

Universal Periodic Review of Iran

48th session – January 2025

Debtor Imprisonment in Iran



Background

According to the head of Iran's Diya Task Force, as of July 2024, there were 12,565 individuals imprisoned for debt in Iran.¹ Over the past three decades, 170,000 people have gone through Iran's prison system for failure to satisfy a debt.²

Article 11 of the ICCPR prohibits imprisonment of individuals unable to fulfil a contractual obligation. As a party to the ICCPR, Iran is obligated to stop the practice of imprisoning individuals for failure to satisfy a debt. Iranian law provides for open-ended detention of debtors. Article 3 of the 2015 Law on Enforcement of Financial Judgments states that if a creditor who has won a judgment against a debtor cannot collect the debt owed to him or her through the provisions of the 2015 law, the debtor could be imprisoned upon the request of the creditor until the debtor either satisfies the debt or proves that he or she is indigent or persuades the creditor to withdraw his or her complaint. A regulatory code promulgated in 2020 provides the framework for implementation of this law, including the circumstances under which a debtor may be imprisoned.

These individuals include those who owe *diya* or blood money, *mehrieh*, which is a sum promised to a wife by her husband as a condition of marriage, and debts incurred 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. In one case a factory owner who went bankrupt spent twenty years in prison. He was released in March 2019 when charitable donations were used to satisfy his debt.

Recommendations

- **Ensure the immediate release** of all prisoners detained for failure to fulfill a contractual obligation or repay a debt to bring Iran in compliance with Article 11 of the ICCPR.
- **Amend** the 2015 Law on Enforcement of Financial Judgments and the accompanying 2020 Regulatory Code on Enforcement of Financial Judgments to eliminate all provisions which allow for imprisonment for debt.

About the Iran Human Rights Documentation Center

The Iran Human Rights Documentation Center (IHRDC), founded in 2005, is an NGO dedicated to documenting human rights abuses and fostering accountability, rule of law and democracy in Iran. IHRDC has been in consultative status with the UN Economic and Social Council (ECOSOC) since 2018.

¹ <https://www.irna.ir/news/85567369/>

² <https://www.irna.ir/news/85567369/>