

Analysis of the Challenges and Solutions for Converging Human Rights Obligations and Combating Transnational Organized Crimes in the Iranian Legal System

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Abstract

The interaction between various legal regimes in the international legal system—particularly in overlapping areas such as Human Rights and combating Transnational Organized Crime—constitutes one of the most complex legal issues. This study, using a descriptive-analytical approach, explains the challenges and solutions for converging these two sets of obligations within the legal and executive system of the Islamic Republic of Iran. The findings indicate that despite legislative and executive advancements in Iran aimed at countering organized crimes (such as the enactment of anti-money laundering and counter-terrorist financing laws), structural limitations, interpretive differences arising from religious and indigenous norms, and operational obstacles (such as targeted financial sanctions) have posed serious challenges to the alignment process with human rights obligations. These conflicts are often manifested in instances such as restrictions on privacy and freedom of expression under security measures or challenges in extradition due to human rights considerations. This article, while assessing the potential of existing mechanisms in International Law for achieving coherence, emphasizes the need to reconsider domestic mechanisms and develop innovative solutions. These solutions include amending domestic laws to increase transparency, strengthening oversight over executive institutions, and utilizing the capacity of domestic legal scholars to provide interpretations consistent with both Islamic law and human rights. The ultimate goal is to achieve a balanced model that ensures both public security and the preservation of human dignity within the framework of international law and the domestic legal standards of Iran.

Keywords: Human Rights, Transnational Organized Crime, Legal Convergence, Inter-Regime Conflicts, Iranian Legal System, Religious Norms, Executive Challenges, Domestic Policymaking

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1. Introduction

The International Law system, through its continuous expansion in response to global challenges, has evolved into a collection of specialized legal regimes, each pursuing its own set of rules and objectives (Crawford, 2012; Young, 2012).

While this specialization has contributed to increased efficiency in various domains, it has simultaneously led to conflicts and alignment challenges among these regimes (Salimi Torkamani, 2010). Among the most significant of these conflicts are the complex interactions between states' Human Rights obligations and their duties to combat Transnational Organized Crime (Donnelly, 2013; Salimi, 2003). Although these two fields have considerable thematic overlaps, they sometimes contradict one another in their objectives and operational approaches, thus making their integration and harmonization all the more essential (Haghighi, 2015; Kashkoulain, 2016).

The Islamic Republic of Iran, due to its unique geopolitical position, has consistently found itself on the frontlines of confronting various forms of transnational organized crimes such as drug trafficking, human trafficking, and terrorism (Abdollahi, 2009; Golbejani Moghadam, 2021; Nourmohammadzadeh, 2024). These challenges necessitate the adoption of decisive and effective measures by the government to maintain national and regional security (Kadkhodaei & Sa'ed, 2011; Zarneshan, 2007). On the other hand, Iran, as a member of the international community and a signatory to key human rights instruments such as the International Covenant on Civil and Political Rights, bears extensive obligations to respect and protect individuals' fundamental rights (Ghari Seyyed Fatemi, 2003; Heydarnejad, 2019; Mirmoosavi, 2021). A thorough examination of the interaction between these two sets of obligations in Iran's legal and executive system is therefore of fundamental importance, given its legal and practical consequences (Ebrahimi Farani & Seydi, 2021; Ebrahimi, 2023).

The necessity of this study becomes even more evident considering the challenges faced by the Iranian legal system in this area. The profound influence of Islamic law norms on the drafting and interpretation of laws, the sometimes divergent interpretive approaches of domestic institutions compared to international standards, and the constraints resulting from unilateral sanctions have further complicated the process of convergence between human rights obligations and combating organized crime (Fatf, 2018; Hajjar & Zamani, 2023; Pourghorban & Zarepour, 2023). These factors, in addition to generating legal ambiguities, can create grounds for international political pressures and undermine the legitimacy of government actions in both domains (Edalatjou & Esma'ti, 2018; Kazemi & Bashiri, 2019; Sharifi Tarazkouhi & Mobini, 2014).

In practice, these conflicts manifest in various forms. For example, strict measures to combat money laundering or terrorism financing may conflict with fundamental citizens' rights such as the right to privacy or the right to property (Pourghahramani & Esmailzadeh, 2014; Rahmani & Nazemi Ardakani, 2010). Likewise, challenges related to the extradition of offenders or the exchange of security information—when confronted with human rights considerations such as the prohibition of torture or the guarantee of a fair trial—take on complex dimensions (Abedini & Meshkibaf, 2021; Ashouri & Bahmani Qajar, 2008; Aust, 2017). These issues highlight the necessity of clearly explaining the interaction and conflicts between these two sets of obligations and presenting practical solutions to overcome these challenges.

The main objective of this article is to explain the interaction and conflict between human rights obligations and obligations related to combating transnational organized crimes within the Iranian legal system. This study seeks to identify and propose practical strategies to overcome these challenges and achieve greater convergence by analyzing existing theoretical and practical frameworks. This effort will not only strengthen domestic legal mechanisms in Iran but also enhance the country's international standing in both domains.

The structure of this article is organized into four main sections. The first section examines the general framework of human rights obligations and obligations to combat transnational organized crime in Iran. The second section analyzes the main factors behind the misalignment and conflict between these two domains in Iran's legal system, including conceptual, institutional, and executive constraints. The third section presents proposed solutions at both the international and national levels to achieve convergence and resolve existing conflicts. Finally, the conclusion summarizes the main findings and offers key recommendations for policymakers and researchers. A profound understanding of these complex interactions and the development of practical strategies can lead to a sustainable balance between security requirements and human rights principles—a balance that benefits public security and order while also safeguarding citizens' dignity and fundamental rights.

2. Methodology

This article has been written using a descriptive-analytical approach. Accordingly, data were collected through library and documentary research. The main sources included specialized books in the fields of international law, human rights, and international criminal law; domestic and international scholarly articles; dissertations; and especially relevant international instruments such as conventions, resolutions, general comments of treaty bodies, and international and regional judicial practices.

The purpose of this method was to conduct an in-depth analysis of the legal challenges and solutions involved in the interaction between states' human rights obligations and their obligations to combat transnational organized crime, with a specific focus on the Iranian legal system. In the analysis phase, the collected data were subjected to conceptual and content analysis to identify the alignments and conflicts between these two legal regimes. The interpretation and extraction of information from international instruments and their comparison with Iran's domestic laws and practices formed the basis for explanatory analyses and the proposal of strategies to promote coherence and reduce conflicts in the Iranian legal system. This analytical approach helped evaluate the existing capacities and practical limitations in achieving convergence between the two domains under study.

3. General Framework of Human Rights Obligations and Combating Transnational Organized Crimes in Islamic Republic of Iran

As a member of the international community, Iran has undertaken numerous obligations in both the Human Rights and Transnational Organized Crime domains. These obligations are rooted in international instruments and domestic legislation, forming the legal framework that governs state action in these fields. Understanding this framework is essential for analyzing the challenges and proposing strategies for convergence. This section examines these two sets of obligations in the Iranian legal system.

3.1. Iran's Human Rights Obligations

Iran has acceded to several of the most important international human rights instruments, including the International Covenant on Civil and Political Rights (1966) and the International Covenant on Economic, Social and Cultural Rights (1966). This membership imposes extensive legal obligations on Iran to respect and protect human rights, including the civil, social, and economic rights of its people (Donnelly, 2013; Hosseini, 2014). According to Article 2 of the ICCPR, states are required to respect and ensure the rights recognized in the Covenant without any discrimination. The United Nations Human Rights Committee has emphasized that this obligation is binding on all branches of government (executive, legislative, and judicial) and all public authorities at the national, regional, and local levels (Heydarnejad, 2019; Mirmoosavi, 2021).

The Constitution of the Islamic Republic of Iran also establishes fundamental principles regarding human rights and human dignity. For instance, Article 20 of the Constitution affirms equal protection of the law for men and women in all respects and respect for their human rights in accordance with Islamic criteria. Additionally, the principle of inherent human dignity—which is also emphasized in international instruments—is considered one of the main foundations of human rights in Iran (Ebrahimi, 2023; Ghari Seyyed Fatemi, 2003). These principles provide the moral and legal basis for guaranteeing individuals' enjoyment of fundamental rights and freedoms in Iran's legal system.

3.2. Iran's Obligations in Combating Transnational Organized Crimes

In the area of combating transnational organized crime, Iran has faced challenges in establishing comprehensive and unified criminalization. Before the 2000s, Iran's criminal laws paid little attention to the notion of "organized" crime, focusing instead on occasional group commission of crimes. However, since the 2000s—and coinciding with the adoption of the United Nations Convention against Transnational Organized Crime (Palermo Convention) and the growing global focus on organized crime—the Iranian legislature's approach has shifted (Haghighi, 2015; Kashkoulia, 2016). Despite this change, Iranian laws still lack a comprehensive and unified definition of "organized crime." Criminalization has remained fragmented; for instance,

paragraph (s) of Article 1 of the Law on Combating Smuggling of Goods and Currency addresses the definition and criminalization of “organized smuggling.” This lack of a comprehensive definition can pose challenges in identifying and prosecuting all dimensions of organized crimes (Nourmohammadzadeh, 2024).

Nonetheless, Iran has undertaken significant legislative and executive measures to combat transnational organized crimes. The adoption of the Law on Combating Money Laundering (2007) and the Law on Combating the Financing of Terrorism are among the key initiatives. These laws provide mechanisms for identifying, tracing, and freezing illegal financial resources and for countering criminal activities (Fatf, 2018; Pourghahramani & Esmailzadeh, 2014; Rahmani & Nazemi Ardakani, 2010).

In addition to domestic legislation, Iran has signed several international and regional cooperation agreements to combat organized crimes. These agreements, primarily in the form of security and police cooperation, focus on combating crimes such as forgery of documents and currency, arms trafficking, human trafficking, and drug trafficking (Abdollahi, 2009; Golbejani Moghadam, 2021; Kadkhodaei & Sa'ed, 2011). Although many of these agreements are in the form of non-binding memoranda of understanding, they reflect Iran's cooperative approach in responding to transnational threats (Zarneshan, 2007).

Overall, Iran's general framework of obligations in these two domains presents a picture of parallel and sometimes overlapping efforts. On one hand, the Iranian legal system is committed to human rights principles and has tailored its domestic laws accordingly; on the other, it has taken significant steps to combat transnational organized crimes. However, as will be analyzed in the following sections, this alignment is not always complete, and significant challenges remain on the path toward convergence of these two sets of obligations.

4. Identifying Factors of Misalignment and Conflict in the Iranian Legal System

The relationship between human rights obligations and the requirements of combating transnational organized crimes in Iran's legal system has always involved simultaneous alignment and conflict. This mixed state underscores the need for a precise analysis of the factors influencing this misalignment. These factors can be divided into two broad categories: first, constraints arising from differences in the objectives and legal content of each regime; and second, challenges related to institutions and executive processes.

4.1. Constraints Arising from Differences in Objectives

One of the most fundamental causes of conflict between the human rights and organized crime regimes is the divergence of their core objectives. Each legal regime is designed to address a specific problem, and its rules are formulated to serve that objective. The human rights regime emphasizes limiting state action and guaranteeing individual rights and freedoms, and it is based on minimal state intervention except when positive action is necessary to ensure rights (Donnelly, 2013; Hosseini, 2014). In contrast, the regime combating organized crime pursues maximal and decisive objectives that often require extensive and even restrictive measures by states (Babakhani, 2019; Salimi, 2003).

This difference in objectives can lead to conflicts that require states to simultaneously pursue two contradictory goals. For example, an interpretation made in accordance with the object and purpose of one treaty (such as the Palermo Convention with its maximalist approach to combating crime) may conflict with the object and purpose of another treaty (such as the ICCPR with its maximalist approach to the enjoyment of rights and freedoms) (Haghighi, 2015; Pourghorban & Zarepour, 2023). This conflict becomes particularly evident when treaty provisions are interpreted broadly based on their objectives.

Nevertheless, Article 31 of the Vienna Convention on the Law of Treaties, by emphasizing the need to interpret treaties according to their “object and purpose,” is sometimes proposed as a solution to reduce these conflicts. However, a closer analysis shows that paragraph 1 of Article 31 (object and purpose) takes precedence over other interpretive tools such as paragraph 3 (relevant instruments) and cannot override them (Aust, 2017; Hajjar & Zamani, 2023; Karimi, 2020). This means that the interpretive boundaries of Article 31 are limited to treaties themselves and cannot be extended to encompass the entirety of state obligations under international law (Crawford, 2012; Khomamizadeh, 2010).

4.2. Constraints Arising from the Multiplicity of Institutions and Interpretive Approaches

Another fundamental challenge in the International Law system is the multiplicity of supervisory bodies and the conflict of their mandates, which has an impact no less significant than the constraints arising from the conflicting objectives of treaties (Salimi Torkamani, 2010; Young, 2012). These bodies, which are responsible for monitoring the implementation of specific obligations, operate strictly within the framework of the objectives defined by their respective treaties or legal regimes. This structure reinforces the focus on the specific object and purpose of each treaty and reduces flexibility in coordinating among institutions (Aust, 2017; Crawford, 2012).

For example, the United Nations Human Rights Committee, which monitors the implementation of the International Covenant on Civil and Political Rights, is solely responsible for overseeing compliance with Human Rights and has no competence or mandate to supervise other international obligations of states, such as obligations related to combating Transnational Organized Crime (Hosseini, 2014; Mirmoosavi, 2021). This treaty-based limitation of jurisdiction means that, in the event of a conflict between these two domains, the Human Rights Committee will focus exclusively on human rights obligations and refrain from addressing transnational obligations (Donnelly, 2013; Heydarnejad, 2019).

This divergence in interpretive approaches among international specialized bodies—such as the European Court of Human Rights in cases like *Nada v. Switzerland* or *Abu Qatada v. United Kingdom*, which give absolute primacy to fundamental rights—contrasts sharply with subject-focused institutions such as the United Nations Office on Drugs and Crime and the Financial Action Task Force (FATF), which adopt a functionalist approach emphasizing the effectiveness of anti-crime mechanisms (Fatf, 2018; Golbejani Moghadam, 2021). This difference in perspectives often leads to contradictory decisions or recommendations regarding the same situation, making the practical and interpretive conflict between these two sets of obligations more tangible (Babakhani, 2019; Salimi, 2003).

At the domestic level in Islamic Republic of Iran, divergent interpretive approaches among institutions such as the Guardian Council and the Expediency Discernment Council regarding the conformity of international laws with Islamic law and the Constitution of the Islamic Republic of Iran also pose serious challenges (Abedini & Meshkibaf, 2021; Edalatjou & Esma'ti, 2018). By emphasizing Islamic jurisprudential principles and the preservation of legal independence, these institutions may express reservations or impose conditions on fully accepting certain international standards—such as the provisions of the United Nations Convention against Transnational Organized Crime (Palermo Convention)—thereby complicating their full implementation (Haghighi, 2015; Pourghorban & Zarepour, 2023).

4.3. Executive Challenges

In addition to theoretical and institutional constraints, executive challenges also exacerbate the misalignment between the two legal regimes. Oversight measures for combating organized crime—especially in the areas of terrorist financing and money laundering—often conflict with fundamental human rights (Kashkoulouian, 2016; Rahmani & Nazemi Ardakani, 2010). For example, freezing bank accounts without a clear judicial order or extensive monitoring of financial transactions and access to personal data may contradict individuals' right to property and right to privacy (Donnelly, 2013; Hosseini, 2014). This issue requires the design and implementation of measures that simultaneously ensure timely and effective reporting while respecting individuals' privacy and legal rights.

Challenges related to extradition and judicial cooperation are also among the main executive obstacles. In cases where there is a risk of torture or denial of a fair trial in the requesting country, the state's obligations under human rights treaties—such as Article 3 of the European Convention on Human Rights or Article 7 of the International Covenant on Civil and Political Rights—prevent the execution of extradition obligations (Abdollahi, 2009; Zaghei, 2009). This can hinder the administration of justice and, in effect, create a deadlock in combating organized crime.

Moreover, Iranian domestic laws regarding organized crimes have certain shortcomings. They lack comprehensive and unified mechanisms specifically addressing organized crimes (Ebrahimi Farani & Seydi, 2021; Nourmohammadzadeh, 2024). Additionally, the absence of provisions granting mitigating or exemptive measures for individuals who cooperate with

authorities before the discovery of a crime may reduce incentives for cooperation and make the crime detection process more difficult (Golbejani Moghadam, 2021; Kadkhodaei & Sa'ed, 2011).

4.4. *The Influence of Religious Norms and Local Laws*

Islamic law norms and local laws play a significant role in the acceptance and full implementation of international obligations in Iran. Iran's accession to the Convention on the Rights of the Child with a general reservation stating that its implementation must conform to Islamic law is a clear example of this influence (Abedini & Meshkibaf, 2021; Sharifi Tarazkouhi & Mobini, 2014). While this reservation allows Iran to join the treaty, it can, in practice, lead to divergent interpretations of the treaty's provisions and prevent full alignment with international standards (Haji Azizi, 2021; Nejad & Amin al-Ro'aya, 2018).

Another major challenge lies in reconciling Islamic criminal punishments (such as *hudud* and *qisas*) with international human rights standards—a point often criticized in reports by international human rights bodies (Ebrahimi, 2023; Heydarnejad, 2019). Iran, however, emphasizes the need to harmonize international obligations with its own religious and cultural principles (Ghari Seyyed Fatemi, 2003; Mirmoosavi, 2021). This clash of perspectives further complicates the convergence process and calls for a comprehensive and balanced approach to resolving these discrepancies (Hosseini, 2014; Kazemi & Bashiri, 2019).

5. **Proposed Solutions for Convergence and Resolving Conflicts in Iran**

As explained above, the relationship between states' human rights obligations and the requirements of combating transnational organized crime in Iran's legal system—despite areas of overlap—faces notable challenges and conflicts. Achieving a convergence model that simultaneously ensures public security and preserves human dignity requires comprehensive solutions at both the international and national levels. These solutions must be designed and implemented with due regard to the distinctive features of Iran's legal order, including religious and local norms (Hosseini, 2014; Young, 2012).

5.1. *International Strategies (Focusing on Iran's Role)*

Analyzing the potential of teleological (object-and-purpose) interpretations is one of the important tools in international law that can play a prominent role in resolving conflicts between domestic laws and international obligations. Teleological interpretation requires that, when interpreting a treaty or statute, the instrument's primary objectives and fundamental purposes be considered so that interpretation and implementation proceed in line with those aims. Iran can use this tool to reduce existing tensions between its international obligations and its internal norms. In particular, where Iranian religious and national principles appear to conflict with certain international provisions, teleological interpretation may facilitate moderate solutions that safeguard domestic principles while also fulfilling Iran's international commitments (Aust, 2017; Hajjar & Zamani, 2023).

Within Iran's legal system, teleological interpretation can serve as a key instrument for aligning domestic legislation with international standards, especially where Iran has joined multiple treaties and needs to draft or amend laws that remain consistent with religious and local principles. For example, regarding the Palermo Convention and the fight against organized crime, teleological interpretation can operate as a tool to align human rights requirements with Iran's internal principles, provided that the interpretive process remains faithful to the object and purpose of both regimes (Crawford, 2012; Haghighi, 2015).

In interactions between Iran and international bodies, analyzing the capacity of teleological interpretations also requires sensitivity to cultural, religious, and political differences. Teleological approaches can function as a bridge for shared understanding among different states and institutions. International bodies should recognize that human rights and international law concepts may sometimes appear to conflict with domestic norms and cultural contexts; in such situations, teleological

interpretation can create space in which global human rights principles are observed while local religious and cultural standards are respected (Donnelly, 2013; Hosseini, 2014).

For effective use of teleological interpretation in Iran, judicial and executive bodies should strengthen their capacities in this field. Courts and other judicial authorities can employ teleological reasoning to resolve disputes in which tensions arise between domestic law and international commitments. This, in turn, requires training and continual professional development for judges and executive officials in the canons of treaty interpretation and their application to domestic law. Building legal and technical capacity will improve the use of these tools and reduce conflicts in Iran's engagements with international institutions (Karimi, 2020; Nejad & Amin al-Ro'aya, 2018).

Teleological interpretation not only mitigates legal conflicts between Iran and international bodies but can also strengthen international cooperation. Using this tool—especially in sensitive areas such as human rights, counterterrorism, and organized crime—promotes higher levels of mutual understanding and collaboration. By establishing shared legal ground while safeguarding national and international interests, such cooperation can reduce tensions and conflicts in Iran's relations with other states and organizations (Kadkhodaei & Sa'ed, 2011; Savari, 2011).

5.2. *Strengthening Regional and International Cooperation*

Regional and international cooperation tools can play a central role in addressing shared challenges between Iran and international institutions. Given Iran's sensitive geographic position and key role in regional security and politics, it is essential to leverage these tools to confront common threats. Regional cooperation—through bilateral and multilateral arrangements and regional organizations—can be particularly effective in combating organized crime, terrorism, and human rights issues. Iran can utilize the capacities of regional conventions, agreements to counter human trafficking and narcotics, and joint initiatives with neighboring countries to bolster security and counter transnational threats (Haghighi, 2015; Kashkoulouian, 2016).

At the international level, Iran's participation in organizations such as the United Nations, INTERPOL, and the Financial Action Task Force (FATF) offers diverse avenues for cooperation with other states and international bodies. These platforms can help address challenges and facilitate international engagement. In areas related to organized crime, terrorism, and anti-corruption, cooperation through information exchange, judicial assistance, and coordinated multinational operations can reinforce joint, effective measures at the global level. In light of existing sanctions and constraints, these international platforms can also be used to reduce tensions and help resolve political and economic difficulties (Fatf, 2018; Golbejani Moghadam, 2021).

5.3. *National Strategy*

5.3.1. *Reforming Domestic Laws and Increasing Transparency*

Proposed reforms to Iran's domestic laws—emphasizing conflict resolution and enhanced transparency—require a multifaceted approach that not only attends to human rights and international obligations but also aligns with religious principles and national security. A first step is to identify and closely examine points of conflict within current legislation. In certain instances, laws regulating the fight against organized crime and terrorism conflict with international obligations, particularly regarding defendants' rights and due process. Legal reforms should therefore include revisiting provisions that protect human rights—such as the right to defense, access to counsel, and the right to a fair trial—while ensuring the effective fulfillment of anti-organized crime objectives (Ebrahimi, 2023; Mirmoosavi, 2021).

One area in particular need of reform is the law governing anti-money laundering and the financing of terrorism. Some existing provisions—especially those concerning transparency of transactions and access to financial information—contain ambiguities that may foster abuse and corruption. Thus, legislation should be enacted that not only effectively counters financial crimes but also fully guarantees defendants' rights. These reforms should be aligned with international standards—especially FATF recommendations—while avoiding conflicts with religious and local principles (Fatf, 2018; Pourghahramani & Esmailzadeh, 2014; Rahmani & Nazemi Ardakani, 2010).

5.3.2. *Strengthening Independent Oversight Mechanisms and Increasing Transparency*

In tandem with legal reforms, transparency in judicial and executive processes is crucial. Establishing transparent mechanisms to monitor adjudication and the execution of judgments is among the fundamental measures that can reduce corruption and enhance justice. Judicial and executive bodies should be required to issue periodic reports on significant and sensitive cases such as organized crime and terrorism financing. These reports would provide precise information on case trajectories and decisions to the public and oversight institutions, thereby increasing public trust in the judicial system (Abedini & Meshkibaf, 2021; Edalatjou & Esma'ti, 2018).

The most important instrument for strengthening oversight is the use of information technology and electronic systems. Technology-based monitoring can clarify the performance of executive institutions. For example, online systems that publish, on a daily and public basis, information related to court cases, financial transactions, and executive measures can prevent concealment and corruption. Likewise, modern tools such as big-data analytics can help identify corruption patterns and potential violations. In this way, executive institutions not only fulfill international commitments but also prevent internal misconduct and corruption (Fatf, 2018; Karimi, 2020).

To bolster oversight, independent and effective supervisory bodies should be created or reinforced in Iran to monitor executive agencies impartially. These bodies must possess sufficient independence to conduct neutral investigations and reviews. Strengthening the roles of institutions such as the Administrative Justice Court, alongside other supervisory organizations, can be beneficial in ensuring compliance with international standards. Moreover, developing mechanisms that facilitate cooperation between domestic and international oversight bodies can improve the quality of monitoring over executive institutions (Crawford, 2012; Young, 2012).

5.4. *Utilizing the Capacity of Domestic Legal Experts*

Mobilizing the capacity of domestic legal experts to develop interpretations that reconcile Islamic law and Human Rights can serve as an effective solution for establishing balance between religious norms and international human rights obligations. In the Islamic Republic of Iran—where the legal system simultaneously engages with Islamic principles and international standards—such experts can function as a bridge between these two domains (Hosseini, 2014; Mirmoosavi, 2021). Since Iran is bound by various human rights commitments, it is essential that legal interpretations offered by these experts both safeguard Islamic jurisprudential foundations and align with universal human rights standards (Ebrahimi, 2023; Ghari Seyyed Fatemi, 2003).

Domestic legal experts, considering the rapid developments in human rights and international law, can propose innovative interpretations of Islamic principles that are consistent with human rights obligations. Such interpretations may be applied in areas like individual freedoms, minority rights, women's rights, and combating discrimination—particularly in judicial, social, and economic contexts (Abedini & Meshkibaf, 2021; Heydarnejad, 2019). In this way, not only are Islamic principles preserved, but Iran can also more effectively fulfill its international commitments (Nejad & Amin al-Ro'aya, 2018; Sharifi Tarazkouhi & Mobini, 2014).

5.5. *Adopting a Balanced Policy-Making Approach*

Emphasizing the need to balance national security and human rights protection in all policymaking represents a pivotal approach to achieving convergence. This means that when formulating and implementing policies in the field of combating Transnational Organized Crime, governments must pay particular attention to the human rights implications of such policies (Donnelly, 2013; Young, 2012). In other words, before adopting any decision, states should carefully assess its potential human rights impacts and, where necessary, take measures to mitigate or remedy those impacts (Crawford, 2012; Savari, 2011).

Prioritizing support for victims alongside prosecuting offenders is a key dimension of this balanced approach. This requires establishing effective mechanisms to assist victims of crime, including providing counseling, legal aid, medical, and

psychological services (Ebrahimi Farani & Seydi, 2021; Haghighi, 2015). At the same time, states must also fully uphold defendants' rights at all stages of legal proceedings, such as the right to a fair trial, the right to legal counsel, and the right to defend oneself (Hosseini, 2014; Karimi, 2020).

These principles prevent the erosion of human rights under the pretext of fighting crime and enhance the legitimacy of government actions in both domains (Haji Azizi, 2021; Kazemi & Bashiri, 2019).

6. Conclusion

This study aimed to examine the relationship between states' human rights obligations and their obligations to combat transnational organized crime and, while analyzing various dimensions of this interaction, addressed the resulting legal and practical challenges. The findings show that these two sets of obligations are, in some instances, aligned and, in others, in conflict. These conflicts—mainly stemming from differences in objectives, executive structures, and legal interpretations—highlight the necessity of establishing interpretive mechanisms and coordination among legal institutions.

The study revealed that, in certain cases, states' human rights obligations and their obligations to combat organized crime align in pursuit of common goals such as ensuring public security and countering the exploitation of individuals, especially in areas like human trafficking and money laundering. In such contexts, human rights institutions and international criminal bodies work in harmony and employ joint oversight mechanisms to enhance the effectiveness of these obligations.

However, in other cases, conflicts arise—for instance, strict security measures to combat organized crime may impose restrictions on individuals' civil and political rights and result in violations of fundamental freedoms such as the right to privacy and freedom of expression. The findings also showed that a lack of coordination among domestic and international institutions in interpreting and implementing these obligations has increased the legal complexities in this field.

Regarding Iran, the situation presents its own specific complexities. As this study demonstrated, Iran's legal system faces challenges in developing a comprehensive definition of organized crimes and in aligning certain domestic laws with international human rights standards. Iran's accession to the Palermo Convention has been hindered by issues such as sovereignty concerns, conflicting interpretations regarding the role of the Financial Action Task Force (FATF), and restrictions within certain domestic laws. These obstacles underscore the need to develop clear interpretive policies and adopt strategies to reduce the existing inconsistencies between human rights obligations and obligations to combat organized crime.

In addressing the central research question—the relationship between states' human rights obligations and their obligations to combat transnational organized crime—this study shows that the interaction cannot be reduced to a simple relationship, but must be viewed as a dynamic and evolving interplay. Achieving balance between security and human rights requires the formulation of clear legal strategies, effective cooperation among national and international institutions, and the acceptance of harmonized legal interpretations.

For Iran, this study proposes solutions at both the national and international levels. Nationally, reforms are needed to make domestic laws more comprehensive in criminalizing organized crimes, to increase transparency in judicial and executive processes, and to strengthen independent oversight mechanisms. Additionally, leveraging the capacity of domestic legal experts to provide interpretations consistent with both Islamic principles and human rights can serve as a bridge between domestic values and international standards.

At the international level, emphasizing the use of international law tools such as analyzing the potential of teleological (object-and-purpose) interpretation between Iran and international institutions can help find middle-ground solutions. Strengthening regional and international cooperation with organizations such as the Shanghai Cooperation Organization and the United Nations Office on Drugs and Crime (UNODC) for information exchange, training, and operational coordination is also of great importance. Such cooperation would not only strengthen Iran's position in the international legal system but also help reduce tensions and resolve political and economic issues.

Ultimately, this study emphasizes the need for Iran to adopt a balanced policymaking approach—one that simultaneously ensures national security and a firm stance against organized crime while fully upholding human rights and human dignity. Achieving such a balance would not only benefit human rights but also enhance the effectiveness of combating crime and significantly contribute to improving Iran's international standing on the global stage.

Ethical Considerations

All procedures performed in this study were under the ethical standards.

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Conflict of Interest

The authors report no conflict of interest.

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