

Political Offence Law*

Article 1: Any of Offences set out in Article 2 of present law, if committed for the motive of reforming the country's affairs against the management and political institutions or domestic or foreign policies of the country without any intention by the perpetrator to harm the very principle of the System, amounts to political offence.

Article 2: The following offenses amount to political offences in case they comply with the conditions set forth in Article 1 of present law:

- A) Insulting or defaming the heads of three branches of government, the chairman of the Expediency Council, vice presidents, ministers, Members of Parliament, members of the Assembly of Experts, and members of the Guardian Council with regard to the exercise of their responsibilities.
- B) Insulting the president or political envoy of a foreign country entered into the territory of the Islamic Republic of Iran in consideration of provisions of Article 517 of the Islamic Penal code, Ta'zir section (Chapter on Discretionary Punishments).
- C) Offences referred to in Article 16(d) and (e) of the Law on Activities of Parties, Societies, Political Associations and Unions and Islamic Associations, or officially recognized religious minorities enacted on Aug 28, 1981
- D) Offences stipulated in the Laws governing Assembly of Experts, Presidential, Legislative and City/Village Islamic Council Elections, except for election executives and monitors.
- E) Libel

Article 3: Perpetration of, participation and assistance in and commencing to do the following offences shall not amount to political offences:

- A) Offences carrying the penalties of *Hudud*, lex talionis, and diyah (blood money)
- B) Assassination attempt on Iranian and foreign officials
- C) Abduction and hostage-taking

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- D) Bombing and threatening to do so, hijacking, and piracy
- E) Theft and looting of property, arson and deliberate destruction
- F) Illegal carrying and possession, smuggling and the sale and buy of weapons, narcotics and psychedelic drugs.
- G) Bribery, embezzlement, unlawful possession of state funds, money laundering, concealment of property obtained via such offence
- H) Spying and disclosing secrets
- I) Inciting people to separatism, war and massacre and conflict
- J) Manipulating data or computer and telecommunication systems used to provide essential public or sovereign services.
- K) All offences against public morality and customs, including offences committed by computer or telecommunication systems or data carriers or otherwise.

Article 4: The procedure for probing political offences and regulations pertaining to the jury shall be in accordance with criminal procedure code enacted on Feb 23, 2016.

Article 5: The responsibility for deciding about the political nature of an offence rests with the prosecutor's office or tribunal with which the case is filed. The defendant can offer evidence of non-political nature of his charges pressed against him at any stage of the proceedings before the prosecutor's office and until the end of the first hearing before the court. The body examining the case shall decide on the affair in a ruling. The procedure for the issuance of and appeal to this verdict is subject to the provisions of Criminal Procedure Code.

Article 6: The cases cited below apply to individuals charged with and convicted of political offences:

- A. Detention in a cell separate from general population
- B. Prohibition of wearing prison uniform during detention and imprisonment
- C. Prohibition of application of regulations on recidivism
- D. Non-extradition of political criminals
- E. Prohibition of solitary confinement, except in cases where the judicial authority fears collusion or deems it necessary for the conclusion of investigations; either case, the duration shall not exceed 15 days.

- F. Right of visitation and correspondence with immediate relatives throughout imprisonment
- G. Right to access books, magazines, radio and television throughout imprisonment

The above law, drawn up in six articles, was enacted in an open session on Monday, May 9, 2016 of Islamic Parliament of Iran and was approved by the Guardian Council on May 19, 2016.

President of Islamic Parliament of Iran

Ali Larijani