

ORIGIN/ACTION

DEPARTMENT OF STATE

AIRGRAM

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A-087
NO.

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NR Pol 13-2 Iran

HANDLING INDICATOR

TO : Department of State

INFO : BERN, BONN, LONDON, PARIS, ROME, VIENNA

FROM : Amembassy TEHRAN

SUBJECT : Military Appellate Court Trial of 14 Young Iranians

REF : Tehran A-038

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DEPARTMENT OF STATE
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RS/AN

DATE: March 1, 1969

SUMMARY: A Military Appellate Court opened on February 15, 1969 to hear the case of the 14 young Iranians convicted in January 1969. The court issued its verdict on February 26, 1969 sustaining the findings of the lower court and confirming the prison sentences for all but one defendant who was acquitted. Several Iranian journalists and only one international observer (a representative of the International Society for the Protection of Human Rights) attended a portion of the appeal trial. Press coverage was factual and relatively brief. Iranian students abroad will probably seek ways to embarrass the Shah by protesting the results, but their effectiveness will again depend largely upon the degree of interest shown by the non-communist press and public.

Checklist
item 12

The Military Appellate Court trial of the 14 young Iranians, convicted on January 15, 1969 of forming a secret communist grouping to overthrow the Shah's government by force, opened in Tehran on February 15, 1969. The proceedings took place before a four-man military tribunal led by Gen. Majid NAGHDI. Press attention was limited. A cryptic item February 17 somewhat ambiguously announced that the court was expected to decide whether it should hear the appeal and the results were factually reported March 1.

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In Out

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In addition to family members of the accused, several Iranian journalists representing international wire services and one French national, Henri GARIDOU, (a lawyer representing the International Society for the Protection of Human Rights), attended portions of the trial. Garidou, we are told, learned of the appellate court proceedings through the Confederation of Iranian Students in Europe and arrived in Tehran on February 22, but stayed only for a few days and managed to attend only one court session. He was negatively impressed by his brief encounter with the military proceedings, and was particularly distressed to find that the prosecution had brought forth no witnesses to prove its case against the 14. Amnesty International, whose representative attended all sessions of the first trial, did not send a representative to the appellate court proceedings.

Military prosecutor Col. TAVANGARIAN submitted the same bill of charges and presented the same evidence offered in the first trial. The same three defense lawyers outlined the very same case they had made before the lower court, and again raised the issue of the military court's competence. After a two-day recess, the tribunal declared itself competent and the proceedings went forward. The defendants were again given an opportunity to make statements. KALANTARI, KIANZADEH, SHAHRZAD and AFSHAR chose not to speak because they felt their words would have no effect on the rulings of the tribunal. The other defendants repeated the views expressed at their first trial and again charged SAVAK with having extracted statements and confessions under duress. Defendant IZADI (the Agricultural Bank employee who was convicted and sentenced to six years for his part in hiding weapons in the mountains), however, made an impassioned plea of innocence. In the course of his statement he praised the Shah's reform program and outlined the extensive work he had done in the Agricultural Bank to carry out agricultural reforms.

On February 26, the Appellate Court issued its verdict sustaining the findings of the lower court and confirming the prison sentences for all but Izadi, who was acquitted. Presumably, the tribunal was at least in part persuaded by Izadi's laudatory statements about the Shah's agricultural program - but one cannot discount the possibility that other factors may have contributed to the leniency shown him including a more cooperative attitude on his part. There is no further appeal for the defendants except to the Shah who can reduce the sentences. Such clemency for prisoners who have served a portion of their term is usually shown by the Shah on the occasion of festive events in Iran such as Now Ruz (New Year) or the birthday of the Shah.

COMMENT

Iranian students abroad will probably seek ways to embarrass the Shah by protesting the results of the military appellate court. Their potential

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for trouble has been amply proved - most recently in staging demonstrations in Vienna and Zurich when the Shah stopped off in those cities, and the temporary occupation of the Iranian Embassy in Rome. Again, their effectiveness will depend largely upon the degree of interest shown by the non-communist press and public. The Embassy has the impression that thus far the enthusiasm for spotlighting this trial shown by the clandestine communist radios (one station, National Voice of Iran, promptly commented March 1 on the appellate court's decision) has apparently not been echoed in the non-communist information media. The Agence France Presse and A.P. representatives in Tehran, for example, tell us that the subject does not evoke more than a passing interest.

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