

عنوان مقاله:

A CRITICAL STUDY ON MURDER ON THE BED FROM THE PERSPECTIVE HUMAN RIGHTS

محل انتشار:

ششمین کنفرانس بین المللی پژوهش در علوم و مهندسی و سومین کنگره بین المللی عمران، معماری و شهرسازی آسیا (سال: 1400)

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خلاصه مقاله:

Article ۶۳۰, popularly known as murder in bed, has been one of the constitutional challenges of the Islamic Penal Code of Iran. The article, which is interchangeably called honour killing, allows a husband to kill his wife while he found out that the wife is committing adultery with another man. This article has encouraged individuals to commit barbaric crimes. Article ۶۳۰ of the Islamic Penal Code has been fiercely criticized by legal experts for being in contradiction with the constitution and human rights. Furthermore, there are some ambiguities in the article that make it difficult to determine whether the crime is justifiable or not. Referring to the concept of homicide, this research examined the conditions and essence of Article ۶۳۰. With a mainly qualitative approach, this study compared Article ۶۳۰ of the Islamic Penal Code of Iran (IPC), the Iranian Constitution, and International Human Rights (UDHR) with three objectives; namely, ۱) to investigate Article ۶۳۰ of the Iranian Penal Code (murder on the bed) according to Iranian law, ۲) to find the position of Article ۶۳۰ (honour killing) in International Human Rights (UDHR) and ۳) to make a comparative analysis between the Article ۶۳۰ and UDHR. The results of this study are some amendments associated with the fundamental rights of the individual in article ۶۳۰.

کلمات کلیدی:

Article ۶۳۰ IPC, Honour killing, International Human Rights, constitution law

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