

**Legal Document**  
**For**  
**Transition of Sovereignty**  
**to**  
**Iranian People**

**Chapter One**

**Fundamental Rights**

**Article 1:** In the transition period, The Quintuple Rights (which hopefully will be adopted by Iranian people right away) will be implemented. Thus, any form of discrimination

based on gender, religion, ethnicity, language, color of skin, as well as institution, is forbidden. Rule of law is established and everyone is equal in rights and duties (which is behavior according to the rights). The Quintuple Rights provides citizens the right to enjoy status and dignity, in the sense of legal and civil protection. Therefore, exceptionalism shall be abolished and all four branches of government are responsible for the full protection of each and every citizen against discrimination. Thus, before the laws, relationships will be regulated according to the rights, and all discriminations and inequalities due to violation of rights shall be revoked. Dis-privation shall start from more vulnerable sectors of the society. It has to be emphasized that the rights of environment shall be respected, all citizens will enjoy human, citizenship right; and national rights, as well as Iran's rights as a member of global community, shall be the guiding principles of Iran's foreign policy.

**Article 2:** Since all persons, as human beings, shall be afforded equal rights, irrespective of their sex or gender, all articles of the constitution of the Islamic Republic of Iran, as well as all civic, penal, administrative, and any other laws of the Islamic Republic of Iran that breach the fundamental rights of women, or are openly discriminatory against women, shall be nullified upon official establishment of the Council for the Transfer of National Sovereignty to Iranian People. Any woman who remains subject to indictment, punishment, incarceration, or legal scrutiny as a result of previous discriminatory laws, shall be freed immediately, and her conviction shall be vacated. Anyone who continues to

incarcerate a woman under prior discriminatory, nullified laws, shall be in violation of the law and this Constitution.

**Article 3:** Human dignity is inviolable. Any law, resolution, or policy that is in violation of human rights is hereby invalid and the implementation thereof shall be prohibited. Any relation of domination between two people, between a person and a group, or between groups is forbidden.

**Article 4:** Respecting the rights and dignity of non-Iranians residing in Iran is mandatory; All of their affairs, including residency, education, employment, marriage, citizenship rights, or application for citizenship of Iran, shall be governed by the laws regarding foreigners compatible with The Quintuple Rights.

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**Footnote:** In the transition period, all borders shall be closed and only Iranian citizens with passport shall be permitted to cross borders, and all foreigners who had already obtained an entry visa will be permitted to enter Iran.

**Article 5:** Execution, torture, and any practice against human dignity is hereby banned immediately.

**Article 6:** The institution of government, the State (all four branches of legislature, executive, judicial, and national media, collectively), shall be separated from institutions of religion, and religious government as well as government religion shall be terminated. No religion, ideology, or doctrine shall be officiated by the State, and no person shall be

afforded privileges on a religion basis, and no person shall be denied to practice, or not, any religion, ideology, or doctrine.

**Article 7:** Iran is an independent and indivisible Country and all citizens, individually or as a nation, have the right on the entire Country.

**Article 8:** The Government of Transition Period is a singular independent governing body established in accordance with intermittent rights contained in The Quintuple Rights, and is structured accordingly. This government is hereby mandated, in cooperation with civil society, to employ all resources immediately, to create all necessary opportunities, and to provide for basic needs of citizens, and their development based on social justice, and based on principles of independence, freedom, and environmental prosperity.

**Article 9:** Organization of all tasks during the Transition Period shall be in the form of Citizens' Councils, which function based to dialogue, consensus, and the principle of "one person, one vote". No official position, elective or by appointment, shall be hereditary, and they shall be chosen only on the merit of their knowledge and capability.

**Article 10:** According to the principle of independence, relations with other countries shall be based on NO-Dominance principle, preservation of National rights, Environmental Rights, and the Rights of Iran as a Member of the Global Community. No person, group, institution or government shall share the national sovereignty with Iranian people.

**Article 11:** Organization of Government in the Transition Period, based on the guiding principle of transferring the sovereignty to Iranian People – which according to Article Eight has to be compatible with The Quintuple Rights– must be through changing the dictatorial structure of government, with the goal of making the recreation of dictatorial government impossible.

**Article 12:** Each citizen has the right to participate in the management of society, and as a member of the national society can exercise this right directly through referendum, or indirectly through voting for his/her desired candidates, by free and secret voting.

**Article 13:** There is no preference between the principles of independence, freedom, national unity, pluralism, right of agreement, right of disagreement, and territorial sovereignty. Exercising and protecting these principles is the right, and duty, of government and all citizens.

**Article 14:** Organization of, and activity in, political parties and political, religious, and ideological associations, trade syndicates and coops, shall be free, and permitted and protected from discrimination.

**Article 15:** No individual, group, political party, or association shall be permitted to exert domination over the people, or any individual, group, political party, or association, in the name of any ideology, doctrine, or majority support.

## **Chapter Two**

## **National Council for Transfer of Sovereignty to Iranian People**

**Article 16:** National Council for Transfer of Sovereignty to Iranian People obtains its legitimacy from popular uprising of Iranian people against The Islamic Republic, and through political agreements resulting from active participation of the majority in this movement. Since the form of alternative depends on the nature of the regime change, if the change occurs through popular uprising, its trajectory and the role played by the Council establishes its role as the governing body in transitional period.

Furthermore, upon completion of elections of city and village councils, people of each province shall elect their representatives to join the National Council for Transfer of Sovereignty. Members of National Council shall serve based on their political identity at the onset of joining the Council. In case it becomes clear that a member had concealed his/her true political identity or has changed in opposite direction, his/her membership shall be revoked by majority vote in the Council.

National Council shall be mandated to:

- 1- Select the head of Transitional Administration and approve members of the Cabinet;
- 2- Form the Transitional Supreme Judicial Council;
- 3- Select members of the National Election Committee;

- 4- Form the National Fact Finding and Peace Committee;
- 5- Oversee the adoption of Quintuple Rights in new laws enacted and their implementation by government organizations, as well as removing barriers to their implementation;
- 6- Make government contracts and agreements, as well as general condition of the country, transparent, in cooperation with Transitional Administration;
- 7- Oversee the fate of parallel institutions formed under “Velayate Faghih”, by reforming them, and/or merging them in organizations formed on the basis of rights;
- 8- Form the Transitional national Council for Mass Media;
- 9- Oversee the respect for, and implementation of, this *Transitional Constitution*.

All activities of National Council must be open and transparent, except issues related to national security, which can be held in closed meetings, with two-third majority vote of the Council. All decisions of the Council must be fully reported to Iranian people, except in cases that shall be exempted.

**Article 17:** Members of the National Council shall take the following oath, according to their individual beliefs:

*“ I swear, before the Iranian people as my witness, that I shall, abstain from authoritarianism, and preserve and protect the inseparable principles of independence, freedom, national unity and territorial integrity, and be faithful to my*



*commitment accordingly and perform my responsibilities, as a member of the National Council, sincerely. I shall use my utmost abilities to protect the intermittent collection of rights, contained in the Quintuple Rights, and perform my duties in accordance with the Transitional Constitution and internal bylaws of the National Council.”*

**Article 18:** Duties of the head of the National Council shall be decided by Council’s internal bylaws, enacted by its members.

**Article 19:** All members must be invited to attend the meetings of the National Council. No meeting of the National Council shall be official unless at least one half plus one of the members are present. Decisions of the National Council require the votes of one half plus one of all members.

**Article 20:** The Constitution of the Islamic Republic shall be invalid. All remaining laws and regulations, if not incompatible with the Quintuple Rights and *Transitional Constitution*, shall be valid. National Council shall be the authority to determine their compatibility. National Council shall appoint a Transitional committee to oversee the remaining laws consisting of:

- Three jurists, elected by academic members of law schools of all universities;
- Three reputable attorneys, selected by National Bar Association.

In case the equality of number of female and male members is not possible, at least two of the members must be selected from amongst female jurists.

National Council, upon consultation with this transitional committee, shall decree its decision, in a reasonable period of time and without any delay, to the Transitional Administration for implementation.

**Article 21:** National Council for Transfer of Sovereignty to Iranian People, as the highest decision making body, must keep the public informed about all its activities. It must seek the assistance of Civic Society, as well as citizens' consultation, in its decision making process. Mass media, supervised by the Transitional National Council of Mass Media, are obligated to publish decisions and resolutions of the National Council.

## **Chapter Three**

### **Transitional Supreme Judicial Council**

**Article 22:** It is vital for the judiciary branch to regain its independence. Any member of judiciary who has participated in extreme and systematic violation of human rights or issued ruthless verdicts, shall be banned to serve in Judiciary institutions. Transitional Supreme Judicial Council, shall have the responsibility, in consultation with the Bar Association, judiciary society and human rights advocates, to determine their fate.

**Article 23:** Transitional Supreme Judicial Council shall be responsible for the administration of judicial branches, including but not limited to, hiring, appointment, removal and promotion of judges. Transitional Supreme Judicial Council shall consist of:

- 1- Three members, or heads of branches, of the Supreme Court, selected by the General Council of the Supreme Court;
- 2- Six experienced and virtuous prosecutors, with at least ten years of continuous experience;
- 3- General Prosecutor;
- 4- Head of the Council of Administrative Justice;

- 5- Head of the Supreme Court, who will be the head of the Transitional Supreme Judicial Council.

**Article 24:** Judges are mandated to refrain from enforcing all bylaws, decrees, and directives of previous regime that are in contrast with the tenets and guiding principles of this Transitional Constitution.

**Article 25:** No special or exceptional court shall be formed.

**Article 26:** No criminal investigation, or criminal judgment can be issued by any judicial authority except according to the law. Thus, all punishments enacted by judicial branch of the Islamic Republic are abolished and the victims shall have the right to rehabilitation and compensation.

**Article 27:** Everyone shall have the right to enjoy due process and to have an attorney. Those unable to afford one also have the right to have legal representation, and the Transitional Administration shall have to provide them with one.

**Article 28:** Agitation and encouragement of violence, as well as excommunication of others, shall be a crime. Judicial branch alone can issue legal judgments, which can only be enforced by the executive branch.

## **Chapter Four**

### **Fact Finding and General Peace and Reconciliation Committee**

#### **Article 29:**

- Due to the fact that many of our citizens have been subjected to cruelty by government of Islamic Republic and its institutions and political-ideological groups, because of their religious and ideological beliefs or their political thoughts and activities, and have suffered physical and psychological damages because of execution, incarceration and torture;
- Since based on the principle of rehabilitation and compensation, victims of such violations, their families, loved ones, as well as the society as a whole, have the right to rehabilitation and compensation;
- Since crimes against humanity are not subject to statute of limitation;
- Since free flow of information is vital for the people, sufficient time is needed for the suffrage of the victims of these crimes to become transparent. Sufficient time is also needed for the enrichment of

the moral and historic consciences of the public, so that tyranny shall not be reconstructed, for every citizen to become conscious of his/her rights, and for adaptation of these right to become constant and universal;

- Since the victim of any such crimes and injustices is not just the individual alone but humanity as a whole;
- Since every citizen has the right to defend the rights of others, and to demand the defense of his rights from others;
- Due to the fact that if citizens do not feel the pain and suffering of others, and do not feel the responsibility and duty to alleviate them, and do not recognize fighting injustice as their right and do not act accordingly, democracy, one pillar of which is the equality of all in enjoying the rights, as well as providing the necessary opportunities for all to enjoy them, shall not be established and sustained;
- Since historical conscience of the society needs victims' personal history to become official;
- Since based on the principle of restorative justice, rehabilitation and compensation of suffrages endured by victims and the society is extremely difficult;
- Since the absence of legal proceedings, based on the principle of restorative justice, could be filled by personal revenges, which could result in the expansion of violence in the society, and relationships that would lead to the recreation of dictatorship;

Victims shall have the opportunity to seek due process, so as to not feel alone with their pains and sufferings, be able to trust the political system established on social justice, find hope in their present and future, actively participate in the new and rightful society, and free themselves from past grieves, helplessness and powerlessness.

Therefore, upon formation of the National Transitional Council for Transfer of Sovereignty to Iranian People, in consultation with political parties and organizations, independent and activist political personalities, civic society and human rights activists, as well as jurists, the Fact Finding, and General Peace and Reconciliation Committee, in relation to political and ideological crimes, with the aim of rehabilitation and compensation, based on the principle of restorative justice, shall be established. This Committee shall be mandated to:

- 1- Collect all documents of political-ideological crimes perpetrated in The Islamic Republic and Pahlavi dynasty. Violations of human rights could have been perpetrated by officials and agents of government and/or members of political parties and political and ideological organizations.
- 2- Collect and sort all complains of former officials or others whose political decisions and political-ideological acts resulted in such crimes, with the objective of finding the facts and their ultimate report to Iranian People.

Listen to the biographies of all victims as well to their tales narrated, as accurately as possible, by their families and friends.

- 3- To subpoena all such former officials and agents to attend hearings according to the principles of fact finding, rehabilitation and compensation,. The Committee shall conduct its proceeding based on “presumption of innocence”, guiding principles of adjudication, with the objectives of rehabilitation, compensation and reporting the truth. Suspects shall have one year, from the formation of the Committee, to approach the Committee and request to be heard and to ask for pardon.
- 4- All proceedings in relation to the victims and defendants shall be public, unless requested by the families of the victims, and Committee’s approval, for security reasons. All members of media have the right to attend the proceedings. If live streaming of proceedings is not possible, due to security concerns or at the request of the families, statements of victims and defendants should be available to the public in due time.
- 5- Amnesty shall be personal, conditional, subject to rehabilitation and compensation, as well as confession of the truth. Amnesty cannot be granted without confession. There shall be no group or collective amnesty. Amnesty shall be issued only for crimes that are irreparable but compensable, such as murder, torture, incarceration, ....., perpetrated in relation to political, ideological, and religious matters. There shall be no amnesty for restorative



crimes such as theft, financial corruption, bribery,  
....

- 6- The Committee shall have the power to bar defendants from government and elected positions.
- 7- The case of defendants that do not reveal the truth, and those that refuse to testify, shall be referred to the Judiciary branch.
- 8- The Committee does not have the power of prosecution and rendering judgments, other than what have been delineated above. Prosecution is the responsibility of judicial branch. Upon the expiration of one year deadline, the Committee shall give all information gathered about individuals who have not been pardoned to the Judiciary branch.
- 9- The Committee shall make a list of all victims to be included in its final report. Another list should be prepared containing the names of victims' families and recommendations for the compensation of physical and psychological damages suffered by victims and their families.
- 10- The Committee shall continue to work until all cases are completed unless, upon formation of the permanent government, and Committee's report to the elected Parliament, its mandate is not renewed by the Parliament.
- 11- The Committee shall investigate crimes perpetrated in the Islamic Republic and Pahlavi Dynasty. Its maximum duration shall be four years, when it publishes its final report to the public, which shall become an official document. Elected Parliament

shall have the right to renew the Committee's mandate.

## **Chapter Five**

### **Transitional Administration**

**Article 30:** President of the Transitional Administration shall be elected by the majority vote of the Transitional Council to Transfer Sovereignty to Iranian People. He/She shall select their Council of Ministers from amongst distinguished national personalities, whose accreditations shall be reviewed and approved by the Transitional Council. In the absence of the President, his deputy, Deputy President, shall preside over cabinet meetings. Resolutions of the Council of Ministers and Deputy President must be reported to, and approved by, the President. Ministers are accountable to the President. Transitional Council shall have the right to impeach the

ministers. Impeachment letter must be signed by at least one third of the members of Transitional Council.

**Article Thirty On31:** At the request of Transitional Administration, to consult and expedite decision making processes, Transitional Council and Transitional Council of Ministers shall hold shared meetings.

**Article 32:** Holding elections is the responsibility of the Ministry of Interior of Transitional Administration. Monitoring of any form of elections and referendum shall be the responsibility of an independent Election Committee. This Committee shall have seven members, at most, selected by Transitional Council. The selectees cannot be members of the Transitional Council, and should be selected, in as much as possible, from amongst members of organizations who enjoy the reputation for constant advocacy of human rights and popular sovereignty.

**Footnote:** Impartial international human rights and citizen rights organizations shall be admitted to monitor elections upon their request.

**Article 33** Transitional Administration is required to create necessary conditions for the return of Iranian experts forced to leave the country, as well as all expatriates, to participate in the process of establishment, perpetuity, and advancement of democracy, and service to the country.

**Article 34:** Foreign policy in the transitional period shall be based on the principles of independence, freedom, The Quintuple Rights, non-interference and peaceful co-existence. At the suggestion of Transitional Foreign Minister and approval of the National Council, the President shall select, as soon as possible, ambassadors in different countries, who shall be messengers for the right of peace and other rights, that need to be the principles of the constitutional law. Ambassadors shall be mandated, in accordance with Article Four above, to strive to normalize our foreign relations and restore the neglected rights of Iranian people.

**Article 35:** Transitional Administration shall review all foreign agreements and contracts entered with other countries, as well as major crises to date, including hostage taking in American Embassy, Iraq-Iran war, nuclear policy, military intervention in the region, , ..., and shall present a transparent report to the Iranian people and the National Council.

**Article 36:** Major duties of Transitional Administration shall be to:

- 1- Create of opportunities for citizens to enjoy their rights, national security, and defending territorial integrity;
- 2- Manage the affairs of the country (political, economic,...) ;
- 3- Communicate national situation to the public as transparently as possible;

- 4- Hold elections for provincial, city, and village councils in less than four months after establishment of Transitional Administration. These elections shall be held in the entire country. Each Provincial Council shall elect one member for the National Council. These councils shall continue their duties until the creation of new councils based on the new national Constitution;
- 5- Conduct dialogues among jurists and other experts about different constitutional laws suggested, in a manner that would sufficiently inform citizens;
- 6- Hold constitutional election(s);
- 7- Hold National referendum for new Constitution;
- 8- Hold elections in accordance with the new Constitution and making preparations for the establishment of new government.

## **Chapter Five**

### **Language, Alphabet, Flag and National Anthem**

**Article 37:** Farsi shall be the official language and alphabet of the country. All official documents and communications shall be in Farsi, and it shall be taught in schools all over the country, as the common language. Iranian citizens shall have the right to use their mother languages in education as well as mass media.

**Article 38:** Until Iranians have not chosen the specifics of their national flag, either directly or through their

representatives, transitional national flag shall be three horizontal stripes of green, white, and red.

**Article 39:** National anthem of Iran must represent the values of life and dignity of humans and all living beings, national solidarity, global peace based on non-dominance, the Quintuple Rights, and thus the principles of independence and freedom. The Anthem must be a source of inspiration to trigger motivational forces of our society for development of the country in independence and freedom based on social justice as the criteria. Iranian artists are persuaded to create such anthem. All anthems composed and presented shall be recited in public so that people can express their opinions, and be able to approve the new National Anthem at the time of approving new constitution. “ Ey Iran”, as well as any other anthem, unless they remind of former dictatorial regimes, are permitted to be recited.

## **Chapter Six**

### **Military, Security, and Police Forces**

**Article 40:** Military and police forces loyal to the rights and this Transitional Constitution shall be under the command of the Transitional Administration..

**Article 41** The police force shall be, on the basis of impartiality, rule of law, and respect for rights, responsible for the safety of citizens, domestic security, general order and public properties.

**Article 42:** It is the duty of the National Council and the Transitional Administration to prepare the means for creation of a singular National Armed Forces. This national military



shall be created by the merger of the two current military forces in the Country.

**Article 43:** Armed forces, collectively, shall be impartial in relation to domestic political differences. They shall be prohibited from entering economic activities. However, their military equipment can be employed by the Transitional Administration towards development projects, as well as confronting natural disasters and their aftermath.

**Article 44:** Due to the fact that assurance of peaceful life and enjoying security, and therefore territorial integrity and

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**Footnote:** To save the Country from potential danger, all military personnel shall remain in their barracks, and shall be under the state of alert ational coherence, are vital for the transition from dictatorship to democracy, any armed act for return of dictatorship or cessation, shall be forbidden. It shall be the duty of the Transitional Administration to put an end to them.

**Article 45** The president of Transitional Administration shall be the Commander in Chief. He/She shall take necessary steps to organize National Armed Forces and Police Force, in accordance with Article Forty Two above. He/She shall seek, and use, the assistance of sincere experts in military techniques and sciences.

## **Chapter Seven**

### **Transitional National Council of Mass Media**

**Article 46:** The media under the government of Islamic republic have used public resources in the last four decades towards brainwashing the population by imposing censorships and distortion of historical facts as well as disrupting the free flow of information and ideas, to prolong the life of the regime. However, these public media, along with their human talents, expert journalists, and financial and technological resources, belong to the Iranian people and should not go to

waste. Rightful employment of these national assets towards establishment, dynamism, and advancement of democracy, could play a vital role. To facilitate these goals, the Transitional National Council of Mass Media shall be created.

**Article 47:** To empower the mass media in this regard, this council would be formed to review and administer all different media outlets managed with government resources.

**Article 48:** Strategic goals and policies pursued by this Council shall be:

- 1- To provide media possibilities for establishing free flow of thought, knowledge, arts, information, news, and ideas.
- 2- To abolish all censors, educate the personnel to disseminate information about events as actually happened, and to refrain from advocating for or against any person, group, idea, or art, publicizing fake news to instill fear in public, acting as guardians for how people should think or act, propagating for any candidate in elections and influencing the results thereof, re-broadcasting false news of foreign media to influence others, spreading rumors, committing character assassinations of any form, advocating “change from the top” to instill powerlessness and hopelessness in citizens, or advertising for multinational corporations who constantly impose a consumption based economy and economic domination.
- 3- To provide communication mediums for constant education of the Quintuple Rights.

- 4- To facilitate opportunities to encourage public dialogues about the rights, historical and national issues, as well current domestic, regional and global events.
- 5- To familiarize society with the rules of free and just elections, and educate the culture of independence and freedom, to improve the sense of spontaneity for using creative, and other, talents.
- 6- Mass media shall not be at the service of any particular group, or groups, including the National Council or the Transitional Administration, instead;
- 7- For the National Council and the Transitional Administration to be able to communicate with the public, national media shall provide them with the means of communication. However, they shall also provide opportunities for assessing and criticizing the officials and their policies and actions (for instance through conducting dialogues).
- 8- Directors of national media outlets and the Judicial Council shall provide and guarantee professional freedom of journalists, particularly in regards to accessibility of sources of information, investigation of facts, other than those restricted in accordance to Article Sixteen above. No journalist shall be forced to express, or deny, his/her professional activities. As for the identity of the sources of information provided to a journalist, chief editor of the respective media, who shall have complete judicial immunity, shall be obligated to reveal the identity of the source to the judge, if a legal order has been issued by the court, for the investigation purposes only. The judge shall not

be authorized to reveal the identity of the source either to the public or to the plaintiff. If the life and safety of the source is in danger, the Transitional Judicial Council, through Transitional Administration, shall be obligated to provide him/her protection.

**Article 49:** Duties of Transitional National Council of Mass Media shall be:

- 1- Overseeing the national media to advance their policies and goals in accordance with Article Forty Seven above.
- 2- Appointing directors of national media outlets for the transition period. If a member of Transitional National Council of Mass Media accepts a position of directorship in a national media, or a private mass media organization (other than personal pages in social media), he/she shall lose membership on the Council.
- 3- Reviewing and adjusting of the size and personnel of each national media outlet with allocated public resources.
- 4- Selecting its executive committee, and to prepare the internal bylaws of the Council, in its very first meeting.

**Article 50:** Members of the Transitional National Council of Mass Media shall be selected by Transitional Council to Transfer Sovereignty to Iranian People to perform duties highlighted in Articles Forty Seven and Forty Eight above. This Council shall have between nine and fifteen members, who shall have the necessary moral, scientific, technical,

managerial and planning qualifications. If gender equality cannot be achieved, at least one third of the members shall be females. No member of the Transitional Council for Transfer of Sovereignty, or the Transitional Administration, can be a member of the Transitional National Council of Mass Media.

**Article 51:** The Transitional Administration shall provide funding for the Council appropriated by the National Council.