

Extracts from the instruction relative to the double assassination of Chapour Bakhtiar and Sorouch Katibeth.

PART ONE: THE CIRCUMSTANCES OF THE DISCOVERY OF THE DOUBLE ASSASSINATION. ANALYSIS OF THE SUBSEQUENT POLICE AND JUDICIAL INSTRUMENTS.

At first, the Paris Crime Squad Police Headquarters officers leading the investigations and to whom the matter was referred on 8th August at 12 AM, promptly defined that the murderer(s) had notably used two knives that were normally part of the utensils which Katibeth and the occupiers of the villa were in the habit of using. Consequently, it could be stated that the murderer(s) were not in possession of knives when they entered Chapour BAKHTIAR's place of residence. [...]

The consultation of the register kept by the 'CRSS' (members of the state security police) in the guardroom revealed that on 6th August 1991 at 5 PM Farydoun BOYERAHMADI, Mohammad AZADI, and Ali VAKILI RAD had come to visit Mr BAKHTIAR for one hour. [...]

These three witnesses and any possible piece of evidence were looked for. Meanwhile, forensic science operations were carried out during the night of 8th to 9th August 1991, enabling to refine the comprehension of the sequence of these criminal facts. [...]

Considering the body's state of putrefaction, the moment of the death could be analysed as having occurred *more than twenty-four hours but less than forty-eight hours before, being closer to forty-eight hours at the time the autopsy took place*. Since this time span was assessed by both forensic scientists on the basis of the moment when the body was discovered – on 8th August around 11.55 AM, it could be assumed that both assassinations had been committed before 7th August 1991 at 11.55 AM – according to the meaning of the terms *more than twenty-four hours* - and more likely on 6th August 1991 after 11.55 AM – according to the meaning of the terms *being closer to forty-eight hours at the time the autopsy took place*. [...]

In effect, Chapour BAKHTIAR did not attempt to escape or defend himself.

At the forensic level, the finding that he had not been seized by the arms – absence of 'gripping lesions' - proved that he did not attempt to escape. At the same level, the forensic scientists' observation according to which his upper limbs did not reveal any sign of 'defence lesions' demonstrated that he did not attempt to defend himself. [...]

It could thus be assumed that while he had been surprised by the attack, he had not been surprised by the physiognomy of his murderer(s). The victim, BAKHTIAR, reacted that way either because his assailants had been introduced to him by trustworthy outsiders, or because he knew the said person(s). [...]

Both victims were murdered according to similar methods. [...]

This first analysis ensuing from the findings of KATIBETH's autopsy also highlighted [...] the perpetrators plurality. [...]



At the forensic level indeed, the hypothesis according to which the person who seized him by the face also grasped him – were it merely to avoid the resistance of KATIBETH, who could have attempted to push his assailant away, and the noise which the falling of his body would have unavoidably made - was dismissed.

That fact could thus only be attributed to a second person who was standing right behind him. This duality of the perpetrators was incidentally revealed by the fact that KATIBETH was unable to make the slightest gesture. His cloths were neither torn nor untidy. No fabric trace was found under the nails of his hands. Even if the extreme brutality characterizing his facial mugging was taken into account, that does not mean that KATIBETH was deprived of a defensive reaction. Now, this was not the case for he was hindered from reacting as such by a person different from the one who was seizing him by the face. [...]

The measuring out of both victims' 'vitreous humour' led to the conclusion that the death had taken place at a moment superior to forty-eight hours before, starting from the time of the taking. Since the sample taken from BAKHTIAR was carried out Thursday 8th August around 10 PM, there were henceforth grounds for asserting that his assassination had occurred Tuesday 6th August 1991 before 10 PM.

Moreover, the forensic indication that his death *occurred soon after a meal including rice-based dishes* enabled to conclude that his assassination took place soon after the lunch of 6th August during which rice had indeed been consumed.

Since KATIBETH returned to the villa, 37 rue de Cluseret, on 6th August around 4.40 PM, it was obvious that the murder was committed between 4.40 PM and 10 PM on Tuesday 6th August. [...]

Being 37 rue Cluseret soon after both corps were discovered on Thursday 8th August 1991, Guy BAKHTIAR explained that on 6th August around 5 PM his father was expecting the visit of three men, namely Farydoun BOYERAHMADI, whom he knew as being a member of the National Movement of Iranian Resistance or NMIR, the political movement led by Chapour BAKHTIAR, Mohammad AZADI, and Ali VAKILI RAD, who were both strangers to him.

According to Guy BAKHTIAR, when he left his father around 3.15 PM, the latter handed over 'the list of the visitors' to him without making any comment or giving him any specific instructions. [...]

The member of the state security police ('CRS' in French) DUCHEZ stated that Sourouch KATIBETH had only returned to the villa at 4.40 PM that afternoon. Twenty minutes later, deputy sergeant ZOLVER, who was on guard at the entrance of the house, had informed him that the expected visitors had arrived. Sergeant DUCHEZ had entrusted his colleague BESANCON with the task of taking them to the villa. The three men had entered the room reserved to the police officers that was located on garden level. Having had the identity papers held by these three individuals handed over to him, sergeant DUCHEZ had ordered police officer BESANCON to carry out the security palpations on their body. Officer BESANCON had also subjected to the metal detector a parcel obviously containing a frame and which was held by one of the visitors. [...]

Around 6 PM, the three visitors had left the house. [...]

The investigation on the blatant murder highlighted the fact that no other visitor had showed up during the time span corresponding to the performance duration of the double assassination.

The minute lists that were carried out around the victims' house and the neighbourhood investigation did not point at any element likely to direct the researches toward some intruders who could have succeeded in surprising the surveillance of the 'CRSs' who were in charge of the surveillance of Mr BAKHTIAR's house.

On the other hand, BOYERAHMADEI, VAKILI RAD, and AZADI's involvement was confirmed by the fact that they could not be found on 8th August.

Jasmid BOYERAHMADEI, Farydoun BOYERAHMADEI's uncle, confirmed that his nephew was a very close associate to Mr BAKHTIAR and belonged to his political movement. [...]

As soon as 9th August 1991, it was thus logical to devise that on 6th August Farydoun BOYERAHMADEI had introduced Ali VAKILI RAD and Mohammad AZADI to BAKHTIAR on some pretence. Being thus in his presence, they were able to assassinate him before turning against Sorouch KATIBETH, who had remained on the terrace at the back of the building until 5.45 PM.

The researches that were carried out by the investigators with a view to define the reasons for which VAKILI RAD and AZADI had come to France and to determine what they had been doing from 6th August 1991 onwards underlined, on the one hand, that both Iranian nationals had specially come to France in order to meet Mr BAKHTIAR, and, on the other hand, that no sooner had they gone out from the latter's house than they had done their best to leave France as quickly as possible while BOYERAHMADEI had remained hidden in Paris until 15th August 1991. [...]

In fact, it turned out that it was BAKHTIAR's activities in Iran before his exile and then afterwards in France which caused his assassination. [...]

[...] Until 1978 Mr BAKHTIAR was a sworn opponent to the Imperial government of the Iranian Shah, Reza PAHLAVI.

However, [...] he was appointed Prime Minister of the Imperial government on 4th January 1979.

Faced with an insurrectionary context, Mr BAKHTIAR was overthrown by the revolutionary trend that spread across Iran on 1st February 1979 when Ayatollah KHOMEYNI came back. Ten days later, he was forced into exile and succeeded in reaching France secretly.

Though it has never been officially proved that a 'fatwa' was issued against him, it was quickly acknowledged – i.e. from 14th May 1979 onwards – that he had every reasons to fear Iranian political and religious authorities.

On 14th May 1979 Ayatollah KHALKHALI, 'a religious judge and Chairman of the Revolutionary Court', agreed to be interviewed in the Iranian newspaper KAYAN. He proclaimed his intention to eliminate the corrupters on earth. Declaring that those who left Iran after the Revolution were considered genuine criminals and incurred the death penalty, Ayatollah KHALKHALI named Mr BAKHTIAR among the persons for which this remark was intended.

Without overestimating the scope or the incidence of such remarks, it is necessary to note that on 7th December 1979, following the assassination in Paris of Mustapha CHAFIK - a member of the Imperial Family, Ayatollah KAHLKAHLI reiterated his threats against Mr BAKHTIAR. Declaring that *the Islamic Feydayins were carrying on their activities in Europe and the United-States so as to locate and punish the criminals for their offences*, Ayatollah KHALKHALI cited Mr BAKHTIAR as a target for *he was campaigning against Imam KHOMEYNI from his place of exile in Paris*.

On 18th July 1980, in the French area of Neuilly sur Seine, a commando led by Anis NACCACHE attempted to assassinate Mr BAKHTIAR. The interventions of a stranger and police officers prevented that criminal plan from being performed.

[...]during the years 1989, 1990, and 1991 similar criminal actions were reiterated.

On 4th June 1989 Ataola BOYAHMADI, a member of the monarchist organization the Flag of Freedom Organization of Iran - FFOI, was assassinated in Dubai by unidentified persons.

The victim of this murder had been one of BAKHTIAR's associates in Iran before he joined the monarchist supporters. The findings of the investigation expedited in Dubai highlighted the fact that, on the day of his assassination, Mr BOYAHMADI was to meet an Iranian civil servant named *KABIRI Arai*, or AKBAR HASSAN alias KABIRI.

On 23rd October 1990 CYRUS ELAHI, a member of the FFOI, was shot in Paris by someone who succeeded in escaping. According to Mr GANDJI, the FFOI official, both murders, for which no one ever claimed responsibility, were connected.

On 18th April 1991 around 1.30 PM Mr BOUROUMAND, the chairman of the executive board of Mr BAKHTIAR's party NMIR, was stabbed in the hall of his place of residence in Paris by someone who succeeded in escaping. Mr BOUROUMAND was going back home after meeting Mr BAKHTIAR to talk over some issues related to the NMIR. [...]

[...] the murder of two of the NMIR main leaders occurring four months apart weakened this political organization.

We are entitled to believe that the intention to reduce the room to manoeuvre of the NMIR, the political movement of opposition to the established Iranian authorities, adds to the homicidal plan strictly speaking which was carried out by Mr BAKHTIAR's murderers.

At the end of the first part of this instruction, the involvement of the last three visitors, whom Mr BAKHTIAR knew, and the incidence of their criminal act on the NMIR's militant potential, which has been substantially affected or limited, shall be taken for granted.

However, this homicidal act [...] did not result from BOYERAHMADI, VAKILI RAD, and AZADI's sole intention, but from the outcome of a fraudulent cooperation, whose geographical basis and operating mode are revealed, on the one hand, by the examination of the circumstances of AZADI and VAKILI RAD's arrival in France, and, on the other hand, by AZADI's and VAKILI RAD's respective behaviour following 6th August 1991. [...]

PART TWO: ANALYSIS OF THE CIRCUMSTANCES OF VAKILI RAD AND AZADI'S ARRIVAL AND STAY IN FRANCE. EXAMINATION OF VAKILI RAD'S, AZADI'S, AND BOYERAHMADE'S BEHAVIOUR FROM 6TH AUGUST 1991.

The judicial inquiry highlights that while BOYERAHMADE Farydoun was legally staying in France since 1984, his two accomplices specially organized themselves in order to approach Mr BAKHTIAR. [...]

On 13th June 1991 Farydoun BOYERAHMADE drafted two accommodation certificates. Declaring to live 2, rue Goiot in REIMS - his friend MICHEL's residence, BOYERAHMADE certified on his honour that he had the possibility to put up *two friends*, VAKILI RAD and AZADI, *for vacation* from 15th June to 15th September 1991. Both certificates were deposited with the town council of REIMS on 16th June.

Ten days later, [...] a man pretending to be NORIAN NASSER and holding passport N° 4067944 asked the French Embassy in Teheran to deliver him a two-week visa starting on 10th July 1991.

Pretending to live *Av. Teheran now Av. Pars N° 51 in Teheran*, NORIAN NASSER explained that he intended to buy electronic components to Mrs GIRARD, a member of the French Company SYFAX, based 66 bis, av. V. Cresson in ISSY-LES-MOULINEAUX.

On 26th June another man pretending to be KAMAL HOSSEINI Amir and holding passport N° 3830757 made an application similar to that of NORIAN NASSER.

Six or seven days earlier, somebody called Massoud HENDI contacted one of the founders of the SYFAX Company named ABDOUN.

Heard on 13th September 1991, Mustapha ABDOUN explained that the SYFAX Company, whose *commercial purpose consisted in developing and negotiating electronic components with North Africa and Iran*, had a commercial assistant named Massoud HENDI in the latter country.

[...] Around 19th June 1991 HENDI sent a fax to Mr ABDOUN. He asked him to *kindly send two visa applications as quickly as possible for Messrs KAMAL HOSSEINI and NORIAN NASSER*, whose details - address, passport number, and date of validity - were mentioned in the letter. [...]

If they had not been invited by a French Company, their visa applications such as they were deposited with the French Embassy would not have been accepted. [...]

In fact, on 15th September 1991, the judicial experts GUMARD and ROUCHAUD found that the pictures put on the visa applications deposited by NORIAN and KAMAL HOSSEINI represented two individuals exactly corresponding to AZADI and VAKILI RAD.

It is thus taken for granted that from mid-June 1991 two of BAKHTIAR's murderers attempted to leave Iran for France on the pretence of a commercial purpose and under false identities, while BOYERAHMADE was taking the necessary administrative steps so as to put them up between 15th June to 15th September 1991.

[...] For unknown reasons, they chose to postpone their departure to the end of July. However, it could henceforth be understood that:

- 1) as soon as July 1991, AZADI and VAKILI RAD were able to enter France either through HENDI or BOYERAHMADI.
- 2) on the one hand, BOYERAHMADI's aforementioned intervention revealed his connivance with two of Mr BAKHTIAR's murderers, and, on the other hand, HENDI's intervention meant that AZADI and VAKILI RAD benefited from contacts within the Iranian agencies authorized to trade with FRANCE. [...]

In June 1991, at the request made by a man named Hossein SHEIKHATTAR - an adviser for the Iranian Department of Telecommunications - he [Massoud Seyed HENDI] accepted to *intervene with French consular authorities in order to obtain the delivery of two visas for two of his friends who wished to come in France with a view to buy electronic components.*

Next to a second call made by Mr SHEIKHATTAR, he obtained the identity of the two *friends* and sent the faxes - eventually found in the premises of the SYFAX Company - before he had a discussion in Teheran with a French national, Mr CASSIER's associate, who was more specifically in charge of the cases related to the persons wishing to come in France.

Having obtained an appointment, HENDI informed SHEIKHATTAR of it.

On the day of the appointment, NORIAN (AZADI) or KAMAL HOSSEINI (VAKILI RAD) called him in his office in the departments of the Iranian Television IRIB - Islamic Republic of Iran Broadcasting - in Teheran. [...]

This implication of Hossein SHEIKHATTAR unveiled that AZADI and VAKILI RAD, known for that matter by BOYERAHMADI as soon as 13th June, did not fit the profile of 'common law offenders', and that a non-subordinate member of Iranian High-Ranking Civil Service was directly involved in their coming in FRANCE. [...]

On 17th July they made a second visa application with the French Embassy. They stated the names of VAKILI RAD and AZADI.

[...] both applications, recorded on 21st July, were favourably received on 26th July. [...]

They landed at Orly airport on 30th July 1991 at 11.30 AM. BOYERAHMADI picked them up. The investigations carried out with respect to that period of the case quickly underlined that the latter had endeavoured to enable them to dwell in Paris until 6th August without mishap and to make it easier for them to have access to Mr BAKHTIAR's place residence. [...]

It was found that [...] during the morning of 6th August 1991, BOYERAHMADI was focusing on leaving FRANCE as quickly as possible.

[...] it turned out that on 2nd August 1991 VAKILI RAD had, thanks to accomplices based in Iran, rented under an assumed name a studio apartment located in a building, 36 av. d'Italie in Paris (75013), in which he had found refuge until 13th August 1991.

This [...] point confirms that the plot hatched against Mr BAKHTIAR was decided on in IRAN.

This witness [Miss AZIMI] told the investigators that 'Farydoun' obviously had a lot of money and was spending it lavishly at that time.

Moreover, it could be devised that BOYERAHMADEI was part of the people who, by the end of July, knew that the suitable moment to kill Chapour BAKHTIAR would be in August.

On 27th July BOYERAHMADEI was taking part in a meeting of the NMIR Board in the villa at 37, rue Cluseret. [...]

BOYERAHMADEI could then incidentally notice that the gardener and the maid – Mr RIBEIRO and Mrs RODRIGUEZ – had just gone abroad for vacation [...]. BOYERAHMADEI thus knew that, apart from KATIBETH, BAKHTIAR would be alone in the house in August.

It should be recalled that VAKILI RAD and AZADI had obtained their visa on 26th July [...].

On 6th August 1991, between 10 and 11 PM, HOSSEIN DANESH EDALAT, the manager of the car rental company 'RENT A CAR', located 55 av. E. VAILLANT in BOULOGNE BILLANCOURT, was visited by BOYERAHMADEI. According to DANESH EDALAT, BOYERAHMADEI wanted to rent a *big and fast car* in order to go to DEAUVILLE. He offered to pay the rental price in cash. However, although ESH EDALAT had just photocopied his driving licence, he changed his mind and seized the original of this document. Before he left the branch of the company – where he never came back, he orally reiterated his request for a *big and fast car*.

[...] the request he made in the morning of 6th August with DANESH EDALAT proved his intention to be able to leave Paris and the Paris area without being identifiable. [...]

However, it was incidentally learnt on 15th August 1991 that VAKILI RAD had, under the assumed name of NASSERI, rented a studio apartment to Mrs SALAHSHOUR at 36, av. d'Italie in Paris (75013) on 2nd August.

According to Mrs SALAHSHOUR's testimony recorded on 15th August 1991 at 10.30 PM, she had first received a phone call from Iran on 25th July. The caller had said his name was NASSERI. [...]

On 13th August around 8 PM [...] Mrs SALAHSHOUR decided to go to the studio apartment immediately. [...] Someone inside refused to let them in. Being eventually in his presence, they could notice that he was relatively tall [...].

Being back in her home, the witness watched a television report from which she identified this second individual as being Farydoun BOYERAHMADEI.

[...] the following day at 7.25 PM Mrs SALAHSHOUR eventually informed the police.

The search confirmed that Farydoun BOYERAHMADEI had found refuge in the studio apartment rented by VAKILI RAD under the name of NASSERI [...].

On 7th August an Iranian telephone number – 987412129, which had already been called in July from his place of residence in ISSY-LES-MOULINEAUX, was dialed from a public telephone booth 40, Av. d'Italie.

The discovery of this hideout led to the conclusion that the authors of the agreement initiated by SHEIKHATTAR from Iran had planned to organize a refuge or a place to stay in Paris. VAKILI RAD had been in charge of contacting the owner of the place while BOYERAHMADEI had lived in it from 7th to 13th August 1991.

We were henceforth entitled to state that the criminal conspiracy had operated in Iran at the conceptual level of the criminal plan, but also in Paris, a city located in the immediate vicinity of the place where the double assassination was committed.

In any case, a connection established by the investigators on 20th September 1991 enabled to find the implication or the peculiar negligence of the Iranian Civil Service in relation to the delivery of VAKILI RAD's and AZADI's passport.

The comparison of the delivery dates of the different passports which the Iranian Civil Service had delivered to AZADI and VAKILI RAD revealed that on 29th May 1991 AZADI had benefited from the delivery of passport N° 4067944 under the name of NORIAN, while VAKILI had obtained passport N° 4067942. [...] This connection enables to understand that the Iranian Civil Service granted AZADI the possibility to have two passports under two different names while he was benefiting from the recommendation of SHEIKHATTAR, a high-ranking civil servant of the Iranian State...[...]

VAKILI RAD, AZADI, and BOYERAHMADEI broke apart after their pause in the Hood of Boulogne ('Bois de Boulogne' in French).

VAKILI RAD, who was the only one arrested, [...]

According to VAKILI RAD, BOYERAHMADEI offered to rejoin them. [...] *They would meet again either in Turkey or in Iran.*

Because we lack material elements, we can only rely on VAKILI RAD's admissions on that point.

Notwithstanding the researches that have focused on him since 8th August 1991 in the afternoon, we shall consider that BOYERAHMADEI succeeded in evading them.

We could only learn that:

- 1) [...]
- 2) on 13th August 1991 he was hidden in the studio apartment which VAKILI RAD had rented under an assumed name in a building located 36, av. d'Italie in Paris.
- 3) on 14th August 1991 around 2.30 AM he had phoned his friend Shoreh AZIMI.
- 4) on 14th and 15th August 1991 he had stayed in a second apartment flat located 1/3, rue Saint-Charles in Paris (75015) that was rented by an Iranian national whose name apparently was DJAHANGHIR or MIR DJAHANGHIR.

According to Mrs SHAHMOHAMMADLOU, somebody called Yazdi BOUROUMAND had played the part of a mediator for the rental of her studio apartment to a *Doctor* named Mr DJAHANGHIR. In the morning of 12th August this Iranian national had phoned Mrs BAROUMAND, who was domiciled in Paris. He had explained her that he was looking for a

studio apartment for a friend of his who was expecting the delivery of a visa for the United States or England. [...]

The following day, on 14th August, DJAHANGHIR was in the studio with his friend. On 15th August in the morning Mrs SHAHMOHAMMADLOU and Mrs BAROUMAND made an unexpected visit to the studio apartment.

They were in the presence of the said-friend who introduced himself under the name of AKBARI or AKBARIAN.

On 16th August the studio apartment was empty. On 22nd September both witnesses judged that AKBARI or AKBARIAN looked like BOYERAHMADEI [...].

It should be underlined that somebody called JAVANSHIR, and not DJAHANGHIR, spent some time in the ARCADE hotel of Orly from 11th to 14th August indeed, and that he called [...] from one of the hotel public telephone booths. On 11th and 13th August three phone numbers were dialed from that booth - i.e. N° 98.21.82.42.01., 98.21.53.74.50., and 98.21.37.08.39.

These investigations highlight that from 11th August 1991 one or several Iranian nationals staying at the ARCADE hotel of Orly had rented the studio apartment located 1/3, rue Saint-Charles, where BOYERAHMADEI found refuge after he left the studio apartment 36, av. d'Italie.

[...] reveals that the criminal conspiracy operated in that hotel where the individual who had met Mrs BAROUMAND stated he was staying since he had arrived in France.

Moreover, we shall take notice of the fact that the phone calls that were passed to Turkey and Iran exactly correspond to the time span during which the contacts with Mrs BAROUMAND with respect to the rental of the studio apartment were made.

Lastly, it should be underlined that the place of the appointment given by DJAHANGHIR to BAROUMAND was close to the studio in which BOYERAHMADEI was on 13th August indeed.

Everything points to the fact that the organization of BOYERAHMADEI's secret accommodation in Paris - 36, av. d'Italie and then 1/3, rue Saint-Charles - was planned in Iran as soon as 25th July 1991. [...] from 7th August [...] to 15th August 1991 at least, this criminal conspiracy was operating in the French capital city.

The fact that VAKILI RAD rented the studio apartment 36, av. d'Italie on 2nd August 1991 can now be explained: it was part of the support from which BOYERAHMADEI was to benefit once Mr BAKHTIAR was assassinated.

Lastly, these elements account, on the one hand, for the reason of his breaking apart with both his accomplices on 6th August, and, on the other hand, for the success of his escape.

As a conclusion, we shall take as an established hypothesis that BOYERAHMADEI, who was directed by phone from Iran and Turkey, benefited in Paris from an assistance, the authors of which could not be identified. [...]

On 7th August 1991 around 1.40 AM AZADI and VAKILI RAD arrived at Annecy train station – the place which, according to VAKILI RAD, BOYERAHMADI had told them to reach as quickly as possible. [...]

[...] VAKILI RAD wanted to go to GENEVA [...]. [...] the Taxi driver, CHABERT, drove towards the border. They were controlled by the Swiss Customs at THONEX VALLARD customs house.

On 12th August customs officer BONVIN explained to the investigating magistrate Mr DUMARTHÉRAY in the presence of the French Police that, while the taxi driver could prove his identity, the two passengers had produced Turkish passports appended of Swiss visas that had been delivered by the Embassy in Teheran.

Both visas turned out to be false. [...] Moreover, the number 1021 mentioned on the visa corresponded to the number of dozens of Swiss consulates in France, as opposed to the number of the Swiss Embassy in Teheran, where the visas appeared to be issued. [...]

Their Turkish correspondent urged them to reach GENEVA as quickly as possible. They were expected to be in front of the premises of the IRAN AIR company the following day at 2 PM.

Thus, VAKILI RAD incidentally confirmed that, on 11th and 12th August 1991, some members of the conspiracy were able to stay in France and help them so as to give them the necessary pieces of advice during the period corresponding to their escape.

Whereas it seems that VAKILI RAD had not been able to meet the people who were to assist him, it was demonstrated that AZADI had efficiently been helped and thus managed to escape detection.

AZADI has managed to escape detection until now. Various elements show that he benefited from an organized assistance made up of at least two Iranian nationals in SWITZERLAND. [...]

It was only reported that he was accompanied by a Middle Eastern-looking individual on 20th August around 7 PM [...].

According his former statements, on 13th August 1991 he had given his false passport bearing the name of KOCER to an Iranian national, whom he said was named AKBARI BIJAN, in front of the branch of the IRAN AIR company in GENEVA. On 14th August 1991 the latter was supposed to give him another counterfeited passport at the same place. Since he *had missed* the appointment, VAKILI RAD explained that he had wandered in the city until he was arrested.

On 15th August 1991 AZADI was identified by the porter of the ETOILE hotel, Mr CHAOULI, as being the individual who had appeared at the entrance hall on 13th August 1991 around 12.30 AM [...]. He went to room N° 528 of the ETOILE hotel, an establishment in which another Iranian national [GHASEMI or GHASEMI NEJAD Nasser] was staying since 9th August.

The use of the file section dedicated to the conditions relative to Nasser GHASMI NEJAD's entry in SWITZERLAND revealed that the Swiss businessman Ernst Jean SIEGRIST, a director for the COMATRA Company located 2, Chemin de Lussex 1008 JOUXTENS MEZERY – canton of VAUD – had enabled him to enter Switzerland according to a scheme

similar to that used in June 1991 by HENDI Massoud in order to betray the good faith of the managers of the French Company SYFAX.

On 9th January 1992 SIEGRIST explained that he had made a trip to TEHERAN in June 1991 in the framework of his commercial relations with Iran. On the advice of an acquaintance, Mrs SPIESS - who was specialized in Iranian caviar trade, he had expected to meet a man in particular *from the BARTON Company* called Hassan SHOORIDEH. Thanks to the intervention of somebody called KERMANCHI, the Chairman and Managing Director of the Iranian Company TOLIMA, he had obtained a visa for IRAN, where he entered at the beginning of June 1991. His contact in TEHERAN was Mr YOUSEFI, the technical manager of the M.S.A. Company who had been his correspondent in this country for more than ten years. [...]

Before he went back to SWITZERLAND, SIEGRIST had met SHOORIDEH one more time. The latter had then incidentally asked him *if he could do him a favor in passing*. Two of his business friends *wanted to go to Switzerland very soon*, and he wished that SIEGRIST could send an invitation telex to the SWISS Embassy for these two persons. SIEGRIST accepted.

Being back in SWITZERLAND, on 27th June 1991 SIEGRIST sent to the SWISS Embassy in IRAN a telex by which he requested the delivery of two visas at the benefit of ARDESHIR FAEZI and Nasser GHASMI NEJAD for a time period comprised between 10th July and 10th August 1991.

The two hand-written documents mentioning both individuals' details were seized in the premises of the COMATRA Company on 9th January 1992. [...]

According to SIEGRIST, on 27th June 1991 he had informed Hassan SHOORIDEH of his application with the SWISS Consulate in TEHERAN. This businessman had relations in several Iranian Departments and knew some of the *cousins of Ali KHAMEINI, KHOMEINI's successor*. [...]

On 19th July, SIEGRIST gave notice to his Embassy in TEHERAN that he had undertaken to cover all the expenses related to FAEZI and GHASMI NEJAD's trip. [...]

[...] on 7th August 1991, Nasser GHASMI NEJAD obtained a two-week visa under the pretence that he had to work in GENEVA. [...]

[It was established that] GHASMI, or GHASEMI, NEJAD Nasser had met AZADI in GENEVA. [...]

It was proved that from 9th to 14th August Nasser GHASMI NEJAD had stayed alone in room N° 41 in the ETOILE hotel in which AZADI had stopped on 13th August and occupied with the latter a room in the JEAN-JACQUES ROUSSEAU hotel at 13, rue ROUSSEAU in GENEVA on 14th August. [...]

[...] this implicated party was the only Iranian national in the ETOILE hotel [...]

[...] because on 13th August Nasser GHASMI NEJAD, who had specially come to GENEVA, was organizing his [AZADI's] repatriation with the help of his accomplices.

On 13th August 1991 around 11 AM two *Iranian-looking* individuals introduced themselves to Mr CHARDONNENS, the owner of the JEAN-JACQUES ROUSSEAU hotel. [...]

The researches revealed that one of the two men who had talked to Mr CHARDONNENS had filled his associate's green history card, mentioning the name of 'Nasser GHASMI NEJAD', born in TEHERAN in 1960, living at 'TEHERAN PARAZI ST N° 31', and holding passport N° 3444095.

The comparison of this green history card with the one completed on 9th August 1991 by GHASEMI or GHASMI NEJAD Nasser in the ETOILE hotel highlighted that the same passport had been submitted on 9th August 1991 and then on 13th August at the JEAN-JACQUES ROUSSEAU hotel.

This comparison revealed that GHASMI NEJAD Nasser had reached the JEAN-JACQUES ROUSSEAU hotel where an accomplice – then non-identified – had shown him in so as to book a double room. [...]

The following day, on 14th August, that individual [...] paid the receptionist Mrs ERICSSON the price for three extra nights. To a question asked by Mrs ERICSSON, he answered that *some friends* were living in room N° 31. To the receptionist's request, he filled [...] the second friend's green history card, mentioning the name of REZAGE Hamid, holder of passport N° 236 433, Iranian national born 'on 7th December 1959 in TEHERAN', and living in that city at 'AIR FORCE ST N° 416'.

Then, this individual went to room N° 31 from which he went down with a man called GHASMI NEJAD. A few moments later, a third man went down. [...] This man [...] was identified by Mrs ERICSSON as being AZADI Mohammad.

Another employee of the JEAN-JACQUES ROUSSEAU hotel confirmed Mrs ERICSSON's testimony. AZADI had stayed in room N° 31 under the assumed name of REZAGE with GHASEMI NEJAD Nasser alias GHASEMINEGAR. [...]

[On 15th August] AZADI and GHASMI NEJAD left the JEAN-JACQUES ROUSSEAU hotel for good.

It has thus been proved that, unlike VAKILI RAD, AZADI succeeded in having contacts in GENEVA on 13th and 14th August 1991 with at least two Iranian nationals who had obviously been commissioned to enable him to escape researches according to a plan that had been devised a long time before. [...]

By the end of the year 1991, the continuation of the researches led to the identification of a person who had worked for the conspiracy in SWITZERLAND. He was an Iranian national named Zeynolabedine SARHADI.

According to the investigations carried out by the Helvetian Police on International Letters Rogatory, it was established that SARAHDI, the holder of passport N° 4196109 delivered in 'TEHERAN' on 24th July 1991, had submitted a request to the SWISS Embassy in TEHERAN in order to be able to make a three-month visit in BERN from 6th August 1991. On 30th July 1991 he was granted a three-month visa.

SARAHDI's visit in the city of BERN has never been demonstrated. Yet, on 13th August SARAHDI went to the BERNINA hotel in GENEVA [...] as soon as he arrived in SWITZERLAND.

The examination of the green history card revealed that he had stated to be living in 'TEHERAN, at AIR FORCE ST N° 416'. The genuine motivation of SARAHDHI's presence in GENEVA was revealed by the examination of phone calls.

[...] On 14th August the JEAN-JACQUES ROUSSEAU hotel was called three times from the room occupied by SARAHDHI in the BERNINA hotel. Two of these calls, passed at 7.53 PM and 9.21 PM, may have been received by GHASMI NEJAD Nasser and AZADI. [...]

On 3rd September 1991 Zeynolabedine SARAHDHI landed again from TEHERAN at the GENEVA airport. On 29th August he had made another visa application that was forthwith allowed on the presentation of a second passport – N° 4373326 – delivered three days earlier. He had declared to be living at the IRANIAN Embassy in BERN. It is in that city that he was eventually arrested on 23rd December 1991.

The implication of SARAHDHI was incidentally confirmed by the observation that the address stated to the name of REZAGE on the green history card of the JEAN-JACQUES ROUSSEAU hotel on 14th August 1991 was identical to that mentioned on 15th August by SARAHDHI on the register of the BERNINA hotel: 'AIR FORCE ST N° 416' in TEHERAN [...].

These facts constitute precise and corroborating pieces of evidence of GHASMI NEJAD's and SARAHDHI's implication in AZADI's reception in GENEVA on 13th and 14th August 1991 [...].

An ultimate observation should be made regarding the concept according to which the criminal conspiracy took root in the city of GENEVA from August 1991 – time when GHASMI NEJAD and SARAHDHI arrived in GENEVA.

Studying the map of GENEVA enables to find out that the hotels frequented by the murderers and their accomplices, and one of the places of appointment – the IRAN AIR Company – are located in the same area on the right bank of the river Rhone, and are not far from one another.

We are thus able to assess the high level of organization that prevailed within the criminal conspiracy. Its members took care of avoiding any displacement of a distance that would have been incompatible with security demands, and of being able to meet easily and rapidly...

Moreover, it is taken for granted that, apart from the conspiracy's functioning, the organization of the repatriation of at least two of Mr BAKHTIAR's murderers – VAKILI RAD and AZADI – had taken place far before the date when the double assassination was performed. It is in May, June, and July 1991 that the necessary steps were taken with respect to both the entry of the murderers in FRANCE and the one of their accomplices in SWITZERLAND with a view to back them up in their escape.

This second conclusion related to the understanding of the conspiracy's functioning is reached from the following facts.

- 1) Concomitantly to the steps taken by MASSOUD HENDI on 19th June 1991 with the SYFAX Company [...], the businessman in charge of the BARTON Company, SHOORIDEH, appealed to SIEGRIST to enable GHASMI or GHASMI NEJAD to enter France.

- 2) It is also in June – on 13th – that BOYERAHMADEI took the initial steps in order to have AZADI and VAKILI RAD come in FRANCE.
- 3) These steps were carried on over July. The main new element was the visa obtained by SARHADI on 30th July in order to be also able to come in SWITZERLAND.
- 4) It shall be underlined that it was on the day following the two assassinations – i.e. on 7th August, about which the French and Swiss Police and Judicial authorities and any person unrelated to the case did not know by then, that GHASMI NEJAD Nasser obtained a entry visa for SWITZERLAND. Without wasting time, this individual was operational in the city of GENEVA on 9th August.

At the end of the first two parts of this instruction, two points shall be considered as demonstrated.

As soon as June 1991 the criminal conspiracy was set up in IRAN in order to enable VAKILI RAD and AZADI to reach FRANCE without mishap, and to be able to leave FRANCE via the territory of the Swiss Confederation once the murder was committed.

The study of VAKILI RAD's and AZADI's route from 6th August 1991 clearly highlights again their involvement in the criminal facts that occurred in SURESNES. Holding false entry visas for SWITZERLAND and using the assumed names of KAYA and KOCER, they succeeded in leaving French soil while they were looked for by the Police as soon as 8th August, and then subject to two international warrants for arrest from 14th August onwards.

[...] they were directly concerned by the direction of the researches as soon as 8th August. This investigative direction was little by little [...] confirmed to the extent of reaching a level of certainty. [...]

It has been technically proved that by mid-June 1991, he [VAKILI RAD] benefited from the savoir-faire of one of the executives of the Iranian Department of Telecommunications, SHEIKHATTAR, meant who to obtain an entry visa for FRANCE via HENDI under an assumed name. [...]

It is relevant in this section to note [...] HENDI's statements according to which that individual, who had introduced himself to him in mid-June 1991 in TEHERAN under that identity [KAMAL Hosseini], was the indicted party VAKILI RAD indeed. [...]

Massoud Seyed HENDI – the person who had intervened in TEHERAN in mid-June 1991 in order to have them obtain the visas – proceeded to the same identification on 2nd October 1991.

It has been shown that VAKILI RAD was benefiting from the necessary recommendations within the Iranian High-Ranking Civil Service of the Telecommunications in order to enter FRANCE secretly. This implication of one the administrative structures of the country where the plot directed against Mr BAKHTIAR was hatched clearly highlights [...] that the modes of [his coming in FRANCE] involved certain sectors the Civil Service of the State of IRAN. [...]

Specially coming from IRAN, AZADI and VAKILI RAD committed the double assassination that occurred in SURESNES together with BOYERAHMADEI.

[...] the criminal conspiracy set up in the agglomeration of TEHERAN in IRAN planned the modes of transport of two of the murderers and their fallback route via GENEVA.

PART THREE: ANALYSIS OF THE FUNCTIONING OF THE CRIMINAL CONSPIRACY SET UP IN ORDER TO ASSASSINATE Mr BAKHTIAR.

By the end of the first two parts of this instruction, it could be learnt that as soon as May 1991 various people, among whom SHEIKHATTAR, SHOORIDEH, HENDI, SARAHDHI, and GHASMI NEJAD, had acted in IRAN so as to enable VAKILI RAD and AZADI to reach and leave FRANCE without mishap once the murder was committed. [...]

I) IRAN

Reminder

Four pieces of information formerly listed enable to assume that the criminal act which occurred in SURESNES was initiated from IRAN.

* On 29th May 1991 in TEHERAN two passports were delivered to VAKILI RAD and AZADI under the assumed names of KAMAL HOSSEINI and NORIAN. These two administrative documents were delivered under the numbers 4067942 and 4067944 and gave them the opportunity to leave IRAN under the protection of assumed names.

It was formerly underlined that these facts reveal that the Iranian public authorities in charge of passport delivery are either disorganized to such an extent that they do not control the cases that are referred to them, or were acting in connivence with two of Mr BAKHTIAR's murderers.

The second alternative shall be accepted, considering that in June and July 1991 some of the representatives of the Iranian High-Ranking Civil Service – businessmen and members of the Iranian Consular Staff – acted personally within the criminal conspiracy.

* It is in mid-June 1991 that, on the one hand, Hossein SHEIKHATTAR canvassed Massoud Seyed HENDI in order to obtain a business invitation from the French Company SYFAX for NORIAN and KAMAL HOSSEINI - AZADI and VAKILI RAD, a compulsory requirement for their coming in FRANCE, and that, on the other hand, SHOORIDEH canvassed the SWISS businessman SIEGRIST with a view to make it easier for Nasser GHASMI NEJAD, who was more specifically in charge of helping AZADI to escape, to enter the territory of the Swiss Confederation on 9th August.

In compliance with the retrospective approach authorized by the completion of the judicial investigation related to this case, the concomitance of SHEIKHATTAR's and SHOORIDEH's interventions highlights that both individuals took care in the same time of enabling the arrival of two murderers in FRANCE and of organizing their repatriation in SWITZERLAND.

* It is on 16th July 1991 that the State Department of the Islamic Republic of IRAN delivered an assignment order to SARHADI in order to have him reach SWITZERLAND between 21st July and 21st October 1991, the visa formalities being complied with on 30th July. We shall note that it is on the day following the delivery of his passport to SARAHDHI – on 25th July 1991, that somebody living in IRAN phoned Mrs SALAHSHOUR to rent the studio

apartment located 36, av. d'Italie in which BOYERAHMADE found refuge – the rent being formalized by VAKILI RAD on 2nd August.

By the end of July 1991, the level of activities within the Iranian structure was elevated. AZADI and VAKILI RAD obtained their entry visas for FRANCE on 27th July while SHOOORIDEH and HENDI were going to PARIS.

* During the first two weeks of August 1991 BOYERAHMADE obviously communicated with IRAN, and some people, who are still unidentified and had specially come from IRAN, organized BOYERAHMADE's secret accommodation in the studio apartment 1/3, rue Saint-Charles in PARIS (75015) from the ARCADE hotel of ORLY and in relation with this country.

It is henceforth possible to understand that the Iranian structures of the criminal conspiracy remained stable as regards their relationship with FRANCE and SWITZERLAND until mid-August 1991, moment corresponding to AZADI's repatriation and BOYERAHMADE's disappearance.

By virtue of these specifications allowing to assess the duration of the effectiveness of the criminal conspiracy – which remained operational until the time when AZADI and BOYERAHMADE succeeded in escaping, the respective situations of the identified persons who contributed in its functioning shall be examined.

A) Hossein SHEIKHATTAR

His implication results from the statements made by Massoud Seyed HENDI, an Iranian industrialist who was taken in for questioning on 17th September 1991 in the suite he was occupying with his family at the FLATOTEL hotel 14, rue du Théâtre in PARIS (75014).

Being kept in Police custody, Massoud Seyed HENDI explained on 18th September that, in June 1991, he had actually intervened in TEHERAN with the French consular services in favor of NORIAN (AZADI) and Kamal HOSSEINI (VAKILI) at the express request of SHEIKHATTAR who had been his friend for almost ten years and occupied management positions in the Satellite office of the Iranian Department of Telecommunications.

Being questioned on SHEIKHATTAR's professional activities, HENDI informed the investigators that the latter was a *VIP who had traveled a lot for the past ten years*. Despite the fact that he was a high-ranking expert, he had fallen into disgrace with the authorities of his countries since 1990. Because he had been downgraded to an advising function, he no longer had a decision-making power and could not go abroad any more.

According to HENDI, SHEIKHATTAR had phoned him between 15th and 20th July 1991. He had asked him to intervene with the French Consulate in TEHERAN for two friends of his, two experts and members of a private company who wished to go to FRANCE in order to buy components. SHEIKHATTAR had given the names of NORIAN and KAMAL HOSSEINI to HENDI who had accepted to take this step.

A few days later, HENDI, who was concerned about getting further information, and SHEIKHATTAR had another conversation.

At the end of this process [...], two entry visas were granted to NORIAN (AZADI) and KAMAL HOSSEINI (VAKILI RAD) on 2nd July on the motive that they planned to pay the French Company SYFAX a commercial visit...

According HENDI's opinion, the fact that SHEIKHATTAR took this step could be explained by the impossibility for the latter to obtain visas due to his disgrace. After his intervention, SHEIKHATTAR did not tell him anything regarding the case of NORIAN and KAMAL HOSSEINI. While he was kept in Police custody, HENDI believed that SHEIKHATTAR had been the victim of a *trap*, for NORIAN and KAMAL HOSSEINI did *neither look nor behave like the people of our caste*.

We are thus entitled to conceive that SHEIKHATTAR, a member of the Iranian Telecommunication Civil Service experienced in the procedures governing negotiations with foreign countries for almost ten years, had intervened so as to enable both individuals – whom HENDI called *gigolos* – to come in FRANCE, protected by assumed names and giving a false motive.

Contrary to what was claimed by HENDI, who has endeavored to clear himself in the aggregate, Hossein SHEIKHATTAR was far from being the victim of a *trap* and had spurred a process that marked the beginning of AZADI's and VAKILI RAD's implication. Moreover, SHEIKHATTAR's intervention has been analyzed as appearing particularly consonant with the secrecy and efficiency demands guaranteeing the success of the criminal plan consisting in introducing two of Mr BAKHTIAR's murderers in FRANCE without attracting anyone's attention.

In effect, it would have been risky to contact the MATRA and ALCATEL Companies – SHEIKHATTAR's usual correspondents in FRANCE according to HENDI - without the agency of someone else. [...]

On the contrary, by contacting Massoud HENDI, to whom it was suggested to appeal to the managers of the SYFAX Company who had no reason to refuse anything to him due to the length and importance of their relationship with HENDI, SHEIKHATTAR was achieving his aim without appearing as a key figure.

In fact, HENDI's aforementioned statements [...] highlight SHEIKHATTAR's connivance.

* It has been reported that, contrary to what HENDI claimed, SHEIKHATTAR Hosseini had not fallen into disgrace with his superior in 1990.

In February and May 1989 SHEIKHATTAR went to FRANCE twice. The following year, on 16th September, he showed up in the premises of the FRENCH Embassy in TEHERAN. He stated the position of Chairman of Satellite at the Iranian Department of Telecommunications and requested to be granted an entry visa for FRANCE starting on 2nd October in order to go to the head office of the MATRA ESPACE Company based in VELIZY.

As a consequence, the explanation according to which SHEIKHATTAR had gone to HENDI because he had been deposed from his position one year before was refuted.

For that matter, the examination of the aforesaid request for a visa reveals that, as opposed to what HENDI claimed, on 16th September 1990 SHEIKHATTAR was still in possession of his professional passport, which was valid until 13th June 1991.

We have grounds for considering that SHEIKHATTAR's intervention, which occurred during the exact same period as the one made by the industrialist SHOORIDEH, underlines that a stratagem devised by some people who were familiar with international relations was organized at the benefit of the criminal conspiracy hatched against Mr BAKHTIAR and any embarrassing witness if need be.

If, according to what the French industrialist KASPARIAN said, SHEIKHATTAR, who was considered as a notorious man in the field of telecommunications, had been removed from his position as manager of the project of telecommunication by satellite at the end of the year 1990, the aforesaid finding is still relevant, for this downgrading remains structurally without incidence regarding the organization and the starting of the abovementioned process.

The fact that SHEIKHATTAR did no longer manage this project in 1991 did not deprive him of acting in any way what so ever.

For that matter, we may note that the fact that he was no longer a key figure for the Western industrialists at that time represented a guarantee of superior discretion that was necessary to the smooth functioning of the conspiracy.

The statements made by HENDI's spouse – born KARAVAN MORACELLI – give an interesting perspective to the part played by SHEIKHATTAR.

Without overestimating the reliability [...], it should nonetheless be noted that Mrs HENDI was heard on 27th January 1992 by a Police officer of the Crime Squad and explained that when she had returned to IRAN at the end of the year 1991, she had sought to contact SHEIKHATTAR at the Department of Telecommunications.

It should incidentally be noted that the disgrace of this individual at that time was not such that he was deprived of an access to his work place.

The present witness mainly asserted that, during the first phone call, SHEIKHATTAR had *pretended not to understand*. He had called Mrs HENDI back on the day following this first oral exchange. On apologizing, he had acknowledged that *someone he did not want to name had asked him to manage to obtain visas for two friends of his*. But SHEIKHATTAR pretended he did not know anything about the reason why that person had intervened.

According to Mrs HENDI, he was lying.

He was then contacted by HENDI's brothers and refused to give the slightest explanation. [...] Mr Ali Reza HENDI, the brother the indicted party, confirmed that he had met with SHEIKHATTAR's refusal, for the latter did not want to bring troubles upon himself. If we are to defend the thesis of his innocence, SHEIKHATTAR's attitude at the end of the year 1991 is ambiguous to say the least. Conversely, we understand that SHEIKHATTAR, who has been subject to an international warrant for arrest since 22nd October 1991, does not want to appear in any way, being concerned by a proceeding in which he is in fact directly involved.

Whereas the witness – Mrs HENDI – was directly interested in any statement or production of documents that would discharge her husband and consequently SHEIKHATTAR, the latter preferred to act in a way that can finally be analyzed as a subjective element revealing his connivance and contribution to the conspiracy, one of the fundamental characteristics of which being that it was not suspended at the end of June 1991.

[...] A withdrawal or a suspension of the criminal conspiracy would have led to diagnosis different from that concluding that he was implicated.

Now, this was not the case. Benefiting from SHEIKHATTAR's, HENDI's, and SHOORIDEH's protection, and from an assistance based in SWITZERLAND, TURKEY, and FRANCE, VAKILI RAD and AZADI together with BOYERAHMADEI had worked until the double assassination was performed in SURESNES.

The obvious continuity of this criminal scheme leads to the momentous conclusion that those who acted in June 1991 so as to organize the accommodation of two of the murderers in FRANCE made it easier for them to enter the French territory. They are indicted for having assisted them [...]

If SHEIKHATTAR and HENDI had not intervened, VAKILI RAD and AZADI would not have decided to come in FRANCE in order to *meet* Mr BAKHTIAR. [...] However, it is reasonable to consider that if they had not been supported by an Adviser from the Iranian Department of Telecommunications, VAKILI RAD and AZADI would not have taken the risk to take part in the criminal scheme hatched against Mr BAKHTIAR.

In effect, one of the characteristics of SHEIKHATTAR's intervention is that it highlights that his contribution somehow constituted a guarantee for the execution agents.

The fact that one of the deciders or people behind the murder was someone who was particularly familiar with the uses and customs of the international relations and with the ways to evade them ensured them that the – potential – troubles with which they could meet during their displacements over thousands of miles and during their stay in FRANCE – a country they had never visited – had been foreseen, and that a way out had been planned in case one of these difficulties aroused.

These points enable to describe SHEIKATTAR's intervention as essential with respect to the smooth functioning of the conspiracy. [...]

If SHEIKHATTAR's intervention was analyzed individually, it could look like a mere *favor* done to someone he does not intend to name.

That would unavoidably arouse many questionings, for it would be extremely odd for somebody acting in good faith and with a wide experience of the procedures usually governing business trips at an international scale to behave like SHEIKHATTAR without having an illegal motive.

When it is put back in the context of its geographical and temporal environment, SHEIKHATTAR's interventions, occurring in parallel with SHOORIDEH Shirazi Nejad's and BOYERAHMADEI's, were essential regarding the smooth functioning of the criminal conspiracy for the motives and reasons that have just been mentioned.

Revealing the unity of the scheme existing between these three people, SHEIKHATTAR's intercession shows, on the one hand, that, according to a carefully selected pattern, SHEIKHATTAR accepted to work within it in order to allow the entire and effective performance of the criminal plan hatched against Mr BAKHTIAR, and, on the other hand, that one of the head quarters of the conspiracy was precisely located in the premises of the Department of Telecommunications from which SHEIKHATTAR was a member.

This aspect of the case was notably explained by the researches that were done in TURKEY.

The listing of the phone calls that were passed from EDIPSOY's Turkish apartment – located in ISTANBUL – to IRAN highlights that on 11th, 12th, 13th, 14th, and 15th August 1991 the phone number 22.00.15. attributed to the Iranian Department of Telecommunications was dialed [...].

Without being able to state that the indicted party SHEIKHATTAR was unavoidably the recipient of these phone calls, it is nonetheless held as undisputable that, being boosted at the beginning by a non-subordinate manager from the Department of Telecommunications – SHEIKHATTAR, the conspiracy kept functioning within this superstructure of the Iranian Civil Service during a period corresponding to that of the murderers' escape.

This element, which leads to a conclusion that is capital regarding the comprehension of the case and points to an implication of the criminal conspiracy within the services of the Iranian Department of Telecommunications, constitutes an indication of 'closeness' that at least confirms Hossein SHEIKHATTAR's conspiratorial part. [...]

B) Massoud Seyed HENDI

Hendi was arrested on 17th September 1991 in the FLAHOTEL hotel located 14, rue du Théâtre in PARIS (75014) in which he was occupying a suite with his family following his arrival from TEHERAN on 8th September. He always denied being involved in this case.

If this indicted party admitted that, in the last two weeks of June 1991, he had carried out a double procedure at the benefit of Kamal HOSSEINI and NORIAN – VAKILI RAD and AZADI – with the SYFAX Company at SHEIKHATTAR's instigation, he nonetheless always claimed that he did not know about the plot that was being hatched against Mr BAKHTIAR.

HENDI first asserted that he had learnt about both assassinations via the television news *on the very day or the day following the murders* – i. e. on 6th or 7th August 1991. This position was difficult to maintain for the reason that, whereas several witnesses claimed that the news of Mr BAKHTIAR's death had spread in IRAN on 7th August, the fact that the announcement of this assassination would have been publicly commented that day over the various Iranian television networks has never been proved.

Moreover, some accusing minds could discern in that declaration the confession that HENDI was part of the few initiates who were informed of a murder that had remained unknown to the people unrelated to its performance...

Hendi then rapidly changed his mind and decided to specify that he did not remember the precise date when this terrorist event was broadcast by the Iranian Television. He then maintained that he had only learnt about both assassinations by watching the French Television programs in PARIS on 17th September 1991.

In fact, it was demonstrated that, unlike what HENDI maintained, he had decided to come in FRANCE despite the fact that he had been informed of the involvement of the two persons at the benefit of whom he had intervened in TEHERAN during the last two weeks of June 1991.

Following the chronology of the investigations, on 27th January 1992 the indicted party's spouse asserted that she *had learnt about Mr BAKHTIAR's death with her husband in her home in IRAN*. As she went on in her explanations, she explained that soon before she came in FRANCE her husband had learnt over a conversation he had had with some friends that VAKILI RAD and AZADI were looked for by the French Police.

Moreover, according to two newspaper clippings dating from 11th and 21st August 1991 which were forwarded by His Excellency the Iranian Ambassador in FRANCE to Mister the Examining Magistrate, the organs of press ETELA'AT and KAYHAN-E-HAVAI had published the pictures of AZADI and VAKILI RAD.

Massoud HENDI always acknowledged subscribing to ETELA'AT.

Merely considering HENDI's domestic habits, it is taken for granted that, unlike what he maintained, he knew far before he came in FRANCE – on 7th September 1991 – that VAKILI RAD and AZADI were involved in Mr BAKHTIAR's assassination.

In effect, his spouse's testimony – dating back to 27th January 1992, which cannot be seen as emanating from a person ill-intentioned towards him, and the newspaper cuttings forwarded to Mister the Examining Magistrate refute the somewhat brief denials made by HENDI, who maintains that he watches neither television nor the pictures published in the newspaper to which he has subscribed.

Moreover, regardless of the two aforementioned elements, it shall be recalled that the ignorance – alleged by HENDI – of VAKILI RAD's and AZADI's indictment would be questionable, for it is commonly acknowledged that it is hardly possible for a person familiar with the Franco-Iranian relations – were it merely from a commercial angle – and mastering the French language not to have learnt about an event that created a media sensation at a worldwide scale as soon as 8th August 1991.

We shall therefore question ourselves on the genuine reasons that made HENDI decide to adopt a position that everything contradicts, including the people around him.

His hypothesis – *if I had known the name of these people in TEHERAN and if I had seen their pictures, I would not have left IRAN for FRANCE* – has become invalidate.

It has been proved that HENDI keeps pretending to be ignorant of a case in which he is, from a factual point of view, involved from the beginning.

The analysis of the documents of the case related to the steps taken by Massoud Seyed HENDI at SHEIKHATTAR's instigation shows that he strives to withhold the evidence in order to eclipse his contribution in the functioning of the conspiracy hatched against Mr BAKHTIAR and the help he provided to VAKILI RAD and AZADI.

A certain number of remarks were recorded regarding SHEIKHATTAR's attitude. It was notably defined that his intervention - which was perfectly adapted to the secrecy and discretion demands essential to the smooth functioning of the conspiracy - that was performed in parallel with that of SHOORIDEH Shirazi Nejad, constituted a kind of guarantee for VAKILI RAD and AZADI against the uncertainties and the imponderables of their journey.

A similar approach holds good for HENDI.

His intervention with the managers of the French Company SYFAX falls within the scope of SHEIKHATTAR's demands. It constitutes the translation of the conspiracy deciders' criminal concerns at a materiel level and embodies a positive fact of complicity via help and assistance.

In effect, a certain number of elements shows that Massoud Seyed HENDI had come to an agreement with his principals at the time he intervened with the SYFAX Company. Moreover, other pieces of information highlight that, contrary to what HENDI pretends, he enjoyed within the State Agency of the Iranian Television or I.R.I.B. the structure necessary to help two of the murderers in their scheme. Far from being an industrialist acting for his own and sole profit, Massoud Seyed HENDI was advancing within an agency involved in this case.

These two points can be related as follows:

A) the reading of the document he forwarded by fax on 19th June 1991 to Mr ABDOUN, the manager the SYFAX Company, reveals that, whereas NORIAN's and KAMAL HOSSEINI's personal details were mentioned on the document, no information was given concerning the nature of their business assignment.

This constitutes a first point of questioning, for HENDI always maintained that he had intervened for these two individuals only because SHEIKHATTAR had told him that the reason of their coming in FRANCE was exclusively linked to their preoccupation to buy electronic components.

Now, the fact that the indicted party HENDI omitted to mention the nature of his assignment on the request forwarded to the SYFAX Company must be analyzed either as a refutation of his allegations, or as an omission that would have no incidence at a criminal level.

It is the first alternative which shall be retained.

Indeed, the examination of the numerous requests for visas which HENDI forwarded to the SYFAX Company highlights that they had all been duly completed. They contained the pieces of information related to the identity and the reason of the coming in FRANCE of the applicant.

The staff of the SYFAX Company confirmed the peculiarity of NORIAN's and KAMAL HOSSEINI's request.

Mustapha ABDOUN was heard by the Examining Magistrate on 2nd March 1993 and acknowledged that he had never known *for which reasons* NORIAN and KAMAL HOSSEINI *wanted to go to FRANCE*. He added *that of course they had never been given any particular assignment with the SYFAX Company*. According to this witness, *HENDI had never given them any specific information*. Mr ABDOUN analyzed HENDI's attitude as unusual. *When HENDI was appealing to us to do something, he did not hesitate to make follow-up calls in order to obtain satisfaction*. Thus, during the ultimate *intervention for his family*, he had made a follow-up call to the SYFAX Company because the French Embassy was *delaying*.

Mrs GIRARD, an employee from the SYFAX Company, confirmed Mr ABDOUN's point of view. She added that, during a visit in the premises of the SYFAX Company at the end of July 1991, Massoud Seyed HENDI did not seem to be particularly interested in the evolution of NORIAN's and KAMAL HOSSEINI's request for visas, which was totally unusual.

We are consequently entitled to state that, considering the aforementioned omission – absence of assignment indication – on the fax drafted by Massoud Seyed HENDI to the address of the managers of the SYFAX company, and the indicted party's peculiar attitude, the latter had in fact not been given the assignment to obtain two visas for commercial purposes, but to betray the good faith of the managers of this company so as to ensure the efficiency of the criminal conspiracy.

The motive alleged by HENDI during the various hearings was in fact the one SHEIKHATTAR had alleged.

At this stage of the analysis of Massoud Seyed HENDI's statements, it is taken for granted that their falsehood was demonstrated on two of these fundamental points.

- 1) Unlike what he claimed, he had been acquainted with the involvement of VAKILI RAD and AZADI – alias KAMAL HOSSEINI and NORIAN – before he had arrived in FRANCE.
- 2) The genuine reason of their coming in FRANCE did not lie in the purchase of electronic components to the SYFAX Company.

Because it is demonstrated that the motive alleged by HENDI as the reason or justification of SHEIKHATTAR's intervention is grounded on no element which could have been recorded in the inquiry, but only results from the mere statements made by this indicted party from 17th September 1991, it must be acknowledged that Massoud Seyed HENDI knew on 19th June 1991 that he was cooperating in an illegal scheme consisting in gathering the means necessary or compulsory to its smooth functioning.

Consequently, the acknowledgement that HENDI sent the aforementioned fax to the SYFAX Company on 19th June 1991 without mentioning the commercial assignment can only be explained by the fact that there was no commercial assignment.

We now understand the reason why HENDI maintains to the extent of implausibility that he did not know anything. The demonstration of his 'bad faith' shall henceforth be considered completed.

B) Contrary to what this indicted party maintains or insinuates, it has been found that in June and July 1991 he enjoyed, within the State Agency of the Iranian Television [...] I.R.I.B., a work structure and some possibilities to have contacts with certain political high-ranking officers or members of the Iranian Embassy in PARIS.

The combination of these two elements leads to a conclusion which does absolutely not contradict the aforementioned diagnosis, that-is-to-say the diagnosis of HENDI's implication.

We shall consider that when HENDI is questioned on his professional activities, he adopts a position from which it first results that he relinquished his functions within the I.R.I.B. at the end of the 1980's. Since he was benefiting from an *unpaid leave*, he only paid *visits* to the I.R.I.B. *in order to meet his friends or watch movies*.

That claim of HENDI's – that he was excluded from the I.R.I.B.'s activities - is refuted by some of the investigations.

In August 1991 somebody called Kashani KADKHODAEI, who pretends to be one of HENDI's friends, met him in TEHERAN. HENDI gave three of his phone numbers – 02246 – 2224, 294047, and 680357. The phone number 294047 corresponded to his office.

HENDI was questioned on this point and made no secret of the fact that this number corresponded to one of the three telephone lines of his office in the I.R.I.B. building located 13 Golkhaneh Bd Africa in TEHERAN.

The search carried out in the premises of the I.R.I.B. branch in PARIS on 24th February 1993 enabled to conceive that this number was assigned to the 'International' department in TEHERAN, and that it was a man called TAHEIRI who was using it.

Moreover, it was reported on 17th September 1991 that HENDI had in his possession:

- _ an I.R.I.B. identity card N° 31.6.1375 valid until 4th April 1997,
- _ the phone number of the Chairman and Managing Director, Hashemi RASFANDJANI,
- _ the name and address of the Parisian branch of this Company, located 27, rue de Liège in Paris (75009) and its telephone number – 42.93.12.73.

These four documents lead to the legitimate conclusion that, contrary to what HENDI claims, at the moment when the events took place, he was, if not a member of the I.R.I.B., at least part of the people who enjoyed a normal access to the work structure corresponding to the international department and the possibility to communicate with its Chairman and Managing Director in office and the French branch.

It is thus all the more difficult to understand HENDI's point of view than he never denied being contacted by VAKILI RAD and AZADI in the premises of the I.R.I.B. on the day of the appointment.

In fact, the instruction highlights that HENDI strives to appear in vain as a businessman acting on his own behalf in order not to be involved in the relationship between the Department of Telecommunications and the I.R.I.B., which turned out to be working on the behalf of the criminal conspiracy.

It should be recalled that it was established in the examination of SHEIKHATTAR's case that, on the one hand, the spur to the steps taken by VAKILI RAD and AZADI – alias KAMAL HOSSEINI and NORIAN – had emanated from the Iranian Department of Telecommunications, and, on the other hand, that this Department had been called from EDIPSOY's conspiratorial domicile in ISTANBUL on 11th and 14th August.

Some complementary investigations defined that the I.R.I.B. had also called this conspiratorial structure.

The computer study of the telephone numbers dialed from the places occupied by the criminals, closed on 29th September 1992, notably highlighted that:

- _ on 11th and 21st July 1991, the N° 68 60 80 had been called from EDIPSOY's domicile. That number comes right before the N° 68 60 81 which is assigned [...] to the I.R.I.B.

_ the number 29 00 19, which is close to the numbers 29 00 04 and 29 00 55 attributed to VOICES and IMAGES had also been dialed on 12th July 1991.

_ on the top of the number 22 00 15 assigned to the Department of Telecommunications, some numbers – 22 00 19, 39 22 75, 54 11 36, and 82 42 01 – close to those of this Department had also been called on 12th and 20th July, and 14th and 18th August 1991.

_ the N° 29 40 47 – HENDI's office – was assigned to 'VOICES and IMAGES'.

Now, according to the indicted party HENDI, 'VOICES and IMAGES' belonged to the I.R.I.B., and the administrative telephone numbers in TEHERAN *were following one another*.

The findings of this computer study are reliable. On 24th February 1993 a substantial documentation was seized during the search carried out in the French branch of the I.R.I.B. The inventory comprised the telephone numbers and the names and addresses of the staff from 'VOICES and IMAGES', and these of Iranian consular representations or Civil Services, and Iranian institutes.

We were then able to check that series of telephone numbers were attributed to 'VOICES and IMAGES'. It was thus discovered that the number 29 00 05 allowed to contact the adviser from the 'Institute Management'. The number 29 00 07 corresponded to the 'Economy Group', while the number 29 00 00 corresponded to a man called ESMAT-PANEH from the 'Sub-management for Technical Matters'.

Similarly, the number 29 40 26 was the one of Mr FATTAHI who was in charge of the 'Staff Matters'. The following number - 29 40 27 – was the one of the general accountancy of 'VOICES and IMAGES', while the number 29 40 28 was that of the 'Administrative Matters for foreign nationals'.

Consequently, we are entitled to state that the relationship between the Department of Telecommunications and the I.R.I.B., which came out in June 1991 and was notably nurtured by SHEIKHATTAR and HENDI, lasted until 14th August 1991, date corresponding to the moment when BOYERAHMADE left the studio located 36, Av. d'Italie, the missed appointment of VAKILI RAD and 'BIJAN' in front of the premises of the IRAN AIR Company in GENEVA, and the meeting of AZADI and GHASMI NEJAD in the Jean-Jacques ROUSSEAU hotel preceding AZADI's repatriation.

It is thus obvious that the members of the criminal conspiracy intended to contact the institute where HENDI had an office in July 1991.

It is now easier to determine the reasons why HENDI endeavors to substantiate the idea that he was only paying courtesy visits or attending movie screenings when he dropped by the I.R.I.B., an institute that was called from TURKEY by the conspiracy.

Compared to the aforesaid findings of the researches, HENDI's allegations must be analyzed as contributing to his constant concern to strive his best to appear 'as unrelated as possible' to the zones frequented by the criminals.

It shall be restated that, even if we consider the findings of the aforementioned computer study cautiously, it should be noted that the institute in which HENDI received VAKILI RAD and AZADI in June 1991 was contacted from one of the conspiratorial structures in ISTANBUL less than a month later.

The confirmation that some members of the Iranian television or some of the people who frequented the premises of this television-broadcasting company contributed to the criminal conspiracy constitutes a key information as regards the comprehension of its functioning, which has only involved the Iranian Department of Telecommunications until now.

When applied to HENDI's case, this element constitutes a charge against him. [...]

Lastly, we shall consider that HENDI was far from being deprived of leverage and benefited from contacts which industrialists do not usually have until he was arrested on 17th September 1991.

On 18th and 19th September 1991 the consulting of HENDI's electronic organizer underlined that he had the private phone number of Mrs FALAHIYAN, the Vice-Secretary of Security, and THAGHAFI, the head of the Department of Islamic Orientation.

It shall be noted that if HENDI did not deny being in possession of such pieces of information, it was his wife who disclosed their private nature. On 23rd February 1993 the indicted party HENDI was questioned about the reasons of this possession and seemed upset...

[...] However, it is surprising to say the least that an industrialist acting with a view to carry out private commercial objectives should be able to contact two individuals fulfilling high-ranking functions in fields of activity that are extremely remote from that of international trade.

This statement is not free of consequences.

On the one hand, it means that HENDI could contact a high-ranking official for security matters if necessary. On the other hand, it reveals that this indicted party was advancing in his immediate vicinity.

In any case, the quality of *private industrialist* claimed by HENDI appears not to cover the whole field of his activities.

We can state that this indicted party, who has already been convicted of having betrayed the good faith of the managers of the SYFAX Company on the behalf of two of Mr BAKHTIAR's murderers, must be seen as someone who was more capable than any other person of making contacts with one of the officials of the Iranian intelligence settled in IRAN..., but also with an Iranian structure based in FRANCE...and apparently used for purposes other than business.

This is indeed the antepenultimate interesting element which could be learnt about HENDI's case from the instruction.

It should be recalled that at the time HENDI was arrested, he could if necessary call the French branch of the I.R.I.B. based 27, rue de Liège in PARIS (75009), for he had their phone number - 42 93 12 73.

The investigations carried out in this relation notably consisted in a search in their premises in PARIS on 24th February 1993.

If no element directly related to the elucidation of the assassination of Mr BAKHTIAR and KATIBETH was discovered at that time, the investigators seized a correspondence grid hidden in an address book in the office of Mr SHAH SAFDARI, the manager of this branch.

According to the French Police specialized service 'D.S.T.' – the French equivalent of the CIA, this document, presently entitled 'table', is generally used *for short messages or the encoding of names mentioned in longer texts and transmitted by networks not benefiting from the protection of the diplomatic bag or coded telex.*

On 8th July 1993 Mr SHAH SAFDARI confessed being the one who had drafted the encoding grid, specifying that this document had been prepared with a view to create a new telephone book.

In the framework of this case related to the elucidation of the double assassination that took place in SURESNES, we cannot avoid recording this statement, which shall be taken as a way out in any case...[...]

Lastly, we shall note that HENDI had the details of two members of the Iranian consular representation in PARIS, namely Mrs MARASHI, legal adviser for the office of the Iranian Embassy Legal Department, and Mr YARRAIE, an Embassy Attaché and holder of diplomatic card N° 14291 issued 18th May 1990.

Since Mr YARRAIE was benefiting from the diplomatic immunity, we could only hear Mr MARASHI.

During his hearing on 16th December 1992, Mr MARASHI pretended that he had confirmed his phone number to Massoud Seyed HENDI further to their fortuitous meeting in the plane during the TEHERAN-PARIS flight on 8th September 1991.

Mr MARASHI pretends to have known HENDI since 1981.

HENDI confirmed this position.

We shall note that the Embassy Attaché YARRAIE made a trip to FRANCE – May 1990, beginning of the year 1992 – the departure of which was close to the time from which HENDI regained the possibility to come in FRANCE...

This may be a coincidence.

Nevertheless, we have to state that the indicted party HENDI was equally on excellent terms with the high-ranking deciders in TEHERAN and those of the Iranian Embassy in PARIS.

Charges of various kinds eventually lie upon HENDI, whose lifestyle and company make him appear as someone very close to the Iranian authorities.

We shall note, on the hand, that between 28th July and 2nd August 1991 HENDI accompanied an official delegation of the State of IRAN in PARIS and on the French territory without the motive of his coming in FRANCE being specified, and, on the other hand, that on 24th August 1991 he ensured the shipping of a Mercedes car although this option is forbidden to an ordinary person.

It is pertinent to state that HENDI's intervention on the behalf of VAKILI RAD and AZADI means that he personally contributed to the smooth functioning of the conspiracy and ensured of his help two of the murderers who could only be comforted in their criminal scheme by the fact that HENDI was capable of acting as much in the Iranian premises of the I.R.I.B. as in FRANCE...

In the aggregate, the functioning of the criminal conspiracy, envisaged from the angle of HENDI's and SHEIKHATTAR's interventions, specifically highlights the existence of an illegal relationship between the Department of Telecommunications and the [...] I.R.I.B. which they personally set up and ended on 14th August 1991 only.

Dealing with the offence related to the complicity of murder which is specifically connected to the facts of help and assistance, it was first demonstrated that, by the time he intervened with Mr ABDOUN on 19th June 1991, HENDI was deemed to be dishonest. No legal reason could account for his act; as opposed to this, it was clearly demonstrated that his intervention was particularly consistent with the murderers' demands.

Moreover, it shall be considered that, just like SHEIKHATTAR, HENDI was particularly able to assess the aim and the culpable consequences of VAKILI RAD's and AZADI's acts, considering his implication within the I.R.I.B. and his facilities to correspond with the places and institutions used by the conspiracy in IRAN, and in FRANCE if necessary.

Lastly, it is taken for granted that by mid-June 1991 a double process was set in motion. HENDI and SHEIKHATTAR were personally taking care of enabling VAKILI RAD and AZADI to reach FRANCE, while BOYERAHMADI was in charge of organizing their accommodation. This dualism is notably reported by the fact that BOYERAHMADI submitted to the city hall of REIMS two accommodation certificates involving VAKILI RAD and AZADI a few days before SHEIKHATTAR's and HENDI's interventions.

It is thus obvious that as soon as mid-June 1991 HENDI, SHEIKHATTAR, and BOYERAHMADI were working together so as to enable two murderers to enter FRANCE via two ways that are admittedly different, but following the same criminal purpose.

If VAKILI RAD and AZADI did not effectively have the visas which HENDI made easier for them to obtain, this is not due to a withdrawal or an interruption of the criminal plan, but to the occurrence of events that made its performance uncertain at the beginning of July 1991.

On that point, it is reasonable to conceive that these events were taken into account during BOYERAHMADI's trip to ISTANBUL at the beginning of July 1991. [...]

It is thus established that, according to a dual approach, BOYERAHMADI, SHEIKHATTAR, and HENDI acted with the purpose of infiltrating these two Iranian nationals in FRANCE. [...]

Since the postponement of VAKILI RAD's and AZADI's departure did not result from any renouncement on the part of HENDI or SHEIKHATTAR, it remains without incidence on the charge of complicity. [...]

Insofar as HENDI spurred a process which eased and prepared the murder, the charge of complicity of murder against him is grounded.

C) SHOORIDEH SHIRAZI Gholam Nejad Hosseini

[...] However, it should be recalled that, according to the chronological order, it is the Swiss businessman SIEGRIST who revealed that he had asked for a appointment with SHOORIDEH during a professional trip to TEHERAN in the first two weeks of June 1991, for he expected to strike up commercial relations with him.

After a few days, he had met Mr SHOORIDEH who had told him about the cases of his acquaintances GHASMI NEJAD and FAEZI only incidentally and soon before he returned to SWITZERLAND. That request was made around the middle of June, while almost in the same time – that is two or three days later - SHEIKHATTAR was contacting HENDI in order to ease AZADI's and VAKILI RAD's entry in FRANCE.

The comparison of these two dates highlights that a businessman who was seen as a VIP - SHOORIDEH – and a member from the Iranian Department of Telecommunications – SHEIKHATTAR – were concomitantly put on tasks that turned out to be complementary and compulsory to the smooth functioning of the criminal conspiracy.

It was formerly demonstrated that AZADI and VAKILI RAD had only accepted to come in FRANCE on the double condition of being able to enter Mr BAKHTIAR's domicile without attracting anyone's attention, and then to leave the French territory straight away.

Their eagerness to go to SWITZERLAND and the constancy they showed from 6th to 12th August 1991 in order to reach the territory of the Swiss Confederation highlight that they were guaranteed of being awaited in SWITZERLAND. [...]

This destination constituted one of the murderers' targets.

SHOORIDEH's position within the conspiracy lies precisely at the level of the organization of the settling in GENEVA of one of the individuals in charge of helping one of the two murderers.

SHOORIDEH's actions, which have already been described here as being concomitant and complementary to SHEIKHATTAR's and HENDI's interventions, are exactly identical to them. Just like SHEIKHATTAR and HENDI, SHOORIDEH managed to betray the trust of a person who was asking for commercial relations to be set up and had no reason to refuse to do him any favor. The purpose was to avoid the Swiss procedure of visa delivery.

Whereas no element could be collected regarding FAEZI's activities in SWITZERLAND, the second individual, on the behalf of whom SHOORIDEH had intervened, was convicted of contribution to the criminal facts.

Nasser GHASMI NEJAD was [...] a complete stranger to SIEGRIST or the other stockholders of the COMATRA Company, he never came in the head office of this company. His sole visit on the territory of the Swiss Confederation is located from 9th to 15th August 1991 in GENEVA, where he helped Mohammad AZADI...

This similarity between the stratagems thus devised in IRAN from mid-June 1991 reveals the indivisibility of the practices in use within the criminal conspiracy.

The combination of SHEIKHATTAR's, HENDI's, and SHOORIDEH's interventions show that these three persons had the mission to ensure the realization of one single scheme, that is allowing two murderers to leave FRANCE.

The three aforementioned features of SHOORIDEH's part – complementarity, concomitance, and similarity – reveal his personal involvement within this fraudulent cooperation, which cannot be called subordinate.

Other elements collected by Mr the Examining Magistrate confirm this approach.

We have had the opportunity to learn that, just like SHEIKHATTAR and HENDI, SHOORIDEH had acquaintances within the High-Ranking Civil Service of the State of IRAN, and made a trip to Europe in July 1991 that may be analyzed as a charge against him.

As the Swiss industrialist SIEGRIST was heard on 14th December 1992, he described him as *an influential business in IRAN who had succeeded in surrounding himself with influential people and was in close touch with the various official Departments in his country.*

According to what he stated, *SHOORIDEH was in contact with Iranian leaders. To support his allegations, the witness referred to the intervention of an important and influential young man the day when SHOORIDEH had asked him to invite FAEZI and GHASMI NEJAD.*

This *young man* had intervened at the moment when SIEGRIST was telling SHOORIDEH about the necessity to obtain the details of the two individuals. He knew about the consular movement that was to affect the Iranian Embassy in BERN. He had then prevented the official guardsmen from making a 'routine check' in SHOORIDEH's offices.

This part of the deposition made by the witness SIEGRIST unveiled that SHOORIDEH was seen as exercising the functions of an international freight agent [...] and was seeing somebody who knew about the realities of the Iranian diplomacy in SWITZERLAND.

This element would be of little importance if it had not been proved that SHOORIDEH was also on good terms with the French diplomacy and the BENELUX Embassy in TEHERAN.

On 26th February 1993 the investigators incidentally found out that from 30th December 1984 to 1st April 1987 the First Secretary of the French Embassy in TEHERAN, Mr PELOUX, was one of his close relations and also had an acquaintance within the BENELUX Embassy in TEHERAN.

Since the nature of the relationship existing between PELOUX and SHOORIDEH is relevant regarding the comprehension this case, it shall be more specifically examined.

Mr PELOUX was heard on 1st March 1993 and explained that, at the time he was working for the French Embassy in TEHERAN, he had a female friend named Shirin BAYAT SARMADI, whom he had met in PARIS.

That person had five sisters, one of whom is SHOORIDEH's wife.

Witness PELOUX explained that he had met SHOORIDEH at the end of the year 1986 as the latter was *visiting* PARIS. [...]

It was only at his wedding – on 25th July 1991 in PARIS – that SHOORIDEH had asked him for the first time to intervene so as to obtain several entry visas for FRANCE.

[...] SHOORIDEH had told Alain PELOUX *that he wished to take advantage of his coming in PARIS to go from there to SWITZERLAND in order to settle some matters.* For this purpose, he needed to be accompanied by his partner, a man called 'Ahmad'.

On 15th July 1991, that is two days before AZADI and VAKILI RAD deposited their request, SHOORIDEH had signed a request for a three-month visa from 20th July to 20 September 1991. SHOORIDEH had produced a passport that had been issued two days earlier and justified his request by alleging that he had to pay a visit to Mr PELOUX before going to BELGIUM and then to the US.

On the same day a man called Ahmad AIDIPOUR submitted a demand that was almost identical to that of SHOORIDEH.

Both requests were recorded on 17th July 1991 under the numbers 1808141 and 1808144 and endorsed on 21st July 1991. [...]

[...] according to witness PELOUX, SHOORIDEH had gone to GENEVA with Ahmad AIDIPOUR on 24th July 1991.

On 30th July 1991 SHOORIDEH took on board at Roissy Charles de Gaulle airport for the US. [...]

[...] SHOORIDEH is already convicted of having enabled GHASMI NEJAD to enter SWITZERLAND on 9th August 1991 [...] showed a very particular interest for the Swiss Confederation two weeks before the latter's arrival. [...]

However, we cannot help but wonder about the similarity, on the one hand, between the means used by SHOORIDEH to enable AIDIPOUR to come in FRANCE and those he used at the benefit of GHASMI NEJAD, and, on the other hand, between SHOORIDEH's and HENDI's activities during the last two weeks of July 1991.

Indeed, both individuals made a trip to EUROPE at a time when the conspiracy was effective in FRANCE without the genuine motives of their visit being ever reported.

We know that HENDI was in PARIS between 28th July and 2nd August 1991. [...] whereas the nature of his personal activities could not be specifically defined, the trip is located at the moment when VAKILI RAD and AZADI arrived in PARIS.

[...] SHOORIDEH may have seen his sister-in-law and brother-in-law on 27th July 1991. But, uncertainties remain about the 24th and 25th July.

Two days after Mr and Mrs PELOUX were heard, Mrs PELOUX told Police Chief ROBIN that she had just received a fax sent by SHOORIDEH for her attention.

Her translation defined that SHOORIDEH was concerned about denying Mr PELOUX's statements relative to his trip to SWITZERLAND and explained that he had in fact gone to BELGIUM.

The examination of SHOORIDEH's passport highlights that he left BRUSSELS on 26th July 1991 at 6.10 PM.

Yet, SHOORIDEH's presence in BRUSSELS that day does not eliminate the hypothesis of a visit in SWITZERLAND on 24th July.

It would have been particularly relevant to hear SHOORIDEH on these points.

On 4th and 5th March 1993 he had two phone conversations with the investigators.

SHOORIDEH did not wish to defer to justice summons and deigned to be heard...in the premises of the French Embassy in TEHERAN.

Lastly, the legacy of SHOORIDEH's acts during his visit in EUROPE on 24th and 25th July 1991 must legitimately be questioned.

Not only has he evaded the action of the French Justice, but he also strived to allege a thesis that does absolutely not invalidate Mr PELOUX's aforementioned statements.

SHOORIDEH, who is convicted of having personally cooperated to the settlement in GENEVA of a part of the structure in charge of the repatriation of two of the murderers, secretly went to SWITZERLAND on 24th July 1991, time corresponding to the ultimate preparations of VAKILI RAD's and AZADI's coming in EUROPE.

D) Zeinolabedine SARHADI and Nasser GHASMI NEJAD

[...] SARHADI was arrested in BERN on 23rd December 1991 in compliance with an international warrant for arrest issued that very day. [...]

SARHADI was indicted on 26th May 1992 and pretends that he did not come in SWITZERLAND on 13th August 1991, but only on 3rd September 1991.

During his various hearings, SARHADI pretended to be the victim of an assumption of person. The man who had specially come in GENEVA from TEHERAN on 13th August 1991 was allegedly a stranger with whom he had never been in contact.

This position is invalidated by the findings of the judicial inquiry.

First of all, we shall recall that at the time he was arrested, on 23rd December 1991, SARHADI was in possession of a certain number of documents attesting that all the measures compulsory to the smooth functioning of his visit from 10th August onwards had been taken.

The following documents were seized:

an assignment order issued by the State Department of the Republic of IRAN dating from 16th July 1991 by which SARHADI was *invested to go to BERN...for a period a three months.*

_ a letter from the same Department dating from 17th July 1991 addressed to the MELLI bank in order to have the sum of 3872 dollars released at the benefit of SARHADI *who was to go on assignment to SWITZERLAND from 21st July to 21st October 1991.*

_ a document issued by the MELLI bank on 10th August 1991 attesting that the sum of 50 000 rials had been debited from his bank account in relation to the tax levied for leaving the country.

On the basis of these three written documents, we are entitled to consider, on the one hand, that SARHADI's departure on 11th or 12th August was rendered public from 16th July 1991, and, on the other hand, that no document of which SARHADI was in possession refutes the hypothesis of his effective departure for SWITZERLAND.

We have to note that SARHADI's assignment order was issued the day before AZADI's and VAKILI RAD's request for visas were deposited with the French Embassy in TEHERAN...

If taken separately, this element could be analyzed as a mere coincidence. However, it reveals a peculiar temporal closeness with the acts performed by two of the murderers.

Other comparisons could be made with some people who were also involved.

* The day following the delivery of his first passport – on 25th July – the preliminary steps regarding the rental of the studio apartment located 36, Av. d'Italie in PARIS had been taken from IRAN.

* It was defined that on 27th July 1991 SARHADI had obtained a plane ticket – N° 096 4262 250 274 – from the travel agency of the State Department in TEHERAN which had enabled him to travel on the TEHERAN-GENEVA flight.

It is established that this indicted party used this ticket on 2nd September 1991.

On 29th July 1991 an official travel agency of the IRAN AIR Company located 44, av. Chahid Ousta Nejatollahi in TEHERAN delivered ticket N° 096 4262 250 884 to GHASMI NEJAD. This ticket allowed to travel on the TEHERAN-GENEVA flight.

We are grounded to state that SARHADI and GHASMI NEJAD had access to Iranian official agencies to organize their trip. This could appear normal as regards SARHADI. The same does not hold good for GHASMI NEJAD, who pretended to be a *businessman* on his request for visa and was recommended as such by SHOORIDEH to the industrialist SIEGRIST.

It is consequently established that GHASMI NEJAD was recommended to an authority which does not count 'private industrialists' among its customers.

This element confirms for good that GHASMI NEJAD had gone under an alibi to GENEVA - where he was located in the 'ETOILE hotel' on 9th August - thanks to a recommendation that had allowed him to enjoy access to an official agency. This aspect of the case was incidentally unveiled by witness SIEGRIST when he mentioned the intervention of a stranger, who was informed of the Iranian foreign policy, accompanying SHOORIDEH when the latter had told him about the cases of FAEZI and GHASMI NEJAD.

* We shall also note that SARHADI obtained his entry visa for SWITZERLAND on 30th July 1991, day when VAKILI RAD and AZADI arrived in FRANCE. The date of his arrival in SWITZERLAND was fixed on 6th August..., date when Mr BAKHTIAR was assassinated.

The fact that we observe a close similarity between the moments when SARHADI's, AZADI's, VAKILI RAD's, and GHASMI NEJAD's steps were taken enables to go over the stage of mere coincidences and to assert that their respective doings were connected.

This relation highlights their involvement in the performance of the acts that prepared the targeted homicidal action. While VAKILI RAD and AZADI were organizing themselves in order to be able to come in FRANCE, SARHADI was in the same time taking care of being in SWITZERLAND from the day of the assassination. [...]

As regards this period of the case – i.e. 16th July / 30th July 1991 – the indicted party SARHADI made the following statements:

After he was appointed at the archive office of the Embassy in BERN, he just signed his request for visa and took no administrative or consular step. He did not know the date of his departure to SWITZERLAND at the time his assignment order – dating from 16th July - was deposited. If you go by what he says, it was the IRAN AIR agency, which issued the plane ticket on 27th July 1991, that had fixed the date of 12th August. He allegedly only learnt about the moment of his departure on dropping by at the airport. At this point, he maintains having given his passport to *the airport police who had delivered him a receipt* . On 12th August, as he showed up at the airport, a policeman prevented him from going aboard. Two weeks later, a high-ranking civil servant from the State Department informed him that he had *lost his passport*.

Thanks to a second passport prior to the delivery of a second visa, he could then travel on the flight to GENEVA on 2nd September 1991, using the ticket that had been delivered to him on 27th July.

Once compared to the part of the case dedicated to SARHADI, these allegations turn out to be unrealistic, implausible, and ungrounded.

If it is true that SARHADI came back to SWITZERLAND on 3rd September 1991, it is taken for granted that the person involved in the framework of this case is the one who took the TEHERAN-GENEVA flight during the night of 12th to 13th August 1991, knowing that it was in GENEVA that he helped AZADI to escape.

We shall consider that SARHADI's narrative on 20th September 1992 about the nature of the assignment he was to fulfill at the Embassy of BERN is deliberately fabricated. His hierarchic superiors, who had chosen him without consulting him for the position of archivist at the Embassy of BERN, had just given him a 'theoretical handbook' in order for him to adapt to his new functions.

A first source of questionings arouse when SARHADI explains that he would just append a seal on the back of the mail which Mr the Consul of IRAN was to receive initially. Such a claim is questionable at once, for it amounts to stating that an Ambassador would have the task to open the mail of his Embassy...

In fact, SARHADI strives to trivialize his part and to appear as being perfectly ignorant of the realities of the Western world with a view to delude us into believing that he has neither the

profile nor the bearing of somebody capable of acting in SWITZERLAND or elsewhere in EUROPE in any way whatsoever...

It should be noted that, on the day SARHADI was arrested, he was in possession of the phone number – 40 78 15 41 - of a studio apartment in the 'Orion' apartment hotel located 18, place d'Italie in PARIS (75013) where the Iranian Embassy in PARIS used to house some of its nationals, that of this Embassy, and the phone numbers of the Iranian consular representations in MILAN and GENEVA. Also, SARHADI was in possession of the phone numbers of the IRAN AIR agencies in ZURICH and GENEVA. [...]

[These elements] are not consonant with SARHADI's claims according to which he would be somebody of little caliber, not to say a colorless figure, and deprived of any responsibility.

It is interesting to underline that the details of the Embassy in MILAN and these of a man called ESFAHANI that were found on SARHADI were also seized in PARIS during the search carried out on 24th February 1993 in the premises of the Parisian branch of the I.R.I.B. Obviously, it cannot be validly maintained that the staff working for the I.R.I.B. only has subordinate activities...

More specifically, we can deduce from the documents possessed by SARHADI, who was able to correspond with the Iranian Embassy in PARIS and one of its French apartment hotel, that he is far from having the profile – which he claims to have - of somebody lost in the Western world.

Moreover, it was reported by the French policemen who attended the enforcement of an international letters rogatory in SWITZERLAND from 16th to 20th November 1992 that SARHADI [...] would *rather speak in French*. This piece of information confirms the aforementioned approach that allows to state that SARHADI was perfectly capable of moving and acting in Europe.

As regards the part related to the statements made by this indicted party dealing with the way his trip to SWITZERLAND was organized [...] it is difficult to believe the indicted party's thesis according to which *the management of the Iranian diplomatic staff depends on the commercial restraints of the IRAN AIR Company*.

In fact, SARHADI's explanations legitimately give countenance to the idea that this indicted party has great difficulty concealing the fact that the timing of his trip was precisely worked out according to what VAKILI RAD, AZADI, and BOYERAHMADEI were hatching against Mr BAKHTIAR...[...]

If the version of the loss of his first passport were to be deemed true [...] it would amount to ignoring the diplomatic demands in force in this field. [...]

* A) [...] Contrary to what he asserted, no receipt or document attesting that he had given his passport on 8th August 1991 in the TEHERAN airport has ever been seized.

Unless he states that the Swiss investigators misappropriated this document, this claim which, according to him, would clear him, is invalidated for good.

[...] These investigators did not neglect any document or item that seemed to belong to SARHADI and obviously apprehended all the discovered items. [...]

* B) [...] this claim is also new in that it has never been reported to the Swiss authorities or confirmed by the services of the Iranian Embassy in FRANCE, which was moreover concerned about ensuring SARHADI of its support.

[...] According to this high-ranking Swiss authority [the Federal Department of State], in the event of loss of this passport, it *would have rather lied upon the State Department to report this loss...for fear of breaching the uses.*

Practically speaking, the Swiss authorities to whom this part of the case was of the utmost interest have never been informed. [...]

Moreover, whereas on 15th January 1992 the Iranian Embassy in PARIS quickly sent Mr the Magistrate some documents justifying, from its point of view, SARHADI's presence in TEHERAN at the time the murders were committed, this high-ranking authority never mentioned the issue related to the loss of SARHADI's first passport.

It is thus established that SARHADI did not lose his first passport. It is also demonstrated that he took the TEHERAN-GENEVA flight on 12th August 1991 indeed.

Some subsequent investigations established that, in all likelihood, he had traveled with the plane ticket that had originally been delivered to GHASMI NEJAD on 29th July 1991, and that his passport had been falsified.

According to the passengers list supplied to the Swiss police by the IRAN AIR company, SARHADI was aboard the plane making this air link. At the time of the cross-border control, the passport he pretends to have lost was submitted. Similarly, GHASMI NEJAD's plane ticket was presented at the same checkpoint a few seconds apart; such is the remark made by Mr the Examining Magistrate.

If the direct evidence of SARHADI's presence at GENEVA COINTRAIN airport in the morning of 13th August was not categorically produced, the fact that he had stayed the days following his arrival in GENEVA indeed was established by an handwriting expert's report, the findings of which are going to be presented.

These technical studies lead to the ultimate and essential conclusion that [...] SARHADI made the GENEVA trip under a subterfuge and in possession of his passport on 13th August 1991.

As regards the method used by SARHADI, it must be underlined that:

_ SARHADI's use of the GHASMI NEJAD's plane ticket shows the magnitude of their connivance, for SARHADI could only have this ticket at his disposal after an agreement had been made by these two implicated parties – the terms of which could not be defined - before GHASMI NEJAD arrived in SWITZERLAND.

_ this agreement, by definition prior to 9th August – day when GHASMI NEJAD arrived at the ETOILE hotel in GENEVA, means that these two individuals had consulted each other at a time close to that of the assassination so as to be operational in SWITZERLAND.

_ it is taken for granted that their actions, initiated according to two different modes – by SHOORIDEH for GHASMI NEJAD, and by the Iranian State Department for SARHADI – had been carefully prepared so as to meet an operational convergence at moments that

preceded, corresponded, or immediately followed the double assassination that occurred in SURESNES.

These remarks could be, if not formulated, then at least envisaged as soon as the moment when the requests for visas and the conditions of the delivery of their plane tickets to SARHADI and GHASMI NEJAD were examined. An identical date of arrival in SWITZERLAND – i.e. 6th August 1991 – is mentioned on the printed forms of the requests for visa delivery. Even if we consider that GHASMI NEJAD could not be in GENEVA that day, for his request was endorsed on 7th August, these shared requests to say the least reveal their concern about being able to stay in the city where the authors of the double assassination were expected according to a scheme fixed in IRAN since the end of May 1991.

Moreover, the fact that the plane tickets were delivered two days apart by two agencies specialized in the process of the requests made by official figures enables to understand that a similar organization had planned their joint contribution to the scheme aiming at 'welcoming' one of the murderers.

However, it is relevant to note that SARHADI presented a falsified passport at his arrival in SWITZERLAND on 13th August 1991 – the picture of a stranger who has never been identified had been substituted to his.

This falsification necessarily happened before 30th July 1991 – date of the delivery of his first passport by the consulate of SWITZERLAND in TEHERAN, for the services of this Embassy deciding on a case comprising, as it is customary, the passport as 'legitimization documents' would not have missed to notice this anomaly.

Since this manipulation occurred between 30th July and 12th August, it again confirms that the one who was holding it in GENEVA on 13th August was enjoying the logistic means gathered by the criminal conspiracy. In the present case, it was SARHADI, a member from the Iranian State Department.

It is established through the case of this implicated party that, on the top of the Department of Telecommunications and the Iranian Broadcasting Agency, the conspiracy had a relay within the State Department and the possibility to obtain tickets in agencies specialized in dealing with 'official customers'.

[...] SARHADI was convicted for having stayed in GENEVA indeed when AZADI's repatriation was to be organized.

This aspect of the case was defined by the report made by the expert Mr FAIDEAU. [...] handwriting expert [...].

It was eventually stated that it is *reasonable* to consider that the signatures appearing on the hotel forms – Popeye and Bernina – made to the name of SARHADI *are* these of SARHADI.

A witness, Mr BLATTER, the receptionist of the BERNINA hotel, suggested that the face of Zeinalabedine SARHADI corresponded to a person he had *already seen* but could place. [...]

The handwriting expert's report made by Mr FAYDEAU seems all the more reliable than the signatures taken from the two requests for visa delivery made by SARHADI and used to question him were recognized by him as being his.

He thus stayed from 13th August to 17th August in two hotels in GENEVA about which it has been formerly defined, on the one hand, that the BERNINA hotel had been contacted by the conspiratorial structure of ISTANBUL – EDIPSOY's domicile – during SARHADI's stay – on 13th and 14th August, and, on the other hand, that two phone calls had been made on 14th August from the room occupied by SARHADI in this hotel to the Jean-Jacques Rousseau hotel where AZADI and GHASMI NEJAD were staying.

The fact that SARHADI worked personally in association with GHASMI NEJAD in order to help AZADI in his escape can also be deduced from the noting that an identical mention – address of the domicile in TEHERAN 'Air Force Street 416' – appears on SARHADI's form at the BERNINA hotel and on REZAGE's (AZADI's) form at the Jean-Jacques Rousseau hotel. [...]

We henceforth understand why this indicted party always refused to sign the procedure instruments that were presented to him from 23rd December 1991.

Also, Mr the expert suggested the possibility that this indicted party be the author of the signatures appearing on FAEZI's request for visa. [...]

It shall also be noted that the passport SARHADI pretends to have lost was presented at the reception of the BERNINA hotel on 12th August 1991 [...].

It is thus obvious that this employee from the Iranian Department of State was in GENEVA from 13th to 17th August 1991, and personally helped and assisted GHASMI NEJAD and AZADI according to a method formalized as far as he is concerned on 16th July – date his assignment order was issued.

This approach is not contradicted by the fact that it was alleged by the services of the Embassy of the Islamic Republic of IRAN in Paris on 15th January 1992 that SARHADI was in TEHERAN at the time the murders took place.

Because the documents produced as written proofs could never be submitted to a counter examination – the State of IRAN never accepted the principle of mutual judicial cooperation – they shall be considered as deprived of legal significance and efficiency.

The fact that the services of the Department are involved in the functioning of the criminal conspiracy constitutes one of the main lessons we get from the analysis of GHASMI NEJAD's and SARHADI's activities.

It is consequently established at the end of the examination of the cases of Messrs SHEIKHATTAR, HENDI, SHOORIDEH, GHASMI NEJAD, and SARHADI that this conspiracy of criminal purpose was organized according to a three-pole pattern: Department of Telecommunications – I.R.I.B. – State Department. [...]

[...] at the beginning of his incarceration at the prison of LA SANTE, the indicted party VAKILI RAD attempted to reach an Iranian correspondent whose phone number was also dialed seven times from EDIPSOY's conspiratorial domicile in ISTANBUL from 28th June to 21st July 1991.

According to the statements of a fellow prisoner pretending to be called Reza SHAMBEH ZAD KORGHI GHOLAM, at the beginning of September 1991 VAKILI RAD had given him

the phone number in IRAN of somebody called Ali Reza SHAREFI, *a friend* who could give him *news of his family*.

This number – 70 61 64 – was notably called from EDIPSOY's domicile on 3rd and 5th July 1991, a time shortly preceding and corresponding to BOYERAHMADE's trip to ISTANBUL.

VAKILI RAD was questioned on this point, but if he admitted that he had given Ali SHAREFI's details to his fellow prisoner, [...] he maintained that it could be *a mistake*.

VAKILI RAD's predicament can be easily explained by the fact that it has been incidentally highlighted that, as soon as he was arrested in FRANCE, this indicted party attempted to contact a correspondent who had already been contacted at the time when the conspiracy was efficient in IRAN and TURKEY.

This confirms, if need be, VAKILI RAD's involvement in the fraudulent conspiracy. Obviously, VAKILI RAD did not want to inform *his family*, but the people behind the murder. [...]

* A similar approach holds good for another Iranian phone number – 41 21 29 – which BOYERAHMADE dialed seven times on 7th, 13th, 23rd July, 2nd, 3rd, and 6th August 1991 from his domicile at ISSY LES MOULINEAUX, and then evidently on 7th August from a public telephone booth near his refuge 36, Av. d'Italie in PARIS.

It is reasonable to state that these phone calls were meeting the necessity to be able to contact some of the centers of the conspiracy [...].

[...] as soon as 18th August 1991, the first investigating magistrate to whom the case had been referred, Mr RIVIERE, addressed a letters rogatory to the Iranian authorities. Its main purpose was to gather pieces of information about the three presumed murderers.

This letters rogatory was recorded on 20th August 1991 by the Crime Squad investigators and could not be executed.

On 12th July 1993 the Crime Squad police chief, Mr. CASTANO, informed Mr. the Examining Magistrate that the Iranian authorities did not give their consent *for French civil servants in charge of assisting its execution to go to their country*.

[...] the deficiency of the Iranian authorities deprived the French Justice of an exhaustive approach to the case. Thus, we could not find out who, except SHEIKHATTAR, had given the order of the double assassination that took place in SURESNES.

The beginnings of an explanation may be given by two witnesses.

On 15th January 1993 a man called Fariborz KARIMI, who has taken refuge in the United States, testified that after having exiled in FRANCE at the beginning of the year 1984 he had joined Mr BAKHTIAR's movement and had thus been part of the driving force of the 'N.M.I.R. youth movement' together with BOYERAHMADE. In 1988 Manoucher AKASHEH, one of the leaders of the N.M.I.R. living in KOWEIT, had informed him that he could come back in IRAN with BOYERAHMADE.

According to this witness, AKASHEH *was working for the Islamic Republic*.

In 1989 KARIMI met him in FRACKFORT. AKASHEH suggested that he *kill Mr BAKHTIAR*. KARIMI did not carry out this scheme. A few days later, he was contacted by 'Mr. FALLAHIAN' – in fact FALAHIYAN – who was the associate of the Iranian manager for security matters.

During the conversations KARIMI had with him, he asked him for which reasons he had not *executed BAKHTIAR while he was living with him...*

The fact that AKASHEH belonged to the Iranian security services was mentioned on 8th February 1993 by an Iranian who had taken refuge in FRANCE, Mr. FARAHMAND BAKHTIARY, for whom it was uneasy to understand *how a man – AKASHEH – belonging to an opposition party...could leave IRAN without difficulty.*

According to pieces of information that could not be confirmed, Manoucher AKASHEH *supposedly* died of a cancer in July or August 1992.

Without overestimating the reliability of Mr KARIMI's testimony, it shall be noted that it was partly confirmed by Mr. FARAHMAND BAKHTIARY's, and was made by a person who has ceased to have contacts with the N.M.I.R. for many years.

The relevance of his deposition lies in the fact that it shows or underlines that a high-ranking manager for security matters – whom Massoud Seyed HENDI could contact any time – was involved in the carrying out in FRANCE of a criminal scheme targeting Mr. BAKHTIAR since 1989. [...]

III) France, Switzerland, and other territories possibly frequented or used by the members of the criminal conspiracy.

As regards FRANCE, we could only find out on 23rd September 1991 that an Iranian national named DORAGHI, who has been living in FRANCE since 1983, could be involved in the functioning of the criminal conspiracy, for her private domicile was called on 7th August at 9.26 AM from the conspiratorial domicile rented by ESFANDIARI located in the area of ATAKOY in ISTANBUL.

Fereshteh DORAGHI, who is also convicted of the possession of a coding grid and two invisible ink pens, was taken in for questioning on 25th September 1991 and admitted belonging the Iranian Intelligence since 1987. [...]

We are entitled to state that some members of the Iranian Intelligence, among whom the manager FALAHIYAN who has already been cited as being in contact with HENDI, were present in the structure of ISTANBUL.

This element means that the Iranian Intelligence contributed to the functioning of the criminal conspiracy indeed. [...]

On 29th August at 9.11 AM she contacted her officer who had gone back to IRAN, dialing the number 98.21.23.40.43. [...]

The involvement of the Iranian Intelligence in the functioning of the ISTANBUL structure was confirmed by the fact that on 21st and 22nd July 1991 the number 98.21.407.86.03. was dialed from the domicile rented by ESFANDIARY [...], and then on 12th August from EDIPSOY's domicile.

Yet, according to the 'D.S.T.' – the French equivalent for the CIA – they had been informed that, at the time of the 'BAKHTIAR case', this phone number was *regularly used as a cover for operations abroad* by agents working for the Iranian Intelligence. [...]

Lastly, investigations were carried out in England, a country where one of the national, Majid SAILI, was called twice on 30th July 1991 at 9.24 and 9.41 AM [...] by EDIPSOY [...] in ISTANBUL. [...]

Similarly, it could be noted that between 22nd June 1991 and 20th April 1992, the Iranian phone number described by the 'D.S.T.' as being used by the Iranian Intelligence was dialed seventeen times. [...]

[...] we may state that this individual [...] had contacts with the Iranian Intelligence from GREAT BRITAIN. [...]

SUMMING-UP FOR THE PROSECUTION FOR THE PURPOSES OF THE TRANSMISSION OF THE SUPPORTING DOCUMENTS TO Mr. THE PUBLIC PROSECUTOR.

Whereas the investigation results in sufficient charges against:

I) X...pretending to be VAKILI RAD Ali, alias KOCER, alias KAMAL HOSSEINI, BOYERAHMADI Farydoun, and X...having pretended to be AZADI Mohammed, alias KAYA, alias NORIAN for having murdered BAKHTIAR Chapour and KATIBETH Sourouch together in SURESNES on 6th August 1991, and in any case on the French territory and without statute of limitation

with the circumstance that the aforesaid murder was premeditated.

II) Hossein SHEIKHATTAR for having been the accomplice, in TEHERAN and in IRAN during the second and the third quarters of the year 1991, and in any case between the end of May and 6th August 1991, of the murder of BAKHTIAR Chapour and KATIBETH Sourouch committed by X...pretending to be VAKILI RAD, alias KOCER, alias KAMAL HOSSEINI, BOYERAHMADI, and X...having pretended to be AZADI, alias KAYA, alias NORIAN by helping or assisting the authors in the facts that prepared, eased, or perpetrated the action.

III) HENDI Seyed Massoud for having been the accomplice, in TEHERAN and in IRAN in June 1991 and notably from 15th June, and in any case between the end of May and 6th August 1991, of the murder of BAKHTIAR Chapour and KATIBETH Sourouch committed by X...pretending to be VAKILI RAD, alias KOCER, alias KAMAL HOSSEINI,

BOYERAHMADEI, and X...having pretended to be AZADI, alias KAYA, alias NORIAN by helping or assisting the authors in the facts that prepared, eased, or perpetrated the action.

IV) SARHADI Zeynolabedine for having been the accomplice, in TEHERAN and in IRAN, in GENEVA and on the territory of the Swiss Confederation, from June 1991 to 17th August included, of the murder of BAKHTIAR Chapour and KATIBETH Sourouch committed by X...pretending to be VAKILI RAD, alias KOCER, alias KAMAL HOSSEINI, BOYERAHMADEI, and X...having pretended to be AZADI, alias KAYA, alias NORIAN by helping or assisting the authors in the facts that prepared, eased, or perpetrated the action.

V) SHOORIDEH SHIRAZI NEJAD Gholam Hossein for having been the accomplice, in TEHERAN and in IRAN, and then in GENEVA, from June 1991 to 30th July, of the murder of BAKHTIAR Chapour and KATIBETH Sourouch committed by X...pretending to be VAKILI RAD, alias KOCER, alias KAMAL HOSSEINI, BOYERAHMADEI, and X...having pretended to be AZADI, alias KAYA, alias NORIAN by helping or assisting the authors in the facts that prepared, eased, or perpetrated the action.

VI) EDIPSOY Mesut for having been the accomplice in ISTANBUL and on the Turkish territory, from May 1991 to August 1991 included, of the murder of BAKHTIAR Chapour and KATIBETH Sourouch committed by X...pretending to be VAKILI RAD, alias KOCER, alias KAMAL HOSSEINI, BOYERAHMADEI, and X...having pretended to be AZADI, alias KAYA, alias NORIAN, on the one hand by providing the tools and any other means used for the action knowing that he was part of it, and on the other hand by helping or assisting the authors in the facts that prepared, eased, or perpetrated the action.

VII) GHASMI Nejad Nasser for having been the accomplice, in TEHERAN and on the Iranian territory, in GENEVA and on the territory of the Swiss Confederation, from June 1991 to 15th July, of the murder of BAKHTIAR Chapour and KATIBETH Sourouch committed by X...pretending to be VAKILI RAD, alias KOCER, alias KAMAL HOSSEINI, BOYERAHMADEI, and X...having pretended to be AZADI, alias KAYA, alias NORIAN by helping or assisting the authors in the facts that prepared, eased, or perpetrated the action.

VIII) X...pretending to be VAKILI RAD, alias KOCER, alias KAMAL HOSSEINI, BOYERAHMADEI Farydoun, X...having pretended to be AZADI, alias KAYA, alias NORIAN, HENDI Seyed Massoud, SHEIKHATTAR Hossein, EDIPSOY Mesut, SHOORIDEH SHIRAZI NEJAD Gholam Hossein, GHASMI NEJAD Nasser for having together with other people who have not been formerly identified, in TEHERAN and on the territory of the State of IRAN, in GENEVA and on the territory of the Swiss Confederation, in PARIS, SURESNES, and on the French territory, in ISTANBUL and on the territory of the State of TURKEY, from May 1991 to 6th August 1991 included, contributed to a conspiracy established or an association formed with a view to the preparation materialized by one or several material facts, one or several crimes against the persons.

With this circumstance that the offences listed above were committed in direct or related connection with the collective scheme aiming at causing a serious breach of public order by intimidation or terror.