

# **Investigating arbitrary murders in Iran's criminal law and its conflict with the principle of the prohibition of arbitrary sentences in international documents**

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**Abstract:** The right to life is a prerequisite for human rights, because it does not allow the enjoyment of other human rights by denying it. One of the things that endanger the right to life is a case that denial of life as a punishment for certain crimes are considered legitimate. Respecting the lives of individuals and observing the order and security of the society requires that coercive measures are imposed on these crimes and only the government, as the representative of the community, is allowed to enforce these punishments, the legality of the trial, which is one of the pillars of the principle The legality of offenses and punishments involves this concept. The constitution of the Islamic Republic of Iran (Principles 36 and 159), in accordance with Islamic Penal Code, is foreseen, and Iran has signed this provision in international treaties (Article 10 of the Universal Declaration of Human Rights, Article 14 of the International Covenant on Civil and Political Rights) and accepted, so they are required to observe this in the laws. However, in Iran's penal code, materials are found in which the legislator allowed the execution of death sentences (murder) to individuals and thereby authorizes arbitrary killings and abuses of law for the profits to endanger the lives of the people. Of the most important cases, Articles 302 and 303 of the Islamic Penal Code of 1392 and Article 630 of the Islamic Penal Code are part of the sanctions. As a general conclusion, it should be acknowledged that granting permission to punish individuals and citizens, in particular the imposition of the death penalty, with established principles and Known legal rights, as well as the constitution and other laws and regulations of the great jurists, on the exclusive jurisdiction of the government in the administration of justice and the enforcement of

punishment, as well as the principles adopted in international criminal law. Therefore, in this study, by examining the instances of arbitrary murders in Iran's criminal law and its licensing effects, this conflict has examined the arbitrary murders with the principle of the prohibition of arbitrary punishment in international documents.

**Keywords :** Key words: arbitrary killing, international documents, Iranian criminal law, Mahdoraldam, ة mahghon aldam..

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