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A Summary of the Legislations of the Islamic Parliament of Iran On Human Rights Standards



IN THE

NAME OF ALLAH

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of the Islamic Parliament of Iran
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In the Name of the Almighty

A summary of the Legislations on Human Rights Standards Passed by The Islamic Parliament of Iran

Introduction:

"Law" is a binding instrument with enforcing security wherein the rights and responsibilities of individuals are defined. In other words law is approved to safeguard and protect the rights of human society. References to the responsibilities mean some kind of emphasis on such rights to secure their compliance as strongly as possible. In short, law can be regarded as an instrument securing legitimate rights of individuals. Evidently, the sole existence of law under the patronage of a body namely "legislative power" does not mean safeguarding of the rights of individuals, as otherwise law-deprived societies are considered uncivilized.

Under such strongly institutionalized mechanism in different ruling systems, why in light of the issue of law and lawmaking which has been principally constituted to safeguard legitimate rights of people of all walks of society, another branch i.e. "human rights" has come into fore which has extensively received the attention of theoreticians, researchers, politicians and citizens? This means that both law and lawmaking bodies have not given due weight to their duties and emergence of this new branch is intended to once again give official recognition to the legitimate rights of citizens, or other objectives should be taken into account?

Scrutinizing the facts that led to the emergence of the principles and concepts of "human rights" requires deeper and more extensive analysis. Regardless of the various theoretical and ideological reasons in support of human rights, one can briefly conclude from the issues raised under this theme that it seeks to reiterate the values that are apt to be more obviously and seriously violated by national sovereignty in the course of their interaction with the people. Accordingly, the more sovereign governments have dissociated themselves from despotism and dictatorship, ruling under a democratically elected system, they have more respect for the values coming under the series entitled "*human rights standards*"

The Islamic Republic of Iran; a democratically elected system, was founded to bring to an end the ruling of despotic and dictatorial regimes. Globally there are various ruling systems based on "*republicanism*", while the ruling system in Iran is distinctively differentiated from other systems, as it is founded on the sublime sacred divine tenets of Islam which has introduced a pattern of ruling system under "religious democracy". Under such a system the values associated with human rights is naturally expected to be highly respected, more particularly by the national sovereignty, because the sacred religion of Islam inundated with lofty tenets that, in turn, consider greater respect and status for the values accepted by human rights. Once such peculiarities associated with republicanism of the system, an unparalleled feature of respect to human rights values is manifested.

Consequently, sensitive and significant role of the legislative body in the Islamic Republic of Iran, i.e. Islamic Parliament of Iran becomes more evident in safeguarding human rights standards. Adoption of any decision by this body on human rights manifests basically its adherence to religious duties and tenets. In fact this body gives legality in its present sense to the relevant religious decrees, while designating sanctions for violation thereof. Given this fact, as truly elected representative of people, a lawmaker has thus complied with his/her duties for protection and safeguarding of the legitimate rights and freedom of the electors.

Collection of the laws and enactments along with the bills or motions under examination briefly referred to here partly tend to display adherence of the Iranian lawmakers to the human rights standards that date back to a couple of decades ago. *Though "the law allowing accession of the Iranian government to the International Conventions on Civil, Political, Economic, Social and Cultural Rights"* was approved by the Parliament on May 76, 2009 whereby an equal and non-transferable natural and legal credibility was recognized for all members of human family on the basis of global freedom, justice and peace, nevertheless this domain of legislation dates back to many years earlier, namely 1921. Following are some examples attesting that our country inspired by a rich culture and sublime religion takes lead in safeguarding human rights standards in its modern conception. Undoubtedly one can scrutinize to find many other enactments of human rights nature. One should acknowledge that there is a long way ahead to achieve an ideal situation, which calls for harder efforts of lawmakers.

The series of evidence coming under this report appear in 8 chapters. The Constitution of the Islamic Republic of Iran constitutes the core of this categorization (Chapter III: Rights of the Nation). The Great Leader of the Revolution describes this instrument as follows:

The Constitution of the Islamic Republic of Iran is regarded as the manifestation of demands and ideals of the Iranian nation indicating the right direction and path to the people within an overall framework for codification of the general rules and policies of the system. Flexibility to adapt with the prevailing situation and finding solution to different problems is the peculiar significance of the Constitution which has introduced practical ways by seeking the expertise opinions of the experts. It is hoped that this report can serve as an appropriate basis to respond to the legislations needed for protection of human rights standards within the framework of sacred religion of Islam and the Constitution.

1. Rights of Women and Family:

Article 21 of the Constitution focuses on protection of the rights of women, though other also refers to some extent to some other protective rules. In general women are the core issue of three articles of the constitution, namely articles 3, 20 and 21. Also family is another issue that principally referred to in 4 Articles, namely 10, 21, 31 and 43. Certain other different cases of law have been approved for protection of women rights under series of ordinary laws which include as follows:

1.1 Family Protection Act, approved on June 15, 1967

As a pre-revolution legislation, having undergone certain amendments this law is still considered to be applicable. Under this law certain rules have been observed in the process of separation of spouses with grater tendency to exercise protective treatment toward women.

1.2. The Law on maintenance of women and children with no guardianship

Ratified in 1983, this law was later amended more comprehensively and approved by the Islamic Parliament of Iran in Nov. 2002 and received confirmation of the Guardian Council. Approved in 10 Articles and 8 Notes it has provided for special financial, cultural, and social, job protection and work aid.

1.3. The Law on allocation of quota to women for admission to the specialized medical residency, approved on Sept. 20, 1993

This law provides that Ministry of Health, Treatment and Medical Education should allocate to women a minimum 25% quota of admission to medical residency in the medical fields mentioned and a minimum of 50% to other branches of studies.

1.4. The Law on encouraging mothers to breastfeeding and protection of them in the course of lactation, approved on March 13, 1996 and later amendments approved on March 13, 1996 and June 27, 2007

This law focuses on various aspects of breastfeeding mothers, particularly working mothers who can enjoy certain privileges such as maternity leave.

1.5. The Law on addition of one Para and one Note to Article 6 of Press Act, approved on Aug. 22, 1998

According to this paragraph taking advantage of individuals (male or female) as an instrument in pictures, degrading and insulting treatment to female sex, indecent and illegal publicity is disallowed and the offenders shall be sentenced to punishments referred to in Article 698 of the Islamic Punishment Act.

1.6 .The Law on cooperation agreement in respect of the activities of women and family, approved May 13, 2003.

This agreement was signed on the occasion of the official visit to Tunisia of advisor (in women affairs) to the President of the Islamic Republic of Iran and Head of the Center for Women Participation Affairs which took place from April 16-21, 2000 at the invitation of the Tunisian Minister of Women and Family. This document containing 8 items refers to mutual relations on qualitative promotion of women activities within family and related atmospheres.

1.7. The Law on protection of the rights and responsibilities of women in the international and international arena, approved on Feb.4, 2007.

This legal motion prepared on the basis of the reference document " *Charter on the rights and responsibilities of women in the Islamic Republic of Iran*" received approval on Sept.22, 2004. The High Council of Cultural Revolution binds the government to facilitate practical attainment by women of the rights and responsibilities in the internal and international arena under Articles 20 and 21 of the Constitution and in light of the Forward-Looking Document.

1.8. The Law on the incremental coverage of rehabilitation and protection of persons with disability and women heads of the household by State Welfare Organization, approved on June 26, 2008

According to this law the government is authorized to develop service coverage needed for protection and rehabilitation of 100,000 disabled persons and 30,000 of women heads of the household.

1.9 The Law on partial amendment of Civil Code, approved on Feb.5, 2008

According to this law (Articles 946, 948) of the Civil Code were so amended that the wife is entitled to inherit, in addition to movable property, from immovable property including site and building.

2. Children and adolescents

In addition to various Articles of the Constitution (including Article 30 on the necessity of education to children up to the secondary school together with other rules on family underscoring the rights of this group as the founder of future, numerous other protective laws and rules have been ratified by the Islamic Parliament of Iran. For Example:

2.1. The Law granting guardianship of minor or mentally incompetent children to their mothers, approved on Dec.29, 1981

According to this law, guardianship of minor or mentally incompetent children whose fathers have attained the sublime status of martyrdom or died shall be granted to their mothers. The conventional living subsistence of such children either to be met from the inherited property or paid by the government or any of the revolutionary bodies shall be put at the disposal of their mothers, unless a competent court rules out competency of the mother. The Islamic Parliament of Iran amended this law in August 1985.

2.2. Law on the accession of the Islamic Republic of Iran to the Convention on the Rights of Child, approved on Feb.20, 1993

Approved on the basis of the relevant Articles of the UN Charter to recognize the integral rights of equality and status of all members of human family in order to lay the

foundations of freedom, justice and peace in the world, this Convention considers child as the most vulnerable member of this family on whom the future of the world is based. This instrument with a preamble and 54 Articles emphasizes on various aspects of protection needed by children. The Islamic Parliament of Iran approved this Convention in 1993.

2.3. The Law on acceptance of amendment to the Convention on the Rights of the Child, approved on July 10, 2001

Pursuant to the UN Resolution A50/155–Dec.21, 1995, amendments to the Convention were approved by the Islamic Parliament of Iran.

2.4 Law on ratification of the Convention on Prohibition and Immediate action for eliminating worst forms of child labor and the additional note, approved Oct.30, 2001

This Convention which was introduced in the General Conference of International Labor Organization to the member states for adoption on June 17, 1999, was submitted to the Islamic Parliament of Iran in October 2001. Having ratified, the Islamic Parliament of Iran required, under the threefold Notes thereof, the concerned Ministries such as Ministry of Mine and Industries, Ministry of Health and Ministry of Labor and Social Affairs to enforce the applicable rules.

2.5. The Law on Protection of Children and Adolescents, approved on Aug. 20, 2002

Focused on the fight against harassments, physical and mental injuries against the children under 18 years of age, this law was approved by the Islamic Parliament of Iran ensuring certain punishments for the perpetrators of such offences.

2.6. The Law on the citizenship of the children of the Iranian women marrying to Non-Iranian men, approved on Sept.24, 2006

According to this law, the issues born in Iran to the Iranian women married to non-Iranian men, or born in Iran not later than one year after adoption of this law may apply for the Iranian citizenship when they reach full 18 years of age. In absence of any penal or security records and their rejection of non-Iranian citizenship, such applicants are admitted to have Iranian citizenship.

2.7. The Law on accession of the Islamic Republic of Iran to the Optional Protocol to the Convention on Child Labor concerning sale, prostitution and pornography of children, approved on July 31,2007

This Protocol was adopted by the UN General Assembly on May 25, 2000. It is noteworthy that certain provisions of this Protocol have received greater attention of the Islamic Parliament of Iran in later enactments. A clear example of such case refers to the law on Cybernetic offences which extensively focus on penal aspects of child abuses. More significantly this law considers universal

competence for cybernetic offences that abuse individuals less than 18 year of age. (Para" d" of Article 28).

2.8. The Law on payment of stipend to the children of deceased mothers under Social Security Act and other Pension funds , approved on Dec.27, 2007

According to this law, pension payable to mothers, in the case of their death, likewise the deceased fathers/men, shall be payable to their children. This law ensures noticeable protective privileges for children who might suffer much in absence of their guardians.

2.9. Legal bill on protection of children and adolescents with no guardian, introduced on Feb.24, 2009

In order to adapt "*the Law on Protection of Children and Adolescents with no guardian (adoption)*" approved in 1974 with the latest prevailing circumstances and further to prepare a better and sufficient ground for protection of this vulnerable category and preservation of the sacred status of family in light of Islamic norms, this legal bill has been submitted. The present bill prepared within the framework of Article 29 of the Constitution has provided a more extensive spectrum for entrusting guardianship of qualified children and adolescents to the competent families, while encouraging better enforcement of care strategies by the guardians and promoting relations with guardian parents and mentioned children to ensure a mentally, physically stable atmosphere for the upbringing and growth of their personalities. The former act had

certain shortcomings in this respect. This bill is now in the agenda of the parliament.

3. Dignity and Privacy of the Citizens

This issue has been considered in Article 22, 23 and 25 of the Constitution. No independent broad based law has been passed by the Islamic Parliament of Iran, though it has on its agenda. However, here are the main laws regarding this issue.

3.1. The Motion on Privacy (presented on June 28, 2006)

This motion which had been primarily presented to the Parliament in the form of a bill while the 8th government was in office was later withdrawn by it. Before that the issue had been raised by the 7th Parliament and its generalities were passed, with no further debates for final adoption. Final ratification of the motion, though needs certain amendments, is not only deemed necessary under Article 23 and 25 of the Constitution, it can be also useful in some other sensitive fields due to its comprehensiveness.

This issue is of particular significance, with regard to our country's accession to some international and regional human rights conventions like Universal Declaration of Human Rights and International Convention on Civil and Political Rights to which we must adhere and take action to adopt certain necessary internal laws accordingly.

In sum, this motion consists of 7 chapters. The first chapter under the title of definitions and generalities refers

to the basic applicable conceptions, particularly the privacy and personal status as well as other relevant matters. In Chapter 2, the issue of corporeal privacy has been considered, which is mainly related to how the individual can be inspected. In chapter 3, the privacy of places and houses has been considered in which the process of law enforcement bodies have been defined. Chapter 4 refers to the privacy in work places and in chapter 5 the important issue of privacy on information has been also taken into account. Chapter 6 is particularly referring to privacy of communication and finally in Chapter 7, the ramifications resulting from violation of this privacy have been described.

3.2 Parts of the adopted bill on release of information and free access to information (Jan. 29, 2009)

As it will come in the following section, the basis of this act is to promote transparency of public information. However, in this law some information has been categorized as exceptions which, inter-alia, is information about individual's privacy as referred in Chapter 4.

3.3 Cases of the Law on Cybernetic offences, adopted on May 31, 2009)

According to Clauses 16 and 17 of these Act any and all actions done by using computerized or communicative systems which may bear individuals' degradation are defined as offence requiring the punishments as applicable. Moreover, in Clause 2 of this Act, overhearing private communication is regarded as an offence. This is an appropriate punishment for violating private electronic

communication. Yet in the second part of the Act which refers to the legal proceedings of cybernetic offences, some particular protective norms have been provided for law enforcement bodies on presentation of transmittable data and information about users (Articles 32 to 35 and 49).

4. Freedom of Expression and Information

Articles 4, 26 and 27 of the Constitution refer to this issue and the relevant aspects. As regards the press; however, Article 168 of the Constitution articulates that the trials of such cases should be public and with the jury in attendance.

4.1 The Law on the activities of Parties, Groups, Political and Trade Associations and Islamic Associations or recognized religious minorities, adopted on 20 Aug. 1971

According to this Act, formation of the said groups within the framework of the General Policies of the Islamic Republic of Iran is allowed under specifically protective rights and norms.

4.2. Press Law, adopted on March 3, 1985

It is noteworthy that this law dates back to more than one century ago i.e 1907. But in 1989, it underwent fundamental modifications and passed by the Islamic Parliament of Iran in commensurate with the objectives and ideals of the revolution. Certain amendments to this law have been approved including addition of a Note to Rule 1 covering electronic publications. Thus any offence

committed by the owners of e-publications under this law shall be tried by the competent court in the presence of the jury as an appropriate legal protection.

4.3 Adoption of the Bill on the release of and free access to information, Jan.29, 2009

Passed by the Parliament recently, this Bill focuses on one of the fundamental human rights of the people of Iran, i.e. access to public information. The Bill is still in the process of final approval in the Expediency Council as it has received objections on the part of Guardian Council, which were not modified by the Parliament. In order for this right not to be left impractical, some of its chapters have been allotted to clarify ways of getting access to information and also the duties of public and private institutions. Moreover, a high governmental authority tasked with the Committee for the Release and Free Access to Information is responsible for planning to control enforcement of this law in the best way possible. In addition, since there are no comprehensive applicable laws on the governmental classified information as well as other information not releasable to public, such as information on individuals' privacy. Therefore, in order to prevent any failure for enforcement of this law by touching on such exceptional cases which may deprive Iranian people from their established rights, a separate chapter has been allocated to clarify such information on exceptional cases. Finally some guarantees, including criminal sanctions have been ensured for violation of the provisions of this law.

4.4. Parts of the Law on Cybernetic offences, approved May 30,2009

Appropriate provisions have been considered under this law in order to protect freedom of expression in cyber atmosphere and under filtering of news websites. According to this law filtering of websites is regulated and confirmed to criminal cases. Under Article 21 only the cases with criminal nature and not necessarily the immoral ones will be filtered. Due and applicable legal rulings will be issued by an 11 member working group from governmental authorities under the chairmanship of the Prosecutor General. Moreover, if filtering of a website comes to be a private complaint, action will be taken only on the basis of the ruling from the relevant judicial authority. More important point as stipulated under Note 1 to Article 21 it is provided that under certain conditions websites of the offending party will not be filtered and the rights of individuals to have access to the related legal materials shall be kept. This ruling is enforceable under certain conditions that the criminal nature of that website becomes instantly ineffective.

5. Ethnic and Religious Minorities

There are various articles in the Constitution that underline the need for observing the rights of ethnic and religious minorities showing respect for their special customs and rites. The Articles include 12-15, 19 and 20. It is to be noted that Iranian lawmakers have always adhered to this important issue for a long time. Moreover, inspired by such Articles, the Islamic Parliament of Iran has adopted different protective laws in this regard. Following

are parts of the present applicable enactments.

5.1. Act related to the International Convention on Elimination of all forms of Racial Discrimination (July 21, 1968)

This Convention with an introduction and 25 articles has been adopted by all UN members to honor the principle of natural creditability and equality of all humankind. As a signatory of this instrument, our country has passed it through the then National Consultative Assembly on the said date.

5.2 Law on Punishment of Publicity for Racial Discrimination, passed on July 21, 1977

According to Article 1 of this law, publication of any kind of discriminatory ideas based on race, sex and racial abhorrence and any provocative measures on the basis of race or sex through public means and also any assistance including financial aid to the activities with racial nature shall be prohibited and the offenders will receive jail sentence and pecuniary punishments.

5.3 Law on accession of the Islamic Republic of Iran to the International convention for Prohibition and Punishment of Apartheid Crime, approved on Feb.12, 1985

In line with process of fight against any form of racial, gender-based, language, religious discrimination and respect for human rights and fundamental freedoms for all humankind, this Convention was adopted by the UN

General Assembly on Nov 30, 1973. In 1984 the Islamic Parliament of Iran passed accession to this Convention with confirmation from the Guardian Council.

5.4. Law on accession of the Islamic Republic of Iran to the International Convention against Apartheid in sport, approved on Sept 29, 1987

The Convention composed of an introduction and 22 Articles was presented to the UN members on Dec. 10, 1985 and was adopted as an instrument aimed at eliminating all the discriminatory aspects in the sport fields.

5.5. Law on Investigation of the Claims concerning personal status and religious teachings of Iranian Zoroastrians, Jews and Christians, adopted on June 24, 1993 by the Expediency Council

According to this Law, Article 13 of the Constitution and also Single Article Act, it is specified that Personal Status of non-Shiites Iranians in the courts of law should be observed. As adopted in August 1933, personal status, right of inheritance and will of non-Shiites, whose religious beliefs have been recognized, should be observed in respect of the prevailing customary rules and practices in their region in the courts of law, other than cases that relate to public disciplines as required under the law. Therefore, in the case of examination of the said cases as well as examination of the application for confirmation of a will, courts shall observe the customary practices exercised in the religion unless in respect of the provisions of the law related to the disciplinary cases.

5.6. Law on addition of one Note to Article 297 of Islamic Penal code adopted in 1991 and confirmed by Expediency Council on Dec. 27, 2003

According to this Note and based on the decree of Supreme Authority of Jurisprudent, the blood money payable to the religious minorities recognized in the Constitution shall be equally the same as payable to a Muslim.

6. Persons with disability

In addition to disabilities related to genetic abnormalities i.e. congenital abnormalities as well as disabilities resulting from natural or other incidents, our society is facing a large number of disabled persons in the course of 8 year sacred defense, who need appropriate protection under the applicable laws. The Islamic Parliament of Iran has greatly emphasized on this important issue during the years after the sacred defense while safeguarding the rights of persons with disability. Among the laws passed in this respect:

6.1. Comprehensive law on protection of the rights of persons with disability (May 7, 2004)

According to this law the government is obligated to attentively prepare the grounds for the activities of persons with disability in the society eliminating any unfair discrimination. This law also applies to the guardians of the persons with disability as they also receive certain facilities. Furthermore it has been ensured that the disabled

persons can be also employed with due consideration of their abilities.

6.2. Law on adoption of Convention for the rights of persons with disability (Dec. 4, 2008)

This Convention, as the first Convention on human rights in 21st century was adopted by the UN Security Council in Dec. 2006 to which 80 states joined. According to this instrument States are obliged to guarantee rights of the disabled persons by adopting necessary laws to eliminate any discrimination against them. With regard to the human, moral, national and religious history of our country, the legal bill for accession to this Convention was passed by the Islamic Parliament of Iran on Dec.25, 2008 and confirmed by the Guardian Council.

6.3. Law requiring the government to recover rights of the disabled and victims of chemical war against the Islamic Republic of Iran passed (Jan.26, 09)

The victims of the Iraqi Imposed War who include over 50,000 disabled chemically and families of tens of thousands martyrs of bio-chemical war suffice to prove the oppression rendered to the Islamic country of Iran. Though Iranians are regarded as the greatest living witness of the history of such tragedy, nevertheless no serious action has been taken to collect compensations, and the countries supplied such lethal weapons have not been called into account on the basis of legal standards. Therefore a Single Article Act containing 5 Notes has been passed requiring the government and the Judiciary to take necessary legal and judicial actions, in addition to resorting to such

prerequisites as creation of a comprehensive data bank of these crimes. This Act was served to the government on Feb. 3, 2009.

7. Labor, Welfare and Social Security:

There are several articles in the Constitution that call on the government to give due attention to various aspects of labor, welfare and social security of the citizens. Article 3(particularly Para 12), 28 and 29 are of great importance in this respect.

Similarly several laws have been passed with an appropriately broader coverage, particularly as a medium to respond to the shortcomings and to meet the needs of the modern society. This is the outcome of legislative experiences gained in the past decades. Following are examples of the recent enactments:

7.1 Labor Law:

The Principal Law relating to this domain, i.e. labor law was passed by the then National Consultative Assembly in 1957. It was later underwent certain basic amendments in 1990. Many other laws have been passed on related subsidiary issues which mainly include:

Apprenticeship Law (1970), Agricultural Labor Law (1974), the Law on granting the workers under Labor Law the privileges for devotions and working in the war-stricken regions (Dec.21, 1997), The Law on labor agreement and development of labor force between the Islamic Republic of Iran and Kuwait (Oct. 2,2001), the Law on agreement for social, labor, and working

cooperation between the Islamic Republic of Iran and Qatar(June 26,1994), and the Law on transferring government owned shares to the devoted and workers (Aug. 3, 1994).

7.2 Social Security Law

Passed by the Islamic Parliament of Iran in 1975, Social Security Law was extensively amended after the Islamic Revolution to provide a broader coverage in order to respond to the demands of the society. Among such amendments approved recently the law has provided broader health coverage for male children of the pensioners of civil servants, military service and social security funds as well as other pensioners, who received approval of the Islamic Parliament of Iran in July 2008. Similarly, the law on the comprehensive structure of Social Security System was passed by the Islamic Parliament of Iran on May 12, 2004, to provide an integrated system promoting services to be rendered by the government to people in social security field.

7.3. Insurance Law

In respect of insurance as an important issue, the Islamic Parliament of Iran has passed major laws before and after the Islamic Revolution in order to bring a broader coverage in quantitative and qualitative aspects for protection of citizens. Certain important laws passed after the revolution is as follows:

Unemployment insurance (passed on June 15, 1987),
Pre-mature retirement of those insured under Security (

May 19, 1988), Public insurance of State Health Service (Oct.25, 1994), Retirement, Death and disability Insurance of Carpet and Rug Weavers (Dec.2,1997), Exemption of Medical Service Insurance Organization from payment of Taxes on the receipt of premium (Jan.4, 1997), Social Insurance of Taxi and Truck Drivers (May 9, 2000), Establishment of Private Insurance Institutes (Aug. 28,2001), and Social Security Insurance of Construction Workers (Oct.31, 2001).

As regards the recent law which dates back to the pre-revolution era, the compulsory insurance of construction workers passed in 1973 by the National Consultative Assembly. At this stage other protections have been also provided for the working group. It is to be noted that working nature of this group had not been so far covered by Social Security Laws, though they have always exposed to serious risk as a vulnerable working category. As a result the Islamic Parliament of Iran realized the necessity of putting this issue in its agenda. It is noteworthy, that this law is not merely restricted to the insurance of the Construction Workers, but has paid due attention to their training and skillfulness.

8. Just and Fair Proceedings:

In the Constitution of the Islamic Republic of Iran there are different articles that strongly emphasis on protection of all citizens vis-à-vis the judicial system ensuring their dignity and status in the process of proceedings, particularly criminal proceedings as required under Articles 332, 34 to 39.

8.1. Code of Criminal Procedure:

This code dates back to nearly one century ago; a series entitled "provisional Codes of criminal trials (Code of Criminal Procedure) containing 506 Rules which was ratified by the then National Consultative Assembly on Aug 21, 1912. Since then this code has been in force, as amended. The latest binding amendments is called Rules of proceedings of Public and Revolutionary Courts in Criminal Affairs approved on Sep. 19, 1999. This series of laws focus on various aspects of protection of the rights of the accused and criminal convicts. The legal bill underway for ratification explicitly refers to the principles of fair proceedings as a sign of the compliance of Iranian lawmakers to such norms.

8.2. Law of attorneyship:

This law dates back to Sept. 1935 when the then National Consultative Assembly ratified it with 55 Articles. The long precedence of this law clearly shows that the Iranian lawmakers are duly bound to the evident principles of just and fair proceedings in their legal system. More particularly that the legal bill granting independence to the Bar Association was approved by the then National Consultative Assembly in 1954. This measure is considered as a principal step intended to secure rights of citizens in the course of either civil or criminal proceedings.

8.3. Law on respecting legitimate freedoms and promoting citizenship rights, passed on May 6, 2003

This law which includes one single act and 15 items refers to various aspects of just and fair proceedings.

8.4. Legal Bill on Penal Procedure, submitted on Jan.26, 2009

This legal bill that is in its final stage of ratification focuses on compliance with the principles of just and fair proceedings which include:

Innocence as a principal, obligation of the prosecuting authority to adduce evidence against the accused, no compulsion on the accused to prove innocence, granting opportunity to the accused for defense, narrow interpretation of penal decree in favor of the accused, equal treatment in respect of principles of acquittal toward the convicts with clean record or bad record, interim detention as an exceptional case, necessarily for interference of the judicial authority at any stage of proceedings if the convict's freedom is neglected, granting sufficient means to the convict to object to his/her detention, release of the convict immediately after acquittal, right to have attorney at any stage of proceedings, prohibition of torture and deception of the convict by raising ambiguous questions.