

## **“The Death Penalty for Drug Crimes in Iran: An Analysis of Iran’s International Human Rights Obligations.”**

HRIU Research Paper Overview<sup>1</sup>

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### **Contextual issues: Narcotics, Iran and the Death Penalty.**

Iran is ranked second in the world after China for the number of executions committed annually. Although Iran does not provide comprehensive statistics on the issue of capital punishment, and refuse to make statistics available. Drug offences constitute, annually, more than two thirds of executions in Iran. The narcotics issue in Iran is serious, with over a third of the annual world seizures of heroin occurring in the country, Iran also has a high consumption rate of heroin. Iran views the death penalty as a viable route to tackling this issue. It is important to note that a significant number of those executed for drug offences in Iran are Afghan nationals, with persons from minority communities comprising a large proportion of those charged with drug crimes.

### **Iranian Law and Drug crimes.**

It is important to focus on the Iranian national constitution when ascertaining the scope and content of drug crimes and the way in which they are defined. The Iranian constitution provides safeguards for individuals which guarantees their rights, except in cases sanctioned by law. *The Iranian Anti-Narcotics Law of 1988 as amended in 1997 and 2011* contains 17 drug related crimes punishable by death. These range from simple possession, to active trade.

### **International Covenant on Civil and Political Rights and the Islamic Republic of Iran.**

The Islamic Republic of Iran has neither denounced, derogated from, nor attached any reservations to the ICCPR since the 1979 revolution. This, coupled with the state’s submission of periodic reports to the treaty monitoring bodies affirms a commitment to the ICCPR.

### **Violations of Article 6 of the ICCPR through the death penalty in regards to drug crimes.**

Key requirements of the ICCPR impose limitations of the use of the death penalty, and the legal manner in which it is implemented. Iran is in violation of at least six of these limitations prescribed by Article 6 of the ICCPR:

<b>The principle of non-arbitrariness</b>	Prohibition of mandatory death penalty
The conformity requirement	Fair trial guarantees
The right to clemency	Use of death penalty only for serious crimes

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<sup>1</sup> More information available at <http://www.essex.ac.uk/hri/documents.aspx>