



**IHRDC Translation of the  
Parties and Associations Law Reform Plan**

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## **Complete Text of the Parties and Associations Law Reform Plan**

The Parties and Associations Law (PAL) Reform Plan presented to the [Iranian Parliament's] Commission on Councils and Internal Affairs comprises five Chapters and 59 Articles; upon finalization, this plan will replace the country's existing Parties Law instituted thirty years ago.

Fars News reported that the PAL Reform Plan, drafted by the Article 10 Parties Commission after months of evaluation and deliberation, is currently under review in the Islamic Majlis [Iranian Parliament] Commission on Councils and Internal Affairs.

According to the report, plans to revise the Parties Law legislated in 1360 [1981-2] began in 1385 [2006-7], and following a period of evaluation, a draft was developed that is now being reviewed by the Majlis Commission on Councils and Internal Affairs. The complete text for the Parties and Associations Law Reform Plan is published below:

### **Chapter 1 – Definitions**

Article 1 – *Political Party and Association*: An organized group composed of real persons which possesses an operating license and which within the framework of laws and regulations pursues specified objectives according to its political line and policy.

Clause – *Front*: An alliance of Associations which possesses a permanent operating license and which is formed during a specific period in connection with a specific topic; if a front maintains continuous operations it must obtain an operating license from the Commission on Councils but if it is formed for a limited time period (such as elections), the front must notify the Commission on Councils, and may begin to operate provided that the Commission raises no objections in terms of legal regulations.

Article 2 – *Board of Founders*: Real persons who pursue affairs relating to founding [a Party or Association] and who apply to obtain an establishment permit and an operating license.

Article 3 – *Central Council*: A group of elected persons from the General Assembly who represent the Association in accordance with its manifesto, charter and related laws, and are responsible for guiding and realizing the goals of the Association.

Article 4 – *General Assembly*: The highest pillar of an Association, which is formed of individuals who have gained membership in the Association in accordance with its manifesto and charter.

Article 5 – *Manifesto*: A document that expresses the goals, visions, principles and beliefs, [political] line, policies for achieving its goals, and other matters stipulated in this Law.

Article 6 – *Charter*: A collection of regulations that expresses the organizational structure, pillars, description of duties and authorities, protocol for appointing or changing members, conditions for amending the manifesto and charter, validity of administrative, financial and political documents, appointing financial resources, protocol for dissolving the Association, and other matters stipulated in this Law. The Charter must be approved by an Association’s General Assembly and be ratified by the Parties Commission.

Article 7 – *Parties Commission*: The Parties Commission is the subject of Article 10 of this Law.

Article 8 – *Operating license*: A document by virtue of which a Political Party or Association is permitted to operate on the basis of its manifesto and charter and in accordance with the country’s laws, and to enjoy the legal benefits of licensure. Licenses are issued in the forms of permanent or temporary.

Article 9 – *Commission Secretariat*: The operations body of the Parties Commission is termed the Secretariat, whose budget, human resources and facilities are provided by the country’s Ministry of Interior. The Secretariat fulfills its duties in the framework of the Parties Commission legislations and is overseen by the Political Deputy of the Interior Minister.

## **Chapter 2 – Parties Commission**

Article 10 – [The Parties Commission] is formed at the Ministry of Interior for the purpose of issuing founding permits and operating licenses and oversight of the activity of Commission groups and composed of the following:

- a) Political Deputy of the Interior Minister, appointed directly by the Interior Minister;
- b) Two Members of Parliament (MP) from the Islamic Majlis, elected by Majlis members and nominated by the Majlis Speaker;
- c) Representative of the Judiciary Chief, appointed directly by the Judiciary Chief;
- d) Representative of the Attorney General, appointed directly by the Attorney General;
- e) Representative of the Supreme Council for Management of Qom Seminaries, nominated by the Council Chairman;
- f) Representative of the Intelligence Ministry, appointed directly by the Intelligence Minister

Representatives from the Executive Branch are elected among volunteer MPs by voting in a Majlis open session.

Clause 1 – Representatives who are the subject of this Article must be selected and introduced to the Interior Minister within a month from the date that this Law becomes mandatory. The Interior Ministry must convene the first session at a maximum of ten days from the time the last representative is introduced.

Clause 2 – The above-mentioned Representatives serve a two-year term and will continue their duties until new representatives are introduced.

Article 11 – The organizational pillars of the [Parties] Commission are as follows:

- a) *Commission Chairman*: The Commission Chairman is elected among and by majority vote of Commission members.
- b) *Vice Chairman*: The Vice Chairman is elected among and by majority vote of Commission members
- c) *Commission Secretary*: The Representative of the Interior Minister.
- d) *Secretariat*: The Secretariat, overseen by the Political Deputy of the Interior Ministry, is tasked to perform assigned duties.

Article 12 – The Council may invite experts and representatives from agencies, organs and establishments to attend sessions for the purposes of consultation and provision of reports. All agencies and establishments are duty-bound to provide requested information to the Council in the case of inquiry.

Article 13 – Executive expenditures and allocations related to the Parties and Associations Law and its Council and Secretariat, as well as necessary facilities, have a special status in the Interior Ministry budget (under the Political-Social Affairs Program) and are financed by the Interior Ministry. The Interior Ministry must provide an approved budget and required facilities to the Council.

Article 14 – The duties and authorities of the Commission are as follows:

- a) Examination and authentication of the eligibility of founders, central council members and provincial branch directors of applicant Parties and Associations;
- b) Investigation, approval and ratification of the manifesto, charter, central council, board of founders, and provincial branch directors;

Clause – Attending to changes to central councils, founders, provincial branch directors, charter and manifesto:

- c) Issuing founding permits and permanent and temporary operating licenses for Political Parties and Associations and short-term and long-term formation of Fronts, and monitoring their performance;
- d) Evaluating and making decisions on requests submitted by Associations to hold rallies and demonstrations;
- e) Attending to violations and complaints lodged by Parties and Associations and taking appropriate measures;
- f) Oversight on the financial activities of Associations and attending to financial violations;
- g) Monitoring the distribution of government aid;

Clause 1 – The duties of the Secretariat and Secretariat Chair will be in accordance with bylaws approved by the Commission.

Article 15 – Commission sessions shall be officially convened with the presence of four Commission members, and Acts passed with at least four votes shall be valid on the condition that three of the votes are given by Representatives of the three Branches of Government.

Clause – Drafting operational procedures, codes and internal bylaws and any changes made to them shall be by unanimous consensus of all Commission members.

Article 16 – Allocations required to finance expenditures of the Commission are allocated annually in the Interior Ministry budget (under the Political-Social Affairs Program).

Clause – The Interior Ministry shall draft final requisite allocations for the foreseen budget in view of the Commission’s proposed budget.

Article 17 –For monitoring the activities of groups, the Commission may form a Board composed of members and other individuals including representatives from Parties and Associations.

Article 18 – All complaints regarding the decisions of the Commission shall be addressed to the Specialized Branches of the Court of Administrative Justice.

Article 19 – The Commission Chairman is responsible for managing Council affairs and sessions; giving notification of Acts; signing off on operating licenses for Parties and Associations; notifying the press and media on Acts and statements; signing off on correspondence and invitations; issuing rulings including Council observers on elections and on Parties and Associations and General Assemblies (Congresses); investigation and oversight on Parties and Associations; signing off on final budgets prepared by the Commission Secretariat and ratified by the Commission; pursuing legal and judicial affairs; and introducing offenders and various Associations to the Judiciary system.

Article 20 – The duties of the Commission Secretary consist of: administration of the Secretariat, handling registration of requests and documents; official correspondences; managing active and inactive records; creating an information center; finalizing licenses, responding to applicants; preparing the annual budget of the Commission; receiving payments and facilities from the budget status and the Interior Ministry; payment of salaries and benefits, travel and speaking fees as necessary, and other approved expenditures; deploying observers to Congresses and Associations for monitoring of their Central Council elections; processing Acts passed by the Commission and assigned affairs of the Commission Chairman; appointing legal representatives of the Commission in court proceedings.

### **Chapter 3 – Founding Political Associations**

Article 21 – In order to operate legally, all types of Associations are required by this Law to obtain a license from the “Commission on the Parties and Associations Law”

Article 22 – The founding of any Political Association requires the presence of at least 15 real persons legally eligible [to serve as] the Board of Founders.

Clause 1 – A Front or Alliance may be founded with the consensus of at least five Associations that possess an official operating license.

Article 23 – The criteria for membership in the Board of Founders and Central Council are:

- a) Practical commitment to the Constitution of the Islamic Republic of Iran;
- b) Minimum age of 18;
- c) Iranian citizenship

Article 24 – The persons below are not permitted to become members of Political Parties and Associations:

- a) Those with criminal records or dispossessed of social rights by final court ruling;
- b) Persons of authority and influential elements in the former regime and their immediate family members; Free Masons; followers and associates of antagonistic groups which act or have previously acted against the Islamic Republic regime;
- c) Judges employed in the Judiciary, employees of the Ministries of Intelligence, Defense and Armed Forces, military and police personnel, and other persons whom the law prohibits from membership in Political Parties and Associations.

Clause – Males serving compulsory military service term

- d) Persons engaged in political, economic and social actions against national security, and persons suspected of espionage as determined by competent sources;
- e) Persons involved in immorality and vice, corruption, [drug] addiction and drug smuggling;
- f) Key members of dissolved Parties until five years after the date of dissolution.
- g) Individuals who are under judicial investigation, until such time that a court ruling is issued for acquittal

Clause 1 – Presence of these conditions at the start or during the period of membership of persons disqualifies [them from membership].

Article 25 – Criteria for membership in Political Associations:

- a) Minimum age of 18;
- b) Iranian citizenship;
- c) Practical commitment to the Constitution of the Islamic Republic of Iran;
- d) Other criteria stipulated in the [Association's] manifesto and charter

Article 26 – Applicants for founding Political Associations must submit the following documents to the Interior Ministry and receive a receipt of delivery:

- a) Three copies of the proposed manifesto and charter
- b) A preliminary application form for a license, following the sample provided by the Interior Ministry and signed by the founders;
- c) A form stating the personal information of the Board of Founders members;
- d) Proof of lack of a criminal record;
- e) Documents for verification of identity and academic degrees

Article 27 – The manifesto of Political Associations must contain the following matters:

- a) Principles of thought, beliefs, worldviews, general approaches to cultural, economic, social, political, executive and legal issues, and the like;
- b) Goals, macro-level solutions, policies and programs for achieving stated goals;
- c) Affirmation of commitment to the Constitution of the Islamic Republic of Iran, Islamic standards, the tenet of Guardianship of the Jurist [*Velayat-e Faqih*], and observance of other laws and regulations

Article 28 – The charter of Political Associations must contain the following matters:

- a) The Association's full name and acronym;
- b) The address of its headquarters and geographical region of its activity;
- c) The general structure and pillars of the Association, including definitions, description of duties, protocol of activity, breakdown of authorities and responsibilities of each pillar, procedures for appointing the Central Council, Secretary General and other pillars;
- d) Protocol for ratification of the manifesto and charter and amendments to them, and protocol for ratification of executive and financial bylaws and directives;
- e) Protocol for convening General Assemblies, official sessions, and voting procedures and passing Acts;
- f) Protocol for provision of financial resources;
- g) Protocol for admitting members and general criteria for membership;
- h) Protocol for dissolution and liquidation

Article 29 – A Political Association may use any name or acronym and logo, except in the following cases:

- a) Names that are derogatory or contrary to good ethics and the country's religious and cultural values;
- b) Titles that are in use by public institutions and organs stipulated in Article 5 of the Public Services Law, or that belong to other Associations, or are similar to such an extent that may commonly cause confusion, as well as titles deemed overly generic by the Parties Commission;

Article 30 – The Commission Secretariat upon receipt of the application to found an Association, and after examination of documents and completion of the dossier, shall provide a summary report to the [Parties] Commission, and initiate investigation of the founders' backgrounds records from relevant sources (Intelligence Ministry, Attorney General, Police Force), and shall send the dossier to the Commission within two weeks of receiving the investigation results.

Clause 1 – Relevant sources are obligated to send investigation results within a maximum of two months; otherwise the Commission will make its decision independently.

Article 31 – Upon receipt of the completed dossier, the Commission shall act within a maximum of three months to announce its ruling on the eligibility of an Association's Board of Founders and Central Council; the Commission Secretary and evaluators shall announce their ruling on the compliance of the Association's manifesto and charter with legal regulations, and in the case of confirmation of criteria, shall issue a founding permit.

Clause – If the Commission rejects an application for founding a Political Association, officials shall duly inform the applicants [of this decision].

Article 32 – The Board of Founders of a Political Association possessing a founding permit must within a maximum of six months from the date of issue of the permit act to form a General Assembly, elect members of its Central Council, ratify its manifesto and charter, and appoint monitors; failure to do so will result in the expiry of the founding permit.

Clause – If the Board of Founder requests an extension of this deadline which the Commission deems valid, this deadline is extendable by two months for one time only.

Article 33 – To convene a Political Association’s first General Assembly, a minimum of 150 membership applicants must be present; and to expand the Association’s regions of activity to a nationwide level at least 300 members from at least ten provinces are required. The scope of a Party’s activity is based upon its charter as approved by the Commission.

Article 34 – For the purpose of fulfilling monitoring duties, a written invitation sent by Political Associations to the Parties Commission monitoring representative two weeks in advance of a General Assembly is mandatory.

Article 35 – Names of members present who hold the right to vote at the General Assembly must be registered and submitted to the Commission as an appendix to a record of the Assembly’s passed Acts. A Political Association is charged to submit all information and documents requested by the Commission Secretariat.

Article 36 – The Board of Founders must submit to the Commission Secretariat the following documents in order to request a permanent operating license:

- a) Manifesto and charter ratified by the General Assembly;
- b) Application form for issuance of a permanent operating license, according to the sample provided by the Interior Ministry and signed by the [members of the] Central Council;
- c) Minutes of the meeting of the General Assembly signed by the Board of Founders and Board of Directors, along with a list of the minimum persons required to convene a General Assembly;
- d) Addresses of branches set up in provincial capitals and information on branch officials

Clause – The final manifesto and charter must contain all matters listed in Articles 13 and 14.

Article 37 – The Parties Commission Secretariat, upon receipt of the documents listed in the previous Article and after receiving investigation results from relevant sources, must within two weeks send the completed dossier to the Parties Commission for final approval.

Article 38 – The Parties Commission must within three months take measures to examine the compliance of the manifesto and charter with legal regulations, principles of independence, freedom, national unity, Islamic values and foundational values of the Islamic Republic, eligibility and confirmation of the General Assembly, background investigation, and if all criteria are met, issuing a “Permanent Activity License” for a Political Association. This license will be



registered at the Secretariat and signed by the Interior Minister and Commission Chairman within ten days.

Clause –The Commission shall notify the applicants in the case of failure to meet criteria.

Article 39 – Upon receiving a Permanent Activity License, a Political Association must publish its manifesto and charter, along with its License number, in an official Islamic Republic newspaper and after formal publishing of the above information, the Party will gain formal and official status. Future changes to the manifesto and charter and Central Council likewise are formalized through this method.

Article 40 – Any type of alteration to the composition of the manifesto and charter, Board of Founders, Central Council, Secretary General, and provincial branch directors must be submitted along with necessary documents within twenty days to the Secretariat for investigation and approval by the Commission.

Article 41 – In the case that such changes cause the Political Association to lose its standing in meeting required legal criteria, the Parties Commission may give the Association a one-month probation warning and if the Association fails to satisfy the criteria required by the Commission within this allotted timeframe, the Association’s license shall be cancelled.

Clause – If a Party, after notification of cancellation of its license based on conflict with legal regulations, within 20 days satisfies the criteria required by the Commission, the Commission shall annul the cancellation of the Association’s license.

Article 42 – In any instance that real persons intend to perform short-term political activity in all types of elections in an organized fashion, they must submit a request to the Commission to establish a short-term Political Association six months prior to Election Day.

Clause 1 – The executive bylaws of this Law shall be prepared by the Interior Ministry within three months after the ratification of this Law and presented to the Commission; pursuant to approval by the Commission that will require approval by the Council of Ministers.

Clause 2 – Pursuant to the end of an elections period, short-term electoral Political Associations will be considered dissolved.

#### **Chapter 4 – Rights and Duties**

Article 43 – Activity of Political Parties within the framework of the law, its manifesto and its charter, contingent upon observance of the principles of independence, freedom, national unity, Islamic values and foundational principles of the Islamic Republic, is free.

Article 44 – Peaceful (unarmed) demonstrations, with due notification to the Interior Ministry and contingent upon the Commission confirming that such demonstrations are not in violation of

Article 10 or destructive to Islamic values, may be held freely in public squares and parks by obtaining a permit from the Interior Ministry.

Clause 1 – Holding rallies and demonstrations is the right of Political Associations which hold a permanent operating license.

Clause 2 – Executive bylaws of this Article upon approval must be prepared by the Interior Ministry within three months and presented to the Council of Ministers for approval.

Article 45 – Parties, within the scope of their charter, may establish branches and offices in provinces and towns with the approval of the Commission.

Clause 1 – The Commission may confer grant of permission to establish provincial branches to the Interior Ministry.

Clause 2 – Establishment of any kind of branch or office abroad is prohibited, unless the Commission issues a permit for such cases.

Article 46 – Forming a Party or Association without passing through the official legal process and receiving an operating license is unlawful; and issuing declarations, statements, promotional materials and handbooks, giving interviews, calling for rallies and demonstrations, nominating electoral candidates under the title of a Party or Association, without possessing a license is illegal and offenders will be legally prosecuted for violation of the law and according to laws of forging identity, etc.

Article 47 – The government [administration] may allocate a budget in its related budget proposal for the purpose of financial assistance to Political Parties and Associations.

Article 48 – Association budgets must be financed through legal and legitimate means, and must be spent in legal and legitimate avenues.

Clause 1 – Use of any kind of government resources or facilities in any form or under any title, except that which is foreseen in the related budget, is prohibited for Political Associations.

Clause 2 – Engagement in economic and commercial activity is prohibited for Political Associations.

Article 49 – The total revenues and general expenditures of a Political Association based on its charter must be registered at licensed offices or offices approved by the Commission.

Article 50 – Allocation of government aid in subsequent fiscal periods is contingent upon submitting a financial report of payments received by the Association.

Article 51 – If an Association is dissolved, after all debts are paid, the remaining assets will be distributed according to the provisions in the charter and with the oversight of the Commission.

## Chapter 5 – Violations

Article 52 – Political Parties and Associations, in all activities (including real and virtual) such as holding gatherings, declaring stances, and publishing and distributing publications, must avoid committing the following acts:

- a) Any kind of behavior in violation of the law and [the Association's] manifesto and charter;
- b) Calling for and holding rallies and demonstrations without a permit;
- c) Receipt of any kind of illegal financial assistance and failure to submit an annual fiscal report;
- d) Any type of illegal financial and economic activity or legal violation such as smuggling or unlawful profiteering or misuse of government facilities and public institutions;
- e) Violation of personal and social freedoms, violation of personal and public property, and abuse of legal rights and disrupting public order;
- f) Any type of communication and collaboration, exchange of information and collusion with embassies, foreign envoys, foreign institutions and governmental and non-governmental organizations, secret and clandestine relations with political parties in foreign countries and any type of collaboration with media antagonistic to the Islamic Republic in any form and at any level, which violates [the principles of] freedom, independence, national unity, Islamic values and foundations of the Islamic Republic of Iran.
- g) Receipt of any type of financial assistance from real and legal foreign persons, foreign countries, or international organizations by direct or indirect means.
- h) Any type of activity that violates Islamic values or foundational values of the Islamic Republic such as 'Islamicness' and 'Republicanism' and the tenet of Guardianship of the Jurist.
- i) Sacrilege against Islam, any form of propaganda against the principles, beliefs and essentials of the religion of Islam, and distribution of books, publications and materials conflicting with Islamic standards.
- j) Violation of independence, national unity and any kind of design or act aimed at overthrow [of the regime] by real or virtual means, such as soft war or separatism.
- k) Any effort to provoke instability, conflict and strife among demographic groups in the nation along cultural, religious, ethnic and racial lines.
- l) Disclosure and public release of confidential documents, generating rumors and propagating lies, libel, defamation and character assassination of real and legal persons.
- m) Buying and selling, and harboring and carrying illegal firearms and weapons.
- n) War on God [*moharaba*] and Corruption on Earth [*Fesad fel-Arz*] and related crimes, as well as acts against internal and external security and national interests.

Clause 1 – Communication with the parties, embassies and governments of foreign countries that have friendly relations with Iran and international organizations within the framework of the country's laws and regulations, pursuant to obtaining a permit from the Commission, is permissible. International aid from legal and legitimate avenues in relation to cultural affairs that are not tainted with political misappropriations, with prior notification to the Parties

Commission, is permissible. Associations may establish branches and representative offices abroad with the contingency of obtaining a permit from the Commission.

Clause 2 – The Commission’s decision must be advertised in a high-circulation publication for public notification. The Commission may decline to advertise instances of verbal and written warnings [issued to Associations].

Article 53 – The Judiciary is responsible for allocating a criminal court branch in every province for handling affairs and appeals related to Association dossiers sent by the Parties Commission.

Article 54 – The Commission’s decision on violations committed by Associations shall not deter or obstruct judicial pursuit of the committed crimes.

Article 55 – All Political Associations must adapt their situation to this [revised] Law within the period of one year, otherwise they will be considered nullified.

Article 56 – Issuance of an operating license and oversight on the performance of Associations for religious minorities is the responsibility of the Article 10 Commission and shall be enacted on the basis of legislated laws and executive bylaws and future reforms.

Article 57 – Persons who hold dual citizenship may not become members of a Party or Association as current laws do not recognize dual citizenship for Iranian citizens.

Article 58 – If divergence and branching occurs within a Party or Association, the persons branching off do not have the right to use the title of the said Party or Association.

Article 59 – [News of] dissolution or de-licensing of a Party must be published in the country’s high-circulation publications by the Commission. The Commission must also give official notice [of this dissolution or de-licensing] to related institutions and organizations such as the Document Registration Organization, banks and other entities. From the date this announcement is made, all banking transactions, registration affairs, transfer and transport of assets and properties, and withdrawals from bank accounts etc. in relation to the Party or Association shall be stopped.