allegation of forced confession under torture is untrue – it is a repetition of threadbare accusations levelled against the Government of the Islamic Republic of Iran by some media outlets affiliated with terrorist groups.

Information regarding **Ali Khasraji, Hossein Silavi, Nasser Khafajian, Behnam Mahjoubi and Javid Dehghan**

Conviction and execution of sentences handed out to members of the abovenamed terrorist group – namely **Ali Khasraji, Hossein Silavi and Nasser Khafajian** – were carried out on the strength of crimes attributed thereto including: aiding and abetting the assassination leading to murder of citizens, participation in four counts of armed car theft, possession of unregistered and illegal weapons and ammunition, participation in maneuvers or power on the streets whilst threatening people with weapons, disturbing public order and membership in terrorist groups.

**Javid Dehghan** served as the head of a terrorist group's operation team. In a meeting with [REDACTED] – an active member of the Jaish al-Nasr terrorist group – the aforesaid attempted to smuggle in a suicide bomber and carry out a terrorist

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<sup>1</sup> The Arab Struggle Movement of the Liberation of Ahwaz

attack inside the country in 2014. Following their failure to carry out the attack, he smuggled out the suicide bomber. Thereafter, the aforesaid – after receiving firearms from the said terrorist group in 2015 – carried out terrorist operations inside the country, as a result of which two citizens residing in the Mehrestan district were assassinated. With respect to the existing records of the case, the abovenamed and two accompanying members of his operation team shot down two occupants of a moving vehicle with two AK-47 assault rifles on 9 April 2015. The weapons used in the said terrorist attack were provided to the operation team by the Jaish al-Nasr terrorist group. The armaments include two AK-47 assault rifles and eight pockets of magazine, of which four were used on the day of the incident.

**Behnam Mahjoubi** has been sentenced to two years of incarceration on various charges, including but not limited to action against national security. The aforesaid has been serving his sentence in Evin Detention Centre since 20 June 2020. He has a history of hunger strikes and two fights with other inmates. However, the Tehran Prosecutor's Office – irrespective of crimes attributed thereto and violations committed whilst in prison – provides for his easy access to health facilities and medical services offered inside prison and medical dispatches thereout, all of which in order to further emphasis on the full observance of the instruction for preserving human dignity of prisoners. Despite numerous and continuous medical examinations, the aforesaid have sometimes refused to be dispatched to medical centers outside the penitentiary. In response, the judicial authority has exercised patience and clemency, and re-issued the order to send him to medical centers situated outside prison. The prison doctors have also advised him of the consequences and possible dangers of his refusal to receive medical treatment. The judicial authority referred him to the Tehran Province Forensic Science Centre in order to ensure the health condition of the aforesaid, decide on his ability or inability to tolerate the sentence, determine whether the abovenamed needed to pursue treatment outside prison, and find out if being imprisoned can aggravate his ailment or delay his recovery.

Pursuant to a report received on 12 October 2020 from the said Forensic Science Centre, the aforementioned “suffers from a type of anxiety disorder which requires treatment.” The report further reads: “It is essential that the aforesaid receives necessary medications regularly and under the supervision of a prison doctor in order to prevent anxiety attacks. For the time being, there is no need for treatment outside the prison.” Subsequently, the judicial authority issued the necessary order to the prison director to observe all principles of treatment and pharmacology. The

provisions of the report were also accurately communicated to the prisoner in order to protect the rights of the prisoner as much as possible. However, upon his protest against the report, the case was referred to the Special Commission of the Tehran Province Forensic Science Centre; and finally, following extensive medical consultations, the said Commission declared: “Following the assessment and evaluation of documents as well as specialised consultation and interview with the prisoner, symptoms of mood disorders are evident in him, who currently needs to receive treatment outside prison.”

Thereafter, the necessary judicial order to put in abeyance the execution of his sentence was issued and notified to the prison authorities. The aforesaid was also informed that he had to provide the required 2,000,000,000 IRR bill for his release. To this end, an order was issued to notify the lawyer and his family, but they failed to provide any response thereto. The Judiciary decreased the bill to 800,000,000 IRR to facilitate his release, but his lawyer and family took no measures. The Evin Detention Centre then stated: “With reference to lack of any action by the convict in providing the bill, the prisoner remains under the constant supervision of the prison doctor and shall enjoy quick, easy and timely access to medications, and can be dispatched to health facilities situated outside prison as a matter of urgency – if need be.”

Based upon the prison report, the aforesaid was sent to the prison clinic on 12 February 2021 on three occasions over what he claimed was “insomnia” and “frustration”. During his three medical visits therein, the abovenamed received sedatives on doctor's prescription. However, according to investigations, the prisoner – in addition to his own prescribed medicine – took two Clonazepam, one Alprazolam, ten Tranqopine 100-mg and a considerable number of Depax 500-mg on the same day, all of which belonged to another prisoner called [REDACTED]. As a result, the aforesaid experienced severe nausea at 00:00. The guard officer immediately rushed to the prison hall in order to notify the prison clinic. The abovenamed – after receiving initial medical treatment – was transferred to the emergency ward of the Loghman-e Hakim Hospital at 02:15 on 13 February 2021 for drug toxicity. He, despite tremendous efforts devoted by medical staff, unfortunately passed away on 21 February 2021. The detailed report of the hospital was presented to the Forensic Medicine Organisation for further examination; drug toxicity was determined as the cause of his death.