




OPEN PEER REVIEW

Formal Challenges of Criminal Liability of Legal Persons in Iran's Criminal Justice System

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1. Round 1

1.1. Reviewer 1

Reviewer:

The phrase “Legal persons, as legal entities that can potentially bear criminal liability, are pursued for legal violations” could be made clearer by briefly explaining the types of violations that commonly lead to such liability. Consider adding an example for clarity and engagement.

The phrase “Criminal liability of legal persons may be determined due to their actions or contributions to committing crimes” could benefit from specifying what kinds of contributions are typically considered criminal.

The reference to “Tajmiri, 1996” could be expanded with a brief explanation of how moral liability is treated differently in contemporary legal systems compared to Iran. This would contextualize the discussion for readers unfamiliar with Iran's unique legal landscape.

The statement “If legal persons are exempt from their criminal responsibilities, it can lead to inequality and injustice in prosecuting offenses” needs empirical evidence or examples from recent Iranian cases to substantiate the claim.

The explanation of Article 28 would be clearer if the financial penalties were compared to similar laws in other countries, highlighting any unique features or limitations.

The sentence “Ambiguity in laws is one of the issues that can lead to procedural challenges” should be supported with examples of ambiguous legal text or contradictory case outcomes.

The suggestion to use modern technology is promising, but it should specify which technologies (e.g., digital asset tracking) could be most effective in Iran's judicial system.

Authors revised the manuscript and uploaded the document.

1.2. Reviewer 2

Reviewer:

The sentence "Procedural challenges in the criminal liability of legal persons can include factors such as unclear laws, the complexity of judicial processes, difficulties in proving liability, and issues in the enforcement of criminal rulings" is too broad. Breaking down each challenge with specific examples from Iran's legal system could significantly strengthen the argument.

The sentence "Legal liability is the liability that has been anticipated by law and has legal enforcement mechanisms" should include a brief explanation of how civil, criminal, and administrative liabilities differ in practice.

The discussion around tort liability could be made more comprehensive by including recent case examples or hypothetical scenarios relevant to Iran's judicial context.

The comment on enforcement measures for non-compliance, such as fines, could be more compelling if it included recommendations for improving enforcement practices based on international standards.

The claim "Legal persons may engage in actions to conceal their assets" could be enriched with a discussion on specific legislative gaps that allow such actions and how these gaps could be addressed.

Authors revised the manuscript and uploaded the document.

2. Revised

Editor's decision: Accepted.

Editor in Chief's decision: Accepted.