



*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. 2050/2501678

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 UA IRN 6/2025 dated 6 May 2025 enclosed with the Joint Urgent Appeal from Special Procedures, has the honor to transmit herewith, comments from the High Council for Human Rights of the Islamic Republic of Iran to this regard.

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, 22 May 2025



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In the Name of God

In response to the correspondence by the Special Rapporteurs of the Human Rights Council to the Islamic Republic of Iran on May 6, 2025 with reference number UA IRN 6/2025, regarding the situation of Mr. Hatem Özdemir, a Turkish national with a history of membership in the Kurdistan Workers' Party (PKK), we hereby announce the following as an official response:

1- Adherence to international obligations and the principle of the rule of law

The Islamic Republic of Iran has always been committed to guaranteeing the fundamental rights of individuals, including the right to a fair trial, the principle of prohibition of torture and inhuman treatment, and respect for human dignity at all stages of proceedings and detention, based on the principles of international law, especially the provisions of the International Covenant on Civil and Political Rights to which it has acceded. However, in line with the principle of national sovereignty and the independence of the Judiciary, the administration of criminal justice is within the exclusive jurisdiction of the domestic courts of the Islamic Republic of Iran.

2- Judicial information on Mr. Özdemir's case

Based on official information received from relevant authorities:

- Mr. Hatem Özdemir was arrested in July 2019 during an armed clash with security officers on charges of illegally entering Iran territory and based on security evidence of membership in the PKK terrorist group and participation in subversive activities against the country's national

security. He was then transferred to Urmia Prison with a temporary detention order.

- He has been in the custody of relevant legal institutions at various times, and the investigation and interrogation processes have been carried out under the supervision of judicial authorities.
- Following the completion of the investigation and the issuance of an indictment on charges of membership in the PKK terrorist group and rebellion (Mohareb), after holding hearings based on the provisions of Articles 287 and 499 of the Islamic Penal Code, he was tried in court on charges of rebellion and membership in a terrorist group and was sentenced to imprisonment and death in the first instance on March 9, 2022.

3- Reconsideration and reversal of the verdict in the Supreme Court

After his lawyers requested an appeal against the verdict, in February 2023, the Supreme Court reviewed the objections to the verdict and reversed the initial verdict in terms of some formal and substantive deficiencies, including the failure to definite verification of his participation in armed action, and sent to the First Instance Court for consideration for review. It should be noted that, contrary to the claim made in the correspondence of the mandate holders of the special procedures, after the deficiencies in the verdict were announced, there was no such thing as a reversal without reference and according to the documented decision of the Supreme Court branch, the case has been sent to the First Instance Court to correct the deficiencies. It is also worth emphasizing that "reversal without reference" does not mean that the trial should not be repeated; rather, in Iranian judicial practice, the possibility of continuing the trial is reserved in cases where new evidence is presented or issues related to national security are involved.

4. Retrial based on new evidence

In the retrial process conducted in the First Instance Court that issued the original verdict, new testimonies and documents were presented indicating the defendant's direct and active participation in the armed activities of the PKK. Despite the defenses of the defendant and his lawyers, the court, after a

comprehensive review and in accordance with domestic law, re-sentenced the defendant to imprisonment for membership in a terrorist group and death for rebellion (participation in an armed uprising).

5. Re-appeal to the verdict and its confirmation in the Supreme Court

The convict filed an appeal against the issued verdict through his lawyer, which was referred to the Supreme Court, and this branch of the Supreme Court, after careful examination, rejected the appeal, and confirmed and concluded the appealed verdict on August 27, 2024, and the case was sent to the Criminal Judgments Execution Branch of the Urmia Public and Revolutionary Prosecutor's Office for execution of the verdict. The execution of the verdict was suspended for a stage with the convict's request for pardon, according to a judicial decision on September 26, 2024, and the case was sent to the Amnesty and Pardon Commission. The convict also filed an appeal for a retrial, which was rejected after being reviewed by another branch of the Supreme Court on February 26, 2025, with the case being retried.

6. Access to interpreter, lawyer and consular services

Contrary to the allegations made, Mr. Özdemir had the right to access an interpreter, a private lawyer and the possibility of communicating with the consular authorities of his country of origin during the trial. Any restrictions imposed were solely due to security considerations and the specific circumstances of the case and were carried out within the framework of legal regulations. According to the available documentation, during his detention and imprisonment, he had **9 in-person meetings with his family and 7 meetings with his lawyer.**

7. Health status and medical services provided

According to official documents from the Prisons Organization, Mr. Özdemir has benefited from all necessary medical services during his detention. His medical file, which is registered in the prison health system, indicates that his health status, and in particular his kidney stone disease, is being continuously monitored in accordance with the Prisons Organization's medical standards.

He has been regularly examined by the prison doctor and, upon diagnosis by the medical team (including the prison doctor and an urologist), has been sent to medical centers outside the prison on a total of 13 occasions to receive specialized services. Fortunately, his physical and mental health is currently reported to be completely stable and no specific medical problems have been recorded in his file. This trend demonstrates the careful attention of the authorities to ensuring the medical and health rights of all prisoners, including Mr. Özdemir, within the framework of current regulations.

8. Responding to allegations of torture

Allegations of ill-treatment or torture in official detention facilities have not yet been confirmed by the judicial authorities. In the event of documented complaints, legal avenues for independent follow-up and investigation are available. It should be noted that any confession obtained under duress or torture is invalid based on Iranian law, and the judicial authorities are required to review the relevant evidence.

9. Ensuring a fair trial in the case

Detailed and comprehensive investigations show that Mr. Özdemir's case was handled within the full framework of the legal regulations of the Islamic Republic of Iran and in compliance with all fair trial standards. The case documents, including the official reports of judicial officers and the defendant's explicit confessions, clearly prove the charges of membership in a terrorist group, active participation in armed clashes in the Ayzlu area of Chaldran County, receiving military training, and commanding operational teams.

The judicial process of this case has been completed in various authorities, including the Court of First Instance, the Supreme Court, and the appeals authorities, with full respect for the defendant's defense rights, including access to a lawyer, an interpreter, and other fair trial guarantees. Currently, given the legal and human sensitivities of the issue, the final decision on the execution of the sentence is being reviewed with the utmost care and within the framework of current regulations.

Conclusion

While emphasizing its serious commitment to human rights principles and international standards, the Islamic Republic of Iran is fully prepared to engage constructively with relevant international institutions within the framework of relations based on mutual respect and the preservation of national sovereignty. We believe that making unproven, incomplete, and unreliable claims not only disturbs public opinion but also undermines the principle of impartiality.

However, in line with its adherence to the principle of transparency and commitment to constructive dialogue, the Islamic Republic of Iran declares its readiness to provide additional information, carefully examine specific cases, and continue to engage with international human rights mechanisms. It is worth noting that the country's judicial system, by resolutely rejecting any unsubstantiated or biased claims, emphasizes complete transparency of judicial processes and strict observance of the standards of justice at all stages of the proceedings. This stance reflects Iran's firm determination to combine the rule of law with international obligations within the framework of national values.