



*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*

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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 has the honor to transmit herewith, an Enlightening Report from the High Council for Human Rights of the Islamic Republic of Iran on Legal Process of Mr. Mehdi Hasani and Mr. Behrouz Ehsani . Distribution of the text to the related mandate holders especially those working on Iran, related human rights activists and any other pertinent destination would be appreciated.

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.



Office of the United Nations  
High Commissioner for Human Rights  
Palais des Nations  
CH-1211 Geneva 10



High Council for Human Rights of  
the Islamic Republic of Iran

# **An Enlightening Report on the Legal Process of Mr. Mehdi Hasani and Mr. Behrouz Ehsani**

**The High Council for Human Rights  
of The Islamic Republic of Iran**

**February 2025**

*In the Name of GOD*

**The High Council for Human Rights of The Islamic Republic of Iran**  
**(February 2024)**

## **Introduction**

Since the victory of the Islamic Revolution in 1979, the Islamic Republic of Iran has been one of the biggest victims of terrorism and has become the scene of activities of domestic and foreign terrorist groups. During this time, thousands of innocent people have lost their lives or been seriously injured by these groups. These groups have ruthlessly targeted all segments of the society, from men and women, children and the elderly, to scientists and elites.

Meanwhile, the terrorist group of the Munafeqin (also known as the People's Mojahedin Organization-MKO) has carried out most of the assassinations, actions that are clearly examples of crimes against humanity. Since the beginning of the Islamic Revolution, this group has begun to take revenge against the innocent people by carrying out explosions in crowded city centers, assassinating state officials, carrying out armed attacks, kidnapping and torturing people, and even betraying the country by spying for the Iraqi Ba'ath Regime. According to reports, 17,000 Iranians have been martyred at the hands of members of this group.

In recent years, especially after 2022, some street protests and riots in the country, including by the MKO group and with the participation of domestic elements, have led to terrorist acts. These acts included firing mortars at military and administrative buildings such as the Quds Guard, Imam Hadi Security Unit, Samen Al-Hojaj District Guard, Faraja Special Unit building, the central building of the Judiciary, the Ministry of Communications, and the Prisons Organization in 2022. Following these terrorist acts, intelligence and judicial follow-up led to the identification and arrest of a number of elements related to these acts. Among these individuals, Mehdi Hasani and Behrouz Ehsani have been identified as the main planners and perpetrators of these acts. The following is an examination of the legal case and the sentencing process of these individuals.

### **Description of the criminal acts leading to the arrest of the defendants:**

- a) Mr. Mehdi Hasani has been prosecuted for a series of criminal acts, including the following:
1. Membership in the terrorist group of the MKO and establishing direct contact with its members.
  2. Effective propaganda and harassment activities in order to support this group.
  3. Chanting anti-regime slogans and insulting the country's officials.
  4. Collecting classified information and transmitting it to other individuals.
  5. Preparing and sending videos to the MKO.
  6. Participating in live programs of networks affiliated with this group.
  7. Providing the terrorist group with the items it needs inside the country and setting up team houses in Dolatabad to hide and keep rebel elements.
  8. Receiving money from the MKO group for actions he has taken.
  9. Firing mortars at the country's military headquarters in Tehran and documenting these actions through filming.
  10. Destruction of public property.

He was arrested by judicial officers on October 23, 2023, while crossing the border into Turkey, upon the order of a judicial authority and in full compliance with Islamic law and the regulations of Code of Criminal Procedure. After being charged with membership in opposition groups (the terrorist group of the MKO), destruction of public property, and effective efforts to advance the goals of groups that have launched an armed uprising against the Islamic State, he was arrested and transferred to Evin Detention Center.

b) Mr. Behrouz Ehsani has also been prosecuted for the following acts:

- 1) Membership in the terrorist group of the MKO and establishing direct contact with members of this group.
- 2) Carrying out effective propaganda and harassment activities in favor of the terrorist group of the MKO.
- 3) Collecting classified information and providing it to other individuals.
- 4) Providing the terrorist group with the items it needs inside the country.
- 5) Making and firing launchers and mortars at military and administrative headquarters in Tehran, including the central building of the Judiciary, the Ministry of Communications, and the Prisons Organization.
- 6) Destruction of public property.
- 7) Carrying an unauthorized firearm (two Colts and other equipment).

He was arrested by judicial officers on November 29, 2023, after a judicial order was issued, while he was armed with firearms (two Colts and other equipment). After being informed of his charges, which include membership in opposition terrorist groups, destruction of public property, and attempting to advance the goals of groups that have launched an armed uprising against the Islamic State, a temporary detention order was issued for him and he was introduced to Evin Detention Center.

### **Investigation and indictment stages**

All stages of investigation and interrogation of the defendants with the aim of clarifying the dimensions of their actions and activities have been carried out completely under the supervision of the judicial authority and within the framework of current laws and regulations. In this process, all of their defense rights, including the right of access to a lawyer, the right to remain silent, and other rights stipulated in Articles 190, 194, 195, and 199 of the Code of Criminal Procedure, have been strictly observed. Finally, after a thorough examination of undeniable evidence and documents, including the defendants' explicit confessions, judicial

officers' reports, documentary images and films, etc., and receiving the latest defenses, the investigation of the case was completed, and on May 4, 2023, a final order was issued to summon the defendants to trial and an indictment was issued against the 2 individuals, and the case was sent to the competent court for consideration. This process reflects strict observance of legal principles and reliance on documented and verifiable evidence in preparing the indictment. Also, all fair trial principles, including the standards set forth in Article 14 of the International Covenant on Civil and Political Rights, have been fully respected throughout all stages of the case.

### **The proceedings of the defendants' case**

After the case of the defendants being referred to the court, the case was examined in accordance with legal regulations and international standards, including the principles of due process enshrined in Article 14 of the International Covenant on Civil and Political Rights. These principles include the possibility of appeal of decisions, the examination of charges by a panel of judges, the principle of innocence, and other legal standards.

After hearing the defendants' final defenses, the court, taking into account current laws and all the documents in the case, declared the proceedings closed and found the defendants guilty. Accordingly, the court issued the following rulings for the defendants:

1. Death penalty for committing the crime of rebellion (Baqi).
2. Five years of imprisonment for membership in the terrorist group of the MKO with the aim of disrupting the security of the country.
3. Five years of imprisonment for collecting classified information and providing it to others with the aim of disrupting the security of the country.
4. Going into exile to Kahnouj for ten years for “*Muharebeh*” by destroying public property with the aim of disrupting the security of the country.

5. Five years of imprisonment for gathering and colluding to commit the aforementioned crimes.

The verdict was communicated to the convicts and their lawyers. In accordance with legal regulations and following an appeal, the case was sent to the Supreme Court. The Supreme Court, with the presence of three high-ranking judges and after a thorough examination of the case, determined that the verdict was in accordance with international fair trial principles, Islamic law standards, and domestic laws. As a result, the aforementioned verdict was confirmed and communicated for execution on November 18, 2024.

### **Access to lawyer and denial of torture claims**

Based on the documents and content of the case, the claims made regarding lack of access to a lawyer and deprivation of contact with family are completely unfounded. The defendants have enjoyed the right to access to an official lawyer at all stages of the proceedings, and their lawyers have been present at the hearings and defended their clients, while presenting their defense briefs.

Also, in the preliminary investigation stage and in accordance with the note to Article 48 of the Code of Criminal Procedure approved in 2013, in crimes related to internal and external security as well as organized crimes that are subject to the penalties stipulated in Article 302 of this law, the defendants were required to choose a lawyer from among the official lawyers approved by the Head of the Judiciary. In this case, all these regulations were observed and the defendants enjoyed their legal rights at all stages.

Furthermore, the claim of torture and coercion of the convicts to confess is completely baseless and contradicts the case documents. The verdict was issued based on the undeniable evidence and documents in the case, and there is no reason to believe that torture was used to obtain forced confessions. According to Article 38 of the Constitution of the Islamic Republic of Iran, any torture to obtain confessions or information is prohibited and the confessions obtained in this way are void of any

validity. Furthermore, in accordance with Articles 570, 578, 579, and 587 of the Islamic Penal Code, as well as the clauses of Article 1 of the Law on Respect for Legitimate Freedoms and Protection of Citizens' Rights, perpetrators of such acts will face severe punishments.

In order to monitor the proper implementation of these laws and prevent any violations, the Central Supervisory Board, in cooperation with the provincial supervisory boards, continuously conducts the necessary inspections and, if any violations are observed, they take appropriate legal measures.

### **Status of detention and access to medical services**

Regarding the place where the convicts are kept in prison and the provision of medical and health services, it is announced that the individuals are subject to clinical monitoring upon arrival and, like other defendants and convicts, have easy and quick access to the prison's medical services and doctor 24/7 during their detention and imprisonment. Also, in the event that the institution's medical facilities and equipment are inadequate, in accordance with Article 137 of the Executive Regulations of the Prisons Organization, there have been no restrictions on sending the individuals to medical centers outside the prison.

According to the prison medical file, Mr. Mehdi Hasani has visited the health center in the prison many times and has benefited from medical services, including ten physiotherapy sessions. Also, according to the documents in the file, on September 28 and October 21, 2024 an order was issued to send him to a hospital outside the prison to examine the condition of his spine. At present, he is not facing any particular physical problem.

Also, according to the prison medical file, Mr. Behrouz Ehsani has also visited the health center in the prison many times and benefited from medical services. In this regard, on July 30, 2023 and August 20, 2024, he was sent to Taleghani Hospital for a thyroid ultrasound, an ear imaging, and follow-up treatment. At present, he does not have any particular physical problems.

## Conclusion

It is stipulated in the International Covenant on Civil and Political Rights, in Article 6, paragraph 2, on the right to life, that: “n countries which have not abolished the death penalty, sentence of death may be imposed only for the most serious crimes in accordance with the law in force at the time of the commission of the crime and not contrary to the provisions of the present Covenant and to the Convention on the Prevention and Punishment of the Crime of Genocide. This penalty can only be carried out pursuant to a final judgment rendered by a competent court.”

Accordingly, the International Covenant on Civil and Political Rights does not prohibit the death penalty absolutely, but rather makes it subject to certain conditions:

1. The death penalty should be limited to the “most serious crimes”.
2. Conviction and execution of the sentence for these crimes should be in accordance with the law in force at the time of the commission of the crime.
3. The said laws should not conflict with the provisions of the Covenant and the Convention on the Prevention and Punishment of the Crime of Genocide.
4. The death sentence must be the final order issued by a competent court.

In examining the applicability of these circumstances to the present case, it is important to note that the crimes committed by Mr. Mehdi Hasani and Mr. Behrouz Ehsani, who fired heavy weapons at military and administrative centers in urban areas, are clear examples of terrorist crimes. These actions not only endangered human lives, but also disrupted public order and security. At the international level, few jurists disagree with the view that such crimes are among the “most serious crimes.”

In addition, the second condition mentioned in paragraph 2 of Article 6 of the Covenant has also been fully complied with, because the

punishment in question was issued based on the laws in force at the time of the commission of the crime, including the provisions of the Islamic Penal Code. Also, this sentence does not contradict any other provisions of the International Covenant on Civil and Political Rights and the Convention on the Prevention of Genocide. On the other hand, the fourth condition has also been strictly complied with in this case and the sentence was issued by the competent court and it was its final ruling.

Given the above-mentioned explanations, it can be concluded that the verdict issued in this case is fully consistent with the laws and regulations of the Islamic Republic of Iran, as well as the country's international obligations, including the International Covenant on Civil and Political Rights.

