

**THEMATIC COMPILED INFORMATION SUBMITTED BY
ISLAMIC REPUBLIC OF IRAN**

**ARTICLE 11 UNCAC
JUDICIAL AND PROSECUTORIAL INTEGRITY**

ISLAMIC REPUBLIC OF IRAN (EIGHTH MEETING)

Integrity in Criminal Justice Institutions

The system of employment and recruitment of the civil servants of the Islamic Republic of Iran is divided into two categories. First, recruitment and employment of the staff of executive branch of the state which is governed by the Islamic Republic Civil Services Management Law (approved by the Islamic Consultative Assembly on September 30, 2007). Second, recruitment and employment of the judges and judicial officials which is governed by the Judges Employment Law and the Training Conditions (approved by the Islamic Consultative Assembly on March 17, 1969).

In order to provide equal employment and recruitment opportunities, both the laws and their executive instructions as well as other laws stipulate creation of fully transparent processes, without partiality and based on meritocracy. These objectives achieved by creation of precise superior processes, control and evaluation as well as the qualifications of the recruited people, reward and punishment of the employees, the method of call for employment, the way of holding the exams, the authority to hold the exams and evaluate the written tests, holding interviews and screening of the applicants, holding training courses and particularly holding special training courses for the judges, joining the organization, assessment of their performance, dealing with administrative offences, cutting of employment ties (from retirement to dismissal, expulsion and imprisonment).

Articles 3, 35, 36, 37, 38, 39, and 57 of the Chapter 11 of the Constitution of the Islamic Republic of Iran stipulate full independence of the Judiciary. In addition to the Constitution, the general policies in the field of judicial security and protection of the honor and independence of the judges also emphasize on the independent of the Judiciary.

Islamic Republic of Iran has defined a code of conduct for the judicial staff stipulated in the Law on the Supervision of the Conduct of Judges (passed by the Islamic Consultative Assembly on Oct. 9, 2011) while the violations of the codes are dealt with by the Supreme Court of Justice and the Prosecutor's Office:

Prevention of Conflict of interests of the judicial staff and judges include:

1. Conflict of interests during employment: this conflict of interests is prevented according to the law of the Civil Procedure for Public and Revolutionary Courts in Civil Affairs (approved by the Islamic Consultative Assembly on April 9, 2000) and, the Law on the Supervision of the code of Conduct of Judges (approved by the Islamic Consultative Assembly on October 29, 2011). These laws prevent simultaneous employment of judges and their personal interests in the judicial cases.

2. Conflict of interests after retirement: The Law on the quality of obtaining a lawyer's license (approved by the Islamic Consultative Assembly on March 27, 1997) bans a retired judge who is working as a lawyer for three years from engaging in a case that falls within his former Jurisdiction.

Other initiatives of the Islamic Republic of Iran for increasing the quality, transparency and integrity of the Judiciary in legal procedures are given below:

- **Establishment of the Case Management System (CMS)**

- **Establishment of Judicial Services Electronic Offices**, which is offering online services to the people in the field of judicial affairs across the country. These offices are managed by the private sector.

- Establishing a System for Tracking and Recording the Records of the Accused and Convicts (Judicial Sejel Card): this System provides the information on inquiry about the penal record of the accused regarding penal, civil, commercial and administrative offenses, facilitating the acquaintance of the judge with the accused and his/her background that is very effective in determining the kind and level of criminal liabilities.

In Conclusion, it should be mentioned that the present report is only a summary of what has been mentioned in the report of the Islamic Republic of Iran regarding the Self-Assessment Check-list of the Second Review Cycle (Chapter 2: Prevention).