



Branch 1, Islamic Revolutionary Court of the Judiciary of Orumiyeh

Docket No.: 8809984436500408

Judgment No.: 9009974421100823

Branch Archive No.: 900135

Date of Preparation: October 15, 2011

Defendants: 1. Mr. Behruz Alakhani 2. Mr. Akbar Ali Akbarlou 3. Kamel Shablouee 4. Mr. Bashir Chartagh

Charges: 1. The fourth defendant [is charged with] procurement and secret possession of two Colt 45 handguns 2. the second defendant [is charged with] participation in the assassination of the prosecutor of Khoy (Vali Haj Gholizadeh), participation in the preparation/procurement and possession of a bomb and constructive collaboration with the terrorist band PJAK and the PKK, harboring elements of the group and collusion and actions against domestic national security 3. the primary defendant [is charged with] *muharibih* and ifsad f-il arz in the form of constructive collaboration in the context of the goals of the counterrevolutionary groups PJAK and PKK and participation in the procurement, delivery and possession of bombs and weapons on behalf of the aforementioned terrorist band. 4. [the third defendant is charged with] *Muharibih* (via constructive collaboration with the terrorist bands PKK and PJAK) [sic]

JUDGMENT OF THE COURT

As pertains to the charges against Messrs. 1. Behruz Alakhani Aghbarzeh [sic] of Fars [province] with the inter-party pseudonym of (convict) [sic], represented by the first rate [sic] court-appointed attorney Mr. Yadollah Hesari, based on *muharibih* due to his constructive collaboration with the terrorist party and band [sic] PJAK and PKK [sic] and participation in the procurement and delivery of the items needed by the aforementioned group in the region of Salmas and the assassination of the late prosecutor of Khoy martyr Vali Haj Gholizadeh (God's mercy be upon him) [sic] and the illegal possession of one bomb and two Colt handguns and one Uzi in the course of carrying out terrorist acts 2. Akbar Ali Akbarlou of Saqqez, represented by a first-rate trial attorney of his own choosing, Mr. Sadegh Kouhinejad, based on *muharibih* due to constructive collaboration with the terrorist band PJAK and PKK in the form of harboring the primary defendant [Behruz Alakhani] in his own domicile and participation in the possession of a bomb delivered on behalf of the terrorist band PJAK to the primary defendant and participation in the assassination of late prosecutor of the city of Khoy and assembly and collusion to disturb domestic national security. 3. Kamel Shablouee son of Yousef, based on possession and concealment of two Colt handguns in his domicile without a legal permit 4. Bashir Chartagh the son of Biram [sic] based on collaboration with the terrorist band PJAK and PKK (collusion in the course of disturbing domestic national security) in the form of the transportation of the primary



defendant to the village of Darik in Salmas country for a meeting with PJAK agents in the year of 1388 (2009-10) with his own car and the transportation of a bomb from Salmas to Khoy in the company of the primary defendant the court considers the contents of the case file: the testimony of police officers and the West Azerbaijan provincial headquarters of the Ministry of Intelligence and the opinions of the experts from the West Azerbaijan provincial headquarters of the Ministry of Intelligence and the documentary considerations presented by the Ministry of Intelligence headquarters including a transcription of the conversation of the primary defendant with Khalil (a cadre member of the PJAK band) and in view of the fact that in his conversations with Khalil, the primary defendant gave a promise of implementation to Khalil [sic] and he declares [sic] with confidence that "I will certainly carry out this task and I will finish it" and before the assassination he was in regular contact with Khalil and after the assassination on the date of January 18, 2010 the defendant shut off all of the telephone numbers [sic] that he [had] used for a period of one week and had no form of contact such that after one after one week Khalil gets in touch with him [sic] and announces "your work was very good", and thanks him, and the defendant, in order not to reveal [the nature of] the situation, says "what work are you talking about, that job (the assassination of the prosecutor) is the work of our brothers", and in consideration of the quick confessions of the primary defendant regarding his connection with PJAK and the PKK and the procurement of weapons and ammunition from the band for the purpose of the bombing in Khoy and the assassination of individuals in the city of Khoy and with consideration to the individual statements of members of the PJAK band who have surrendered by the names [sic] of Mas'oud Aydin, the son of Amin, of the city of Batman in Turkey, who goes by the pseudonym Bahouzh Rouge [sic], who can be considered a well-informed [source], from whom an explanation has been obtained that "I was selected as the commander of the customs team; before me Khalil (a cadre member of the band) was in the same position, for a period of month and a half we were there, where Khalil said that 'I have sent money and arms to (convict) (the primary defendant Mr. Alakhani) to kill a judge [employed by] the Iranian government and (convict) has assassinated the (prosecutor) judge of the city of Khoy,'" and the baseless denials of he [Mr. Alakhani] and his attorney regarding his role in the assassination of the prosecutor of Khoy from the perspective of the statements of the secondary defendant that on the night of the assassination of the prosecutor of Khoy the primary defendant was in his house and that he (the primary defendant) seemed very fearful and uneasy and that that night contrary to [his] habit, he ate sparingly, and in consideration of other evidence and data present in the file and the establishment of his affiliation to the crime [which is] considered to be proven and obvious on the basis of Articles 186, 189 and 190 of the Islamic Penal Code and Article 2 and in light of Clause 2 of Article 1 and Clause 3 of the Law Strengthening Penalties Against the Smuggling of Weapons and Ammunition and Armed Smugglers adopted in 1350 the defendant Mr. Behruz Alakhani regarding his constructive actions and activities and efforts [sic] to advance the goals of the PJAK and PKK band in the procurement of a bomb and weapons for terrorist actions and the assassination of the prosecutor of Khoy and the procurement and delivery of needed items to the aforementioned band and the region of Salmas and the text of the indictment issued in the case file is ruled to be *muharib* [guilty of *muharibih*] and he is sentenced to death

and regarding his illegal possession of weapons and ammunition (2 Colt handguns, 1 Uzi and 1 bomb) the defendant is sentenced to 10 years discretionary imprisonment [i.e. determined by the judge, not by statute] including time served, and as pertains to the charges against the secondary defendant regarding the charge [sic] of participation in the possession of a bomb delivered on behalf of the PJAK terrorist band to the primary defendant in consideration of the contents of the case file and the fact that the primary defendant kept the bomb in his [the secondary defendant's] domicile and the baseless defense of he and his attorney claiming a lack of knowledge about the weapons and ammunition in his domicile in consideration of the statements of the primary defendant who has stated that the [secondary] defendant did know that a bomb was kept in the domicile and in light of the [fact] that that [bomb] was kept in his home for a period of ten days according to the statements of the primary defendant about the hiding of the aforementioned bomb with an amount of 1,000,000 toumans which had been given to him by the PJAK terrorist band for setting off the bomb with 800,000 toumans from which the second defendant purchased a motorcycle (a copy of the contract of sale is attached to the case file) which demonstrates the secondary defendant's knowledge regarding the presence of a bomb in his domicile, therefore [this] defendant in consideration of other evidence and data present in the case file and the establishment of his affiliation with the crime on the basis of Article 2 and Clause 2, Article 1 and Clause 3 of the Law Strengthening Penalties Against the Smuggling of Weapons and Ammunition and Armed Smugglers the defendant is sentenced to 8 years discretionary imprisonment including time served and regarding his other charges he is [guilty of] *muharibih* because of constructive collaboration with the terrorist band PJAK and PKK due to having harbored the primary defendant in his domicile, whereas his actions are not considered to have been as helpful in advancing the terrorist goals of the PJAK, therefore the sum of his actions are considered to be assembly and collusion to disturb domestic national security on the basis of Article 610 of the Islamic Penal Code [and] the defendant is sentenced to five years discretionary imprisonment including time served and as regards the charge of *muharibih* due to constructive actions for the goals of the terrorist band PJAK had PKK and participation in the assassination of the late prosecutor of Khoy, the court finds and declares him not guilty on the basis of Article 177 of the Code of Criminal Procedure and Article 37 of the Constitution of the Islamic Republic of Iran due to the lack of verification of his participation in the assassination and *muharibih* and as pertains to the charge against the third defendant, Mr. Kamel Shablouee the son of Yousef, of possession and concealment of two Colt handguns in his domicile without legal permits, in consideration of the contents of the case file, the testimony of police and security [apparatus] officers and the text of the indictment issued in the case file the quick confession of the defendant during the investigation phase and in the courthouse and court hearings obviously and unequivocally establish of his affiliation with the crime on the basis of Article 2 and Clause 2, Article 1 and Clause 3 of Law Strengthening Penalties Against the Smuggling of Weapons and Ammunition and Armed Smugglers the defendant is sentenced to 4 years discretionary imprisonment including time served and as pertains to the charges against fourth defendant Mr. Bashir Chartagh the son of Biram of actions and collusion to disturb national domestic security through constructive collaboration with the terrorist band PJAK and PKK in the form of



providing transportation to the primary defendant to the village of Darik in Salmas county for a meeting with PJAK agents before the assassination of the martyred prosecutor of the city of Khoy with his own car and again his transportation to the village of Var (the location of the domicile of the secondary defendant) the court in consideration of the contents of the case file and the testimony of security [apparatus] officers and the opinions of the experts from the West Azerbaijan provincial headquarters of the Intelligence Ministry and the quick confessions of the defendant during the investigation phase and in the courthouse and the fact that the defendant, despite legal notice, did not show up to any of his court hearings and therefore did not defend himself in court and in view of the text of the issued indictment in the case file and the other evidence and data present in the file and the clear and proven establishment of his affiliation to the crime on the basis of Article 610 of the Islamic Penal Code we sentence the defendant to 5 years of discretionary imprisonment including time served the verdict regarding the first, second and third defendants was issued in their presence and regarding *muharib* within 20 days after the notification this verdict can be appealed to the Supreme Court and the other charges can be appealed within 20 days to the West Azerbaijan Provincial Appellate Court and in the case of the fourth defendant, who was absent during the issuance of the verdict, the verdict can be protested in this branch within 10 days after which it may be appealed within 20 days to the West Azerbaijan Provincial Appellate Court.

Signed: Chabak

Head of Branch 1 of the Islamic Revolutionary Court of Orumiyeh

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SIGN AND SEAL