

Iran, The ICCPR and the key requirements of Article 6

Under article 6 (2) it states

*"In countries which have not abolished the death penalty, sentence of death may be imposed **only for the most serious crimes** in accordance with the law in force **at the time of the commission of the crime** and not contrary to the provisions of the present Covenant and to the Convention on the Prevention".*

Requirements of Article 6 in regards to the death penalty

Arbitrariness of Public Executions Article 6(1).

- States party to the ICCPR are required to put in place a legal framework regulating capital punishment.
- Iran violates Article 6(1) of the ICCPR through the lack of due process in the legal system, and the use of public executions.
- UNHRC has stated public executions are contrary to human dignity.

Serious crimes: Article 6(1).

- UN HRC is entrusted to interpret the provisions of the ICCPR, and have rejected almost every possible crime, except intentional murder, to fall under the category of most serious crimes.
- Iran violates this article through the 17 drug related crimes punishable by the death penalty. These policies are contrary to international standards for the death penalty.

Compliance with Article 6 and in conformity with all other articles of the ICCPR.

- Iranian death penalty law and practice appears to be contrary to Art 7 on prohibition of inhuman and degrading treatment.
- And Arts 2 on non- discrimination, 9 on right to liberty, 10 on humane treatment, 14 on right to fair trial, and 26 on equality before the law because of the non-derogability of Art 6.

Fair trial guarantees Article 6(2).

- Art 128 of the Iranian Code of Criminal Procedures may, lead to a denial of access to a lawyer.
- Usage of the Revolutionary Courts and denial of the right to appeal have been documented by various international NGOs.

Non Arbitrariness Article 6(1).

- Anti-Narcotics Law is contrary to the requirement of the non-imposition of the mandatory death penalty in Article 6(1) of the ICCPR.
- The mandatory nature of implementation of the death penalty for a number of cases violates Article 6(1).

Clemency and right to pardon Article 6(4).

- Numerous reports cite executions for drug offences in Iran being undertaken before the recommended period of six months.
- This limitizes the timeframe for the possibility for clemency.

Iran is a State party to and bound by the ICCPR, with article 6 explicitly dealing with the issue of the death penalty.

Iran convicts and executes persons for drug-related crimes on a daily basis.

Article 6 prescribes certain limitations in regards to limitations on the imposition of the death penalty, which Iran violates through legislative code and conduct.