

THE UNIVERSAL HOUSE OF JUSTICE
DEPARTMENT OF THE SECRETARIAT

10 September 1992

To selected National Spiritual Assemblies

Dear Bahá'í Friends,

Further to our communication dated 7 September 1992 concerning the two condemned Bahá'í prisoners in Iran, Messrs. Bihnam Mitháqí and Kayván Khalajábádí, the Bahá'ís in Iran have reported that the relatives of these two prisoners have submitted their complaints against the death sentences in writing to the Iranian Supreme Court, the Public Prosecutor's Office and to the Office of General Investigation....

The following details which have been provided by the believers in Iran may be shared only with your government contacts at present:

Personal information about the prisoners:

Mr. Bihnam Mitháqí was born in 1962, is married and has a six-year-old daughter.

Mr. Kayván Khalajábádí was born in 1960 and is single.

Arrest and Sentencing:

Both men were arrested by the Islamic Revolutionary Committee of Rajá'í on 29 April 1989 in Gohardasht and were held at Gohardasht Prison for a period of time. Later they were transferred to Evin Prison.

Their first trial took place at Branch Number 1 of the Office of the Islamic Revolutionary Court in Karaj and, according to Court Order Number 1/209/78 dated 19 June 1989, they were sentenced to eight years' correctional imprisonment on the charge of "Spying activities of the Espionage Sect of Bahá'ism." The sentences were effective as of 19 June 1989. Both prisoners appealed their sentences under File Number 13815/68 V-1.

Following the appeal of the above sentences, a second verdict was issued on 12 May 1990 at Branch Number 4 of the Islamic Revolutionary Court of Tehran, at Evin, in which they are accused of "Administrative activities within the Bahá'ism Group." Both were sentenced to three years' imprisonment effective as of 12 May 1990, plus 50 lashes. Both prisoners protested against this sentence as well and appealed it.

A third sentence was issued on 30 April 1991 by Branch Number 3 of the Revolutionary Court which stated the following: "On the charges of involvement in administrative activities of Zionist Bahá'ism and continued spying activities for the Espionage Sect of Bahá'ism, and spying for the Zionist Regime of Iraq, and for the usurping Regime of Israel, the accused are sentenced to death." Both prisoners again protested against and appealed their sentences.

On 29 October 1991, the Iranian authorities orally informed Messrs. Mitháqí and Khalajábádí of their right to hire a lawyer. After necessary investigations, two Muslim lawyers were requested to take on their cases. One of them visited the Office of the Revolutionary Court in order to file, as is customary, in the presence of the accused, a letter of appointment to act as their lawyer, but he was threatened by the officials of that Office who warned him about the consequences of his involvement in these cases. Hence, on returning from that Office he refused to accept the position. The second lawyer, being aware of the situation,

refused to even visit the Office of the Revolutionary Court to file the appointment letter. All of this took place prior to Mr. Galindo Pohl's arrival in Iran.

On 24 August 1992, another sentence was issued by Branch Number 2 of the Revolutionary Court in Tehran, which was conveyed to the prisoners by Branch Number 6, Department of Law Enforcement of the Revolutionary Court of Tehran, under Reference Number 2149/J-A. The text of this sentence states the following: "On the charges of membership in the administration of Zionist Bahá'ism and continued activities for the realization of its goals and also for spying for the regime occupying Jerusalem, in accordance with the verse number 38 of the Súrih of Má'idih of the Holy Qur'án, and Article Number 198 of the Islamic Penal Code, they are sentenced to death." (File Number 15733/68/B/2/1) After orally conveying the sentence to the prisoners, the authorities informed them that they should prepare themselves for their execution. Both prisoners again protested against this verdict.

Manner of trials held and informing the prisoners of the verdicts, and the filing of their appeals:

During the trials only the presiding judge, a Court secretary and the accused were allowed to be present. These Court cases and verdicts have not been publicized in the media at all.

When the prisoners protested against their sentences orally and demanded to have something in writing, the law enforcement officer copied by hand on a letterhead of the Prosecutor of the Islamic Revolution what appeared to be the text of the original verdict, but without any signature. He then instructed the prisoners to sign that copy which would be used by him as evidence that the Court sentence was communicated to them. At the same time, he informed the prisoners that in case they wished to appeal their sentences, they could do so on the same piece of paper. This the prisoners have done. However, the original verdict, which was in the possession of the officer, was not shown to the prisoners at all.

At no time in the above-mentioned stages of sentencing did the accused receive any official verdict themselves. In one case only an unsigned copy was provided to them.

The friends in Iran commented that the above-mentioned method of repeated appeals is quite unusual as normally after a second appeal, the Court sentences are carried out without any possibility of further appeal and that the cases of these two prisoners are, therefore, quite unprecedented.

With loving Bahá'í greetings,

Department of the Secretariat