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PARIS CRIMINAL COURT CLEARED MASHADI OF CHARGES IN ELAHI'S MURDER

By Iranj Fatemi

PARIS 29 June (IPS) The Paris criminal court that was investigating the murder of Dr. Cyrus Elahi acquitted Friday Mr. Mojtaba Mashadi, the main suspect, of all charges, despite the request of the Public Prosecutor asking twenty years of criminal prison for the accused.

The trial had started Monday and, at times, transformed into the trial of the French police, security and counter-espionage services.

Unidentified gunmen assassinated Mr. Elahi, the number two man in an Iranian organization dedicated to fight the Islamic Republic from Paris on October 1990 in front of his apartment's door.

Three people, **Mr. Mojtaba Mashadi, Ali Qorbanifar and Hoseyn Yazdan-setah**, all alleged to be members of the Iranian Intelligence Ministry, were arrested afterward in connection with the murder and sentenced to three years jail.

Mr. Yazdan-setah was found dead after being released from jail in mysterious circumstances and some even says that he died in prison.

Defended by two lawyers, Mr. Mashadi, now a French citizen and freed after having served twice three years term, appeared at the court as witness, yet, during the five days the trial lasted, he was constantly targeted by a French superintendent as well as lawyers for the victim as the a direct associate of the murder.

Lawyers for the defence pointed to contradictory statements made by Mr. Mashadi to the police and the counter-intelligence as well as the failures of the French security services, concluded that Mr. Mashadi served as an Iranian agent and therefore the murder of Mr. Elahi was a political assassination directed from Tehran.

Defence lawyers also claimed that the murder of Dr. Elahi was politically motivated and must be dealt as a political murder.

Pointing to Mr. Mashadi, whom they described as an agent of Iranian secret services, the lawyers said not only in previous depositions he has confirmed his belonging to Iranian Intelligence Ministry, but also that he had all the tools for carrying out the murder".

"We are examining a political murder. All existing documents shows that Mr. Mashadi was an agent of the Islamic Republic in charge of collecting information on Iranian opponents. He knew all about the plan to kill Mr. Elahi and had offered money to Mr. Qorbanifar to kill Mr. (Manoochehr)

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Abdolrahman Qasemloo, General secretary of the Democratic Party of Iranian Kurdistan, Dr. Qasem Sharafkandi and three of his colleagues, Freydoon Farrokhzad, a successful showman, Mr. Rajavi, the brother of the present leader of the Baghdad-based Mojahedeen Khalq Organisation and some other influential political and intellectual opponents are murdered by the regime's implacable terror machine.

The pattern in all the murders is the same, as Islamic Republic's secret services have penetrated opposition groups thanks to numerous spies "guided and directed by well trained and experienced agents", the DST man observes.

"The first indication that came to our attention was a meeting held at the Paris Orly airport on 16 November 1989 with the participation of Mr. Ali Ahani, the Islamic Republic's Ambassador to France (now a Deputy Foreign Minister for American and European Affairs), Mr. Ali Angizi, Director of Iran Air office in Paris, Mr. Ali Qorbanifar and a fourth person we could not identify and designated under the nickname of Beardy", Mr. Ghirou said.

Having established close contacts with Mr. Gorbanifar (the brother of Manoochehr, an arms dealer who played an important role in the "Irangate" scandal), the DST learns that Mr. Mojtaba Mashadi had been instructed by Tehran to assassinate **Dr. Manoochehr Ganji**, the leader of Derafsh Kaviani.

"At about the same time, we are informed that three other Iranian opponents are also on the Islamic Republic's hit list, but despite all efforts, French secret services and counter-intelligence agencies, due probably to mistakes, fail to identify the men, one of them might have been Dr. Elahi", the Superintendent continued.

The President - What do you know about Mr. Mashadi?

Superintendent - As far as we knew, he had met personally Mr. Fallahian at the end of 1989 in Tehran. From that time, one can consider him as someone who was responsible for preparing for the operations, in charge of the logistics and paving the way for the killers.

Elahi was the first victim that, unfortunately, our services could not prevent the assassination to happen, as he did not had an important position among the opponents, he added, despite the fact that the victim was the number two man in the Derafsh Kaviani, then one of the most active anti-Islamic Republic groups.

In the first meeting with Mashadi, he denied having any contact with Iranian intelligence services. But in the second and third confrontation, he rescinds, confesses to his close collaboration with the Intelligence Ministry and tells us that on instructions from the Ministry, he was gathering information on the whereabouts of Mr. Shoja'eddin Shafa (a prolific writer, historian, researcher and translator) and Mr. Cyrus Elahi. Mr. Ganji was added to the list from July 1989.

As contacts with Mr. Mashadi would continue without bearing any positive results, in order to prevent the murder of the three men on the hit list and of whom we had no clue, it was decided to neutralise him after the assassination of Dr. Elahi.

Meanwhile, **Dr. Reza Mazlooman** was killed by agents that had come from Germany.

(Last week, a Paris criminal court sentenced Mr. Ahmad Jayhooni, an Iranian living in Germany to 17 years imprisonment on charges of association in the murder of Dr. Mazlooman).

The President – Since 1989, you knew Mr. Mashadi and were in constant contact with him. How come that he was able to kill Mr. Elahi in 1990?

Superintendent – We probably made some mistakes. I consider mistakes as possible reason. (But he would not emphasises)

The president charges again, refers to the meeting in Orly Airport and asks to explain why the DST and other relevant agencies could not trace Islamic Republic's agents?

Superintendent – As I said before, we probably were wrong on some points.

The President – As of 1989, Ali Qorbanifar had informed French intelligence agencies that Mashadi is an agent of the Islamic Republic..

Superintendent – We did not know Dr. Cyrus Elahi well enough and did not have proper contacts with Mr. Ganji's organisation. Therefore, our goal was to establish the identities of possible victims first and identify the murderers..

The President – Mr. Superintendent, why you did not act when Mashadi informed you about the task he had been ordered to perform?

Superintendent – Mashadi would talk too much. Most of our informers were drug smugglers. In my personal opinion, the Islamic Republic employs drug smugglers as sources of information and intelligence on the opponents.

The President – With all the contacts and connections you had, how is that you could not prevent the killings? Can't, one deduct that you wouldn't use your information but only after assassinations?

Superintendent – I can't answer all your questions. I'm an intelligence officer with heavy responsibilities. There are shadows I can't talk about.

The hearings are expected to last until Friday, with other witnesses, particularly Dr. Ganji, **Mr. Abolhasan Banisadr**, Islamic Iran's first president and **Abolqasem Farhad Mesbahi**, alias "Witness C" of the Berlin's "Mykonos" Court give evidences. **ENDS ELAHI TRIAL 28601**

Ganji (the leader of the Paris-based Derafsh Kaviani Organisation), said the Public Prosecutor.

But for Mr. Mashadi's lawyers, he is the victim of a "great mise en scene" and "pressures coming from all sides".

"In this scenario, the man who plays the key role is not Mashadi, but Mr. Ali Qorbanifar, a man who not only is free despite his participation in the murder, but also enjoys the protection of the French judicial authorities", they said.

According to Mr. Mashadi's lawyers, Mr. Qorbanifar is a double agent who had denounced their client as having participated in the assassination of Dr. Elahi and prepared the logistics for the killers.

"It is clear to all that those who order political assassinations, those who carries them and those who organizes are always in the shadow. But Mr. Mashadi is not in the shadow. If one should have been on the accused chair, it must be Mr. Qorbanifar and not Mr. Mashadi, one lawyer for the accused said.