



IMPACT IRAN

Written contribution to the
Human Rights Committee

From
Iran Human Rights Documentation Center (IHRDC)
Impact Iran

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ISLAMIC REPUBLIC OF IRAN

Imprisonment for Debt

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Iran Human Rights Documentation Center (IHRDC) is an independent non-profit organization that was founded in 2004 by human rights scholars and lawyers. The mission of the center is to (1) establish a comprehensive and objective historical record of the human rights situation in Iran, and on the basis of this record, establish responsibility for patterns of human rights abuses; (2) make the record available in an archive that is accessible to the public for research and educational purposes; (3) promote accountability, respect for human rights and the rule of law in Iran; and (4) encourage an informed dialogue on the human rights situation in Iran among scholars and the general public in Iran and abroad. IHRDC is in consultative status with the United Nations Economic and Social Council (ECOSOC) since 2018. IHRDC is a member of Impact Iran.

IMPACT IRAN

Impact Iran represents a coalition of 14 non-governmental organizations that draw attention to the situation of human rights in Iran, and encourage the Iranian government to address concerns expressed by the international community and international human rights bodies. We organize public advocacy campaigns aimed at the United Nations (UN) member states and lead high-level human rights discussions to collectively spark action by the international community to promote and protect the rights and dignity of all in Iran.

Imprisonment for Debt

1. Article 11 of the International Covenant on Civil and Political Rights (ICCPR) expressly prohibits imprisonment of individuals for the inability to fulfill a contractual obligation. As a state party to the ICCPR, Iran is failing to uphold its commitment with respect to Article 11.
2. Iranian law permits imprisonment of debtors. Article 3 of the 2015 Law on Enforcement of Financial Judgments¹ provides for imprisonment of individuals who are unable to pay a debt. This provision states that when a creditor who has won a judgment against a debtor cannot collect the debt owed to him or her, the debtor could be imprisoned upon the request of the creditor. The debtor will be imprisoned until the debtor satisfies the debt, proves that he or she is indigent, or persuades the creditor to withdraw his or her complaint.
3. According to the head of Iran's prison system, in 2018 more than 18,000 persons were held in prison in Iran due to their failure to pay a fine or a contractual obligation.² These individuals include, for example, those who owe *diya* or blood money, and those who have incurred debts in commercial transactions. Individuals imprisoned for failure to pay a debt often spend prolonged periods in prison. Their release depends on charitable contributions made to satisfy their debts or forgiveness of their debts by creditors.
4. In one case a factory owner who went bankrupt spent twenty years in prison.³ He was released in March 2019 when charitable donations were used to satisfy his debt.

Suggested Question

- *Please provide information on the government's planned legislative and administrative measures to end the practice of imprisoning debtors and bringing Iran into compliance with its obligation under Article 11 of the ICCPR.*

¹ <https://rc.majlis.ir/fa/law/show/932384>

² <https://www.asriran.com/fa/news/609909>

³ <https://www.isna.ir/news/97122915238>