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In His Name,

the Omniscient, the Omnipotent

CODE OF CRIMINAL PROCEDURE

THE ISLAMIC REPUBLIC OF IRAN

Translated into English by:
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Preface

The main objective of the criminal procedure codes is the maintenance of judicial security and due process, since not only do these codes contain provisions securing the rights and freedoms of individuals but they also ensure the order and security in the society. The Code of Criminal Procedure was enacted on February 22, 2004 consisting of 570 articles. On September 30, 2014 a second part, under the title of the Law on Procedure for Investigation of Offences of the Armed Forces and Electronic Legal Proceedings was added to the first part, making the Code being comprised of 692 articles. On June 14, 2015 some parts were amended and the Code came into effect on June 22, 2015. The following are, *inter alia*, the achievements and accomplishments of this Code: securing of the rights of the accused to defense; change in the legislator's attitude towards the accusative approach in preliminary proceedings; presence of a lawyer in all the proceedings; enumeration of the rights of the detainee; abolishment of the mandatory temporary detention; provisions on the possibility of compensation for innocent prisoners and detainees; registration of a personality file for the accused; protection of the witnesses and victims; provision of mechanisms related to differentiated justice policy towards the accused in special conditions like the juvenile; electronic delinquencies and crimes; legal persons; capacity-building for electronic proceedings; transparency; facilitating the public access to judicial resorts and establishment of the social facilitation body, to name but a few.

This code emanates from the dynamic Shiite Jurisprudence and, therefore, its translation can have an effective role in introducing the Islamic Republic of Iran criminal justice and its accomplishments to non-Persian language speakers and international conferences.

The idea of the translation of this code was raised by the Secretary General to the High Council for Human Rights and this version is a certified one done by Mr. Mohammad Reza Matin Nejad (Certified Translator to the Judiciary) under the auspices of the Legal Deputy to IRI Judiciary. HE Dr. Seyed Ali Kazemi has supervised the translation, Ms. Raheleh Keikavosi has coordinated the project and the last revision has been done by Vahid Hedayat. I shall hereby thank them all for their contributions.

Dr. Zabihollah Khodaeian
Legal Deputy to Judiciary

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Letter No. 99/1652 Dated April 9, 2014 of the ICA Speaker to the President of the IRI:

To His Excellency, Hojj. Dr. Hassan Rouhani, the Honourable President of Islamic Republic of Iran

Referring to Letter No. 38649/194173 dated January 14, 2009 and in the enforcement of Article 123 of the Constitution of Islamic Republic of Iran, please find attached the text of the Criminal Procedure Law approved in the course of a session of the Judicial and Legal Committee of Islamic Consultative Assembly in accordance with Article 85 of the Constitution that had been presented to the Islamic Consultative Assembly in the form of a legal bill after ICA had agreed to the experimental enforcement thereof for a term of three years. The Law was approved at the open session of February 8, 2012 and confirmed by the Guardians Council of the Constitution.

Ali Larijani, Speaker - Islamic Consultative Assembly

* * *

Letter No. 3232 dated April 2, 2014 of the President of the IRI to the Ministry of Justice:

In implementation of Article 123 of the Constitution of Islamic Republic of Iran, please find attached, for due enforcement and implementation, the Criminal Procedure Law that was approved to be implemented and enforced for the experimental period of three years, at the open session of ICA held on February 8, 2012 and was further ratified by the Judicial and Legal Affairs Committee of ICA on February 23, 2014 in accordance with Article 85 of the Constitution and confirmed by the Guardians Council on March 17, 2014.

Hassan Rouhani, the President of the IRI

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