
E-Learning Course International Human Rights Standards and Iran

Introduction

According to the Universal Declaration of Human Rights, simply by virtue of being born, all of us are inherently entitled to certain rights, regardless of race, ethnicity, gender, sexual orientation, social class or political affiliation. While many of these rights have been universally adopted and accepted, they are often violated by the very governments that promise to uphold and defend them. Therefore, as citizens, it is important to know and understand these rights, the international mechanisms created to protect them and the domestic laws that enforce them.

You have probably heard people talk about these universally accepted rights and commitments to international standards, but have you ever wondered what they actually are and why they are important? Are you interested in learning more about human rights standards? Do you want to learn how you can hold the government accountable to its commitments to human rights? If so, this course can help you. *International Human Rights Standards and Iran* aims to help raise your legal understanding and political awareness of international human rights standards.

This course will also give you tools and knowledge you need to better understand Iran's domestic laws and how these laws can be used to hold the government accountable to its international commitments to protect and defend human rights.

This course is divided into four lessons:

- International standards and the United Nations;
- International commitments and enforcement mechanisms for human rights treaties;
- International treaties and Iran's legal system; and
- Civil society and international human rights standards.

At the end of each lesson, you can take a short quiz to test what you have learned.

Take this Course

LESSON ONE: INTERNATIONAL STANDARDS AND THE UNITED NATIONS

This lesson will provide you with a basic framework for understanding the development of international human rights standards and the international bodies created to protect them.

When you complete this lesson, you will be able to:

- Define human rights;
- Identify international human rights bodies and treaties; and
- Understand the process of committing to an international treaty.

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What Are Human Rights?

Having gone through the ordeals of World War I and II, several countries felt the need to establish an international body in order to maintain a global peace and create safeguards for the protection of human rights and dignity. This took form with the establishment of the United Nations (UN) in 1945.

In 1948, the United Nations adopted the Universal Declaration of Human Rights (UDHR) which paved the way for the development of an unprecedented number of standards to protect human dignity. The Declaration, for the first time in human history, defined the basic civil, political, economic, social and cultural rights that all human beings should enjoy. Over time, the UDHR has been widely accepted as the fundamental norms for human rights standards that everyone should respect and protect.

"Human rights are a set of rights that are commonly understood as inalienable fundamental rights to which a person is inherently entitled simply because she or he is a human being." – Universal Declaration of Human Rights



As the chair of the United Nations Human Rights Commission, Eleanor Roosevelt was the driving force in creating The Universal Declaration of Human Rights.

The UDHR, together with the International Covenant on Civil and Political Rights (ICCPR), its two Optional Protocols, and the International Covenant on Economic, Social and Cultural Rights, form what is known as the [International Bill of Human Rights](#).

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United Nations Bodies

Currently the United Nations has 193 Member States and is considered the most important international institution and source for codification, implementation, and monitoring of international human rights standards.

Within the United Nations governing system, the [Office of the High Commissioner for Human Rights](#) (OHCHR) provides expertise and support to the different human rights monitoring mechanisms and is made up of independent experts mandated to monitor Member State (also known as State party) compliance with treaty obligations.



The OHCHR supports UN charter-based bodies, including the Human Rights Council, and bodies created under the international human rights treaties. The [United Nations Human Rights Council](#) (UNHCR) is an inter-governmental body responsible for strengthening the promotion and protection of human rights around the world and for addressing instances in which human rights are violated.

The OHCHR categorizes the UN human rights bodies into two classes: charter-based bodies and treaty-based bodies.

CHARTER-BASED BODIES VS. TREATY-BASED BODIES

CHARTER-BASED BODIES

- ✓ Established from the Charter of the United Nations
- ✓ Hold broad human rights mandates
- ✓ Address an unlimited audience
- ✓ Take action based on majority voting

TREATY-BASED BODIES

- ✓ Established from the provisions contained in a specific treaty
- ✓ Hold a more narrow mandate based on the set of issues codified in a treaty
- ✓ Address only those countries that have ratified a treaty
- ✓ Base their decision-making on consensus

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United Nations Bodies (continued)

Charter-Based Bodies

- [Human Rights Council](#) (formerly the [Commission on Human Rights](#))
- [Universal Periodic Review](#)
- [Special Procedures of the Human Rights Council](#)
- [Human Rights Council Complaint Procedure](#)

Treaty-Based Bodies

There are ten human rights treaty bodies that monitor implementation of the core international human rights treaties.

- [Human Rights Committee](#) (CCPR)
- [Committee on Economic, Social, and Cultural Rights](#) (CESCR)
- [Committee on the Elimination of Racial Discrimination](#) (CERD)
- [Committee on the Elimination of Discrimination against Women](#) (CEDAW)
- [Committee against Torture](#) (CAT)
- [Subcommittee on Prevention of Torture](#) (SPT)
- [Committee on the Rights of the Child](#) (CRC)
- [Committee on Migrant Workers](#) (CMW)
- [Committee on the Rights of Persons with Disabilities](#) (CRPD)
- [Committee on Enforced Disappearances](#) (CED)

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United Nations Bodies (continued)

There are several other important UN bodies which are concerned with the promotion and protection of human rights; however, these bodies are not under the supervision of OHCHR. They include:

- [United Nations General Assembly](#)
- [Third Committee of the General Assembly](#)
- [Economic and Social Council](#)
- [International Court of Justice](#)

Many UN agencies and partners are also involved in the promotion and protection of human rights based on their area of focus and interact with the main human rights bodies. These include:

- [United Nations High Commissioner for Refugees](#) (UNHCR)
- [Office for the Coordination of Humanitarian Affairs](#) (OCHA)
- [Inter-Agency Internal Displacement Division](#)
- [International Labour Organization](#)
- [World Health Organization](#)
- [United Nations Educational, Scientific and Cultural Organization](#) (UNESCO)
- [Joint United Nations Programme on HIV/AIDS](#) (UNAIDS)
- [Inter-Agency Standing Committee](#) (IASC)
- [DESA \(Department of Economic and Social Affairs\)](#)
- [Commission on the Status of Women](#) (CSW)
- [Office of the Special Adviser on Gender Issues and the Advancement of Women](#) (OSAGI)
- [Division for the Advancement of Women](#) (DAW)
- [United Nations Population Fund](#) (UNFPA)
- [United Nations Children's Fund](#) (UNICEF)
- [United Nations Entity for Gender Equality and the Empowerment of Women](#) (UN-Women)
- [United Nations Development Programme](#) (UNDP)
- [Food and Agriculture Organization of the United Nations](#) (FAO)
- [United Nations Human Settlements Programme](#) (HABITAT)
- [United Nations Mine Action](#)

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United Nations Treaty System

Treaties are formal agreements between States that define mutual responsibilities and obligations. International human rights treaties are developed through a process of negotiation between UN Member States with the goal of producing a commonly accepted group of standards. States then decide whether to become legally bound by the standards negotiated in a treaty.

Two key benefits have come about because of international treaties in human rights:

- ❖ With the establishment of international standards and frameworks, treaties bind Member States to respect, implement, and improve equal rights and freedoms and to stop discriminations. By accepting and ratifying these treaties, the States shall also be held to account by their citizens.
- ❖ Furthermore, monitoring mechanisms that are provided within a treaty or convention to guarantee its proper enforcement can also serve as further reassurances that the States parties are truly committed to the treaty they have acceded to.

The International Covenant on Civil and Political Rights (ICCPR) requires State parties to submit periodic reports to the Human Rights Committee on the enforcement, improvement, and fulfillment of their human rights obligations and commitments, particularly those noted in this covenant.

A State demonstrates its willingness to undertake the legal rights and obligations under a treaty through definitive signature or by the ratification, acceptance, approval or accession of the treaty. The treaty enters into force and becomes legally binding for the State at the moment when that State becomes party to the treaty.


One of the most commonly used steps in the process of becoming party to a treaty is signing a treaty. Treaties contain signature provisions indicating the place of signature, date of opening for signature and period of signature. Such treaties also list the methods by which a signatory State can become party to them, for example by ratification, acceptance, approval or accession.

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United Nations Treaty System (continued)

SIGNATURE: By signing a treaty, a state supports the treaty and agrees to act in accordance with the provisions in the treaty, and not act in a way that contradicts the purpose of the treaty. A signature, however, does not legally bind the state to the treaty. A state needs to ratify or accede to the treaty for it to become legally binding. In some instances, a state will sign a treaty but never ratify or accede to it.



RATIFICATION: By ratifying a treaty, a state demonstrates its consent to be bound to that treaty. A state becomes legally bound to the obligations and provisions in that treaty when it is ratified by the state's legislature. This process varies between States.

Acceptance or approval of a treaty following signature has the same legal effect as ratification, and the same rules apply, unless the treaty provides otherwise. If the treaty provides for acceptance or approval without prior signature, such acceptance or approval is treated as an accession, and the rules relating to accession would apply



ACCESSION: A state can accede to a treaty by agreeing to be legally bound by the terms of a particular treaty that has already been negotiated and signed by other States. Accession has the same legal effects as ratification, acceptance and approval, but is not preceded by a signature. Instead, a state submits an "instrument of accession," a formal letter by the head of state to the Secretary-General of the UN. No state has the right to accede to a treaty unless it is clearly stipulated or the signatories agree to it.

For more details on the process visit the [United Nations Treaty Handbook](#).

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United Nations Treaty System (continued)

When a state signs, ratifies or accedes to a treaty, that state can include **reservations**, or declarations that aim to exclude or alter the legal effect of a certain provision in a treaty. A reservation allows a state to become party to a treaty while at the same time giving it the option to exempt itself from adhering to a particular article, section or clause in the treaty that it does not want to comply with. For example, Bangladesh included a reservation in the [Convention on the Elimination of All Forms of Discrimination Against Women](#) (CEDAW) on the grounds that it conflicts with Shari'a law, or Islamic law.

Additionally, a state can attach an **optional protocol** to a treaty. Optional protocols can provide guidance on procedures in the treaty or address a substantive area related to the treaty. Often, optional protocols to human rights treaties act as smaller, standalone treaties that States not party to the main treaty can sign, ratify or accede to.

For example, the [International Covenant on Civil and Political Rights](#) (ICCPR) has two optional protocols, one that relates to an individual's right to issue a complaint to the UN and one that relates to the elimination of the death penalty. Iran has signed the ICCPR but has refused to accede to the two optional protocols.

Iran has joined the UN Convention on the Rights of the Child but made a reservation on its acceptance. If the Convention is or becomes incompatible with the domestic laws and Islamic standards at any time or in any case, the Government of the Islamic Republic will not abide by it.

Thus, while the Convention stipulates that all persons under the age of 18 shall be considered as children and shall be exempt from full criminal responsibility in all cases, in Iran the age of full criminal responsibility for certain crimes remains nine years for girls and 15 years for boys.

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Binding vs. Non-Binding Decisions

Decisions made within the United Nations fall into two categories, binding and non-binding decisions. Binding documents codify or create legal obligations or duties (*hard law*), while non-binding documents make recommendations about norms of conduct and policy (*soft law*).

- Covenants, statutes, protocols and conventions are *legally binding* for Member States that have ratified or acceded to them.
- Declarations, principles, guidelines, standard rules and recommendations are *non-binding*, but they have a strong moral force and provide practical guidance to States even if they do not have binding legal effect under international law.

General Assembly resolutions are hard law, so they create binding instruments. Examples of hard law instruments are UN treaties or charters such as the United Nations Charter that established the framework for the UN.

Soft law, over time, can become customary international law and universally accepted. The Universal Declaration of Human Rights (UDHR) is the best example of a soft law instrument. The UDHR was adopted in 1948 as a non-binding UN General Assembly Resolution but it is considered to have become customary international law.

While soft law or non-binding documents often become customary international law, challenges arise with the implementation and enforcement of such instruments. Soft law may only clarify the need to address particular issues, while hard law is used to legally bind monitoring and enforcement mechanisms.

There are various ways to address the implementation and enforcement gap of soft law instruments:

- ❖ UN working groups, special rapporteurs or representatives of the Secretary-General can provide alternative monitoring mechanisms.
- ❖ Non-governmental organizations (NGOs), social groups, regional organizations, individuals whose rights have been violated (victims), States, media, independent experts and others external to the mechanism can all play crucial roles in monitoring the enforcement of each and all articles of a treaty, as well as its expansion and proliferation. With ongoing monitoring, civil society can hold a government to account for violations.

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Other International Bodies and Human Rights - Organization of Islamic Cooperation



The [Organization of Islamic Cooperation](#) (OIC) (formerly Organization of the Islamic Conference) was founded in 1969 and is the second largest inter-governmental organization after the United Nations. The OIC has a Membership of 57 States spread over four continents. Iran has been a member since 1969. The Organization aims to present a collective voice and protect the interests of the Muslim world in the spirit of promoting international peace and harmony among various people of the world.

In 2008, the OIC's [Charter](#) was revised to include the promotion and protection of "human rights and fundamental freedoms" among its goals. In 2011, foreign ministers of member countries of the OIC established a new human rights commission: the [Independent Permanent Human Rights Commission](#) (IPHRC). The IPHRC is an independent cross-regional human rights mechanism, and acts as an advisory body to the organization's Council of Foreign Ministers. The Commission is made up of 18 Members — six each from the African, Asian and Arab regions — nominated by their respective governments and elected by the OIC's Council of Foreign Ministers.

According to the [statutes](#), the Commission and its 18 independent experts work to advance human rights and "support the Member States' efforts to consolidate civil, political, economic, social and cultural rights." This is to be done primarily through counsel and legal advice for Member States. Support might be provided, for example, on how to report to the UN or how to mainstream human rights into national legislation, but also through information campaigns and research and cooperation with other human rights organizations. As such, the commission does not actually handle cases of human rights violations, as the UN Human Rights Council, but will function as an advisory body, modeled after the UN Advisory Committee to the Human Rights Council.

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Lesson One: Key Points to Remember

- The Universal Declaration of Human Rights is widely accepted as the fundamental norms for human rights standards that everyone should respect and protect.
- UN charter-based bodies were established by the Charter of the United Nations, hold broad human rights mandates, address an unlimited audience, and take action based on majority voting.
- UN treaty-based bodies were established from the provisions contained in a specific treaty, hold a narrower mandate based on the set of issues codified in a treaty, address only those countries that have ratified a treaty, and base their decision-making on consensus.
- There are ten human rights treaty-based bodies that monitor implementation of the core international human rights treaties.
- One of the most commonly used steps in the process of becoming party to a treaty is signing a treaty.
- A reservation allows a state to become party to a treaty while at the same time giving it the option to exempt itself from adhering to a particular article, section or clause in the treaty that it does not want to comply with.
- Optional protocols provide guidance on procedures in the treaty or address a substantive area related to the treaty.
- Decisions made within the United Nations fall into two categories, binding and non-binding decisions.

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Quiz

1. Human rights can be defined as which of the following?

- a. Rights that not man-made, but are derived from logic, from human nature, or from the edicts of a god.
- b. Rights that are based on a society's customs, laws, statutes, or actions by legislatures.
- c. Rights that are commonly understood as inalienable fundamental rights to which a person is inherently entitled simply because she or he is a human being.
- d. The rights of citizens to political and social freedom and equality.

2. What UN body was established by the Charter of the United Nations?

- a. Charter-based bodies
- b. Treaty-based bodies
- c. Both charter- and treaty-based bodies
- d. Neither charter- nor treaty-based bodies

3. Which of these documents is part of the International Bill of Human Rights?

- a. International Covenant on Economic, Social and Cultural Rights
- b. Universal Declaration of Human Rights (UDHR)
- c. Covenant on Civil and Political Rights (ICCPR)
- d. All of the above

4. Which of the following is NOT one of the UN human rights bodies?

- a. Human Rights Committee
- b. Organization of Islamic Cooperation
- c. Committee on Migrant Workers
- d. The United Nations Human Rights Council

5. Fill in the missing word: Treaties bind Member States to respect, implement, and improve equal rights and freedoms and to stop discriminations. By accepting and ratifying these treaties, the State shall also be held accountable by their _____.

- a. Citizens
- b. Government officials
- c. Elites
- d. Clerics

6. True or false: A signature legally binds a State to a treaty.

- a. True
- b. False

7. What allows state to become party to a treaty while at the same time giving it the option to exempt itself it from adhering to a particular article, section or clause in the treaty that it does not want to comply with?

- a. Optional protocol
- b. Reservation
- c. Accession
- d. Charter

8. True or false: Soft law, or non-binding decisions, over time, can become customary international law and universally accepted.

- a. True
- b. False

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LESSON TWO: INTERNATIONAL COMMITMENTS AND ENFORCEMENT MECHANISMS

When you complete this lesson, you will be able to understand:

- The mechanisms used to enforce international human rights treaties;
- Non-treaty-based mechanisms for international standards; and
- The impact of non-treaty-based mechanisms on Iran.

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Mechanisms of Enforcement

There are four main enforcement mechanisms used by the United Nations to aid in implementation and ensure that States are abiding by the treaties, conventions, and protocols to which they have become Members:

1. Treaty-Based Human Rights Committees
2. Charter-Based Human Rights Council
3. Charter-Based Universal Periodic Review
4. Charter-Based Special Procedures

Treaty-Based Human Rights Committees

The treaty bodies are the committees of independent experts that monitor the implementation of the core international human rights treaties. This is done primarily by reviewing the implementation reports submitted by state parties. Some treaty bodies are mandated to receive and review individual complaints and conduct inquiries.

In addition to reviewing reports submitted by state parties, committees also receive information from other organizations – such as NGOs, national human rights institutions and other UN entities – either through oral or written reports. Based on this process the committees adopt what are known as “concluding observations,” which refer to the positive elements of a state’s implementation of the treaty and the areas where the committee recommends the state take further action. The responsible body can later investigate whether the state has adopted and incorporated its recommendations.

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Treaty-Based Human Rights Committees (continued)

As briefly mentioned in lesson one, there are 10 human rights treaty committees that monitor the implementation of the core international human rights treaties. Of the treaties monitored by the 10 committees, Iran has acceded to half of them.

❖ [Human Rights Committee](#)

The Human Rights Committee is the body of independent experts that monitors implementation of the [International Covenant on Civil and Political Rights](#) by its State parties. The ICCPR established the 18-member Human Rights Committee that considers reports submitted periodically (usually every four years) by States parties on measures taken to implement the Covenant's provisions. The Committee considers and discusses the report in closed meetings; all related documents remain confidential. The findings of the Committee, however, are made public and are reproduced in its annual report to the General Assembly. *Iran has not acceded to the two additional protocols of the Covenant regarding the establishment of a complaint mechanism for the ICCPR (protocol one) and the abolition of the death penalty (protocol two).*

❖ [Committee on Economic, Social, and Cultural Rights](#)

This committee was established by the Economic and Social Council (ECOSOC) to monitor implementation of the [International Covenant on Economic, Social and Cultural Rights](#) by its States parties. This 18-member body of experts studies reports submitted under special procedures and discusses them with representatives of the governments concerned, usually every five years. The Committee makes recommendations to States based on its review of their reports and follow up on the adoption and implementation of its recommendations. *Iran has not acceded to the additional protocols of the Covenant regarding the establishment of a complaint and inquiry mechanism.*

❖ [Committee on the Elimination of Racial Discrimination](#)

The Committee on the Elimination of Racial Discrimination (CERD) is the body of independent experts that monitors implementation of the [Convention on the Elimination of All Forms of Racial Discrimination](#) by its State parties. This monitoring body was established to review reports submitted every two years by States parties on steps taken to implement treaty provisions; this Committee also considers petitions from individuals alleging a violation of the Convention, if the state concerned has accepted this optional procedure of the Convention. *Iran has not acceded to the additional protocol of the Convention regarding individual petitions.*

❖ [Committee on the Rights of the Child](#)

The Committee on the Rights of the Child (CRC) is the body of 18 independent experts that monitors implementation of the [Convention on the Rights of the Child](#) by its States parties. The Committee was established to oversee its implementation and consider reports submitted by States parties, which are required to submit reports that cover their obligations and commitments based on the convention every five years. If optional protocols are accepted, the Committee would also be authorized to accept petitions on individual cases from that particular state. *Iran has acceded to the two optional protocols of the Convention regarding the protection of children from involvement in armed conflicts (protocol one) and from sexual exploitation (protocol two).*

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Treaty-Based Human Rights Committees (continued)

❖ [Committee on the Rights of Persons with Disabilities \(CRPD\)](#)

This committee is the body of independent experts that monitors implementation of the [Convention on the Rights of Persons with Disabilities](#) by States parties. All States parties are obliged to submit regular reports to the committee, reporting initially within two years of accepting the convention and every four years thereafter. *Iran has not acceded to the two optional protocols of the Convention regarding the Committees' authority to examine individual complaints with regard to alleged violations of the Convention by States parties to the Protocol.*

Iran has not acceded to the following human rights treaty committees:

- ❖ Committee on the Elimination of Discrimination against Women (CEDAW)
- ❖ Committee against Torture (CAT)
- ❖ Subcommittee on Prevention of Torture (SPT)
- ❖ Committee on Migrant Workers (CMW)
- ❖ Committee on Enforced Disappearances (CED)

Treaty Committees in Practice

Since Iran acceded to the International Covenant on Economic, Social, and Cultural Rights prior to the Islamic Revolution in 1979 and without any reservation and because the covenant does not provide for a mechanism for withdrawal, Iran remains fully bound and obligated to abide by all of its articles and uphold the following rights for all of its citizens:

- The right to work in just and favorable conditions;
- The right to social protection, to an adequate standard of living and to the highest attainable standards of physical and mental wellbeing; and
- The right to education and the enjoyment of benefits of cultural freedom and scientific progress.

As party to the treaty, Iran is required to submit periodic reports on the implementation of rights that are stipulated in this covenant. Iran last submitted a report to the relevant committee in 2009. As an enforcement and monitoring mechanism the Committee on Economic, Social and Cultural Rights studied the report and communicated with Iran its concerns on the fulfillment of its commitments and pledges. In 2013, the Committee decided that the economic sanctions imposed on Iran do not nullify its obligations under the treaty.

At one of its meetings in 2013, the Committee questioned an Iranian delegation on the laws and policies barring Baha'is access to higher education, creating gender quotas for university students and discriminating based on gender and sexual orientation. After the meeting, the Committee urged Iran to respect the rights and stop discriminating against ethnic, religious and sexual minorities.

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Human Rights Council

The Human Rights Council was established by the UN General Assembly on March 15, 2006 to replace the Commission on Human Rights ([Resolution 60/251](#)), which, for over 60 years, was at the center of the United Nations human rights system but was often criticized for the way countries with poor human rights records were able to join. The Council is an inter-governmental body within the UN system made up of 47 Member States that are responsible for the promotion and protection of all human rights around the world. The UN General Assembly elects the Members who occupy the Council's 47 seats, and takes into account the state's contribution to the promotion and protection of human rights, as well as the voluntary pledges and commitments it has made.

The term of each seat is three years and no State can occupy a seat for more than two consecutive terms. Seats are distributed among the [UN's regional groups](#): 13 for Africa, 13 for Asia, 6 for Eastern Europe, 8 for Latin America and the Caribbean (GRULAC) and 7 for the Western European and Others Group (WEOG). The General Assembly, via a two-thirds majority, can suspend the rights and privileges of any Council Member that it decides has persistently committed gross and systematic violations of human rights during its term of Membership. The [resolution \(60/251\)](#) establishing the UNHRC States, "Members elected to the Council shall uphold the highest standards in the promotion and protection of human rights."

Currently, Iran is not a Member of the Human Rights Council and withdrew its bid for the Council in 2010 and 2013 following international condemnation and criticism of human rights conditions, including from a group of prominent Iranian human rights defenders. Furthermore, the UN General Assembly has condemned the human rights situation in Iran on nearly an annual basis since 1985.

After its establishment, the Council adopted its "Institution-building package" to guide its work and set up its procedures and mechanisms. Among them were the Universal Periodic Review mechanism, which serves to assess the human rights situations in all United Nations Member States. The Human Rights Council also works with the UN Special Procedures. These are made up of special rapporteurs, special representatives, independent experts and working groups that monitor, examine, advise and publicly report on thematic issues or human rights situations in specific countries.

Universal Periodic Reviews and **Special Procedures** are two important enforcement mechanisms of the Human Rights Council.

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Universal Periodic Review

The Universal Periodic Review (UPR) enforcement mechanism involves the review of the human rights records of all UN Member States. This is a Member-driven process that provides the opportunity for each State to declare what actions it has taken to improve the human rights situations in its country as well as its fulfillment of human rights obligations. The process is based on an interactive dialogue with the State under review and is intended to complement, not duplicate, the work of the treaty bodies.

Reviews are conducted by the UPR Working Group, which consists of all 47 Members of the Human Rights Council; however any UN Member State can take part in the discussion/dialogue with the reviewed States. Each State review is assisted by groups of three other States, known as "troikas," who serve as rapporteurs. The selection of the troikas for each review is done through a lottery drawing following the elections for Council Membership, held in the General Assembly.

Reviews are based on:

1. Information provided by the State under review;
2. Information contained in the reports of independent human rights experts and groups, known as the [Special Procedures](#), human rights [treaty bodies](#), and other UN entities; and
3. Information from other stakeholders including national human rights institutions and non-governmental organizations.

NGOs and civil society actors can submit information to the Working Group, which can be added to the "other stakeholders" report that is considered during the review. The information provided by civil society can be referred to by any of the States taking part in the interactive discussion during the review at the Working Group meeting. NGOs also can attend the UPR Working Group sessions and can make statements at the regular session of the Human Rights Council when the outcome of the State reviews are considered. See the OHCHR "Technical guidelines for the submission of stakeholders."

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Universal Periodic Review (continued)

Following the review by the Working Group, a report called an “outcome report” is prepared by the toika with the involvement of the State under review and the OHCHR. The outcome report provides a summary of the actual discussion as well as questions, comments and recommendations. During the Working Group sessions the State under review has the opportunity to make preliminary comments on the recommendations, choosing to accept or note them. After the report has been adopted at the Working Group, it is then reviewed at the plenary session of the Human Rights Council where, prior to the adoption of any recommendations or outcomes, the State under review is:

- Given the opportunity to indicate whether or not it supports the conclusions and/or recommendations contained in the outcome report, make comments on voluntary pledges and commitments, and/or respond to questions or issues that have not been responded to or not addressed adequately through the interactive dialogue at the Working Group;
- Given the opportunity to express its opinions about the outcome report.

After the first review by the Working Group, the State is responsible for implementing recommendations listed in the final report. The UPR ensures that all countries are accountable for progress or failure in implementing these recommendations. During the second review the State is expected to provide information on what it has been doing to implement the recommendations made during the first review. The international community can assist in implementing the recommendations and conclusions regarding capacity-building and technical assistance, in consultation with the country concerned.



Argentina: The Convention on Protection of All People against Enforced Disappearance

Civil society actors, particularly associations of the families of victims of enforced disappearance, were active participants in the sessions of the Working Group of the former Commission on Human Rights, which drafted the Convention on Protection of All People against Enforced Disappearance.

Ms. Marta Ocampo de Vásquez, whose daughter was a victim of a forced disappearance in Argentina, had been advocating an end to the practice, and the adoption of an international instrument addressing this issue for 30 years, representing the American Federation of Associations for Relatives of the Detained-Disappeared (FEDEFAM) at the Working Group sessions. On June 11, 2006 at the inaugural session of the Human Rights Council before the adoption of the convention, Ms. de Vásquez said:

I would like you to know that after the occurrence of the detention and disappearance of a loved one, we came to the painful conclusion that there were no answers to be found. No recourse existed, nor was the habeas corpus writ or judiciary protection order valid. It was then in our despair that we reached out to the international community but only to discover that no suitable instruments existed there. That is why we are here once again, Mr. President, requesting you and the distinguished delegates of the Human Rights Council to finally approve the Convention.

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Special Procedures

The special procedures of the Human Rights Council are independent human rights experts who are mandated to report and advise on human rights from a thematic or country-specific perspective. Special procedures are either an individual (called Special Rapporteur or Independent Expert) or a working group composed of five Members, one from each of the five United Nations regional groupings: Africa, Asia, Latin America and the Caribbean, Eastern Europe and the Western group.

The Special Rapporteurs, independent experts and Members of Working Groups are [appointed](#) by the Human Rights Council and serve in their personal capacities, meaning they are not UN staff and are not financially compensated for their work. A mandate-holder's tenure in a given function, whether it is a thematic or country mandate, is limited to a maximum of six years.

One of the advantages of special procedures is their ability to quickly respond to any allegation of ongoing human rights violations, anywhere and anytime. Special mandates appoint rapporteurs to monitor the human rights records of a specific country or a region (country mandates) or on a particular aspect of the human rights across the globe (thematic mandates). The rapporteurs are required to report and make recommendations to the Human Rights Council and, where relevant to their mandates, to the General Assembly (and in some cases to the Security Council).

Rapporteurs in Practice

In 2013, the Human Rights Council renewed Dr. Ahmed Shaheed's mandate as a Special Human Rights Rapporteur to Iran to:

- Monitor and investigate human rights violations;
- Transmit urgent appeals and letters to Iran on alleged violations of human rights;
- Undertake country visits to Iran and to the region and engage with relevant stakeholders;
- Submit reports to the General Assembly and Human Rights Council on the situation of human rights in Iran; and
- Engage publicly on issues of concern, including through press releases.

For more information on Dr. Shaheed, visit [Special Rapporteur on the situation of human rights in the Islamic Republic of Iran](#).

To send Dr. Shaheed information relevant to his mandate, send it to sr-iran@ohchr.org or contact Naveed Ahmed (Tel. +41 22 928 9477; email: nahmed@ohchr.org).

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Special Procedures (continued)

The procedures cover all human rights: civil, cultural, economic, political, and social. There are 14 [country](#) mandates and 37 [thematic](#) mandates. Thematic mandates have to be renewed every three years and country mandates need to be extended every year.

COUNTRY MANDATES		
TITLE/MANDATE	NAME AND NATIONALITY	CONTACT
Special Rapporteur on the situation of human rights in Belarus	Mr. Miklós Haraszti (Hungary)	sr-belarus@ohchr.org
Special Rapporteur on the situation of human rights in Cambodia	Mr. Surya Prasad Subedi (Nepal)	srcambodia@ohchr.org
Independent Expert on the situation of human rights in Central African Republic	Ms. Marie-Therese Keita Bocoum (Côte d'Ivoire)	
Independent Expert on the situation of human rights in Côte d'Ivoire	Mr. Doudou Diene (Senegal)	EICotedivoire@ohchr.org
Special Rapporteur on the situation of human rights in Eritrea	Ms. Sheila B. Keetharuth (Mauritius)	sr-eritrea@ohchr.org
Special Rapporteur on the situation of human rights in the Democratic People's Republic of Korea	Mr. Marzuki Darsuman (Indonesia)	hr-dprk@ohchr.org
Independent Expert on the situation of human rights in Haiti	Mr. Gustavo Gallon (Colombia)	ie-haiti@ohchr.org
Special Rapporteur on the situation of human rights in the Islamic Republic of Iran	Mr. Ahmed Shaheed (Maldives)	sr-iran@ohchr.org
Independent Expert on the situation of human rights in Mali	Mr. Suliman Baldo (Sudan)	
Special Rapporteur on the situation of human rights in Myanmar	Mr. Tomás Ojea Quintana (Argentina)	sr-myanmar@ohchr.org
Special Rapporteur on the situation of human rights in the Palestinian territories occupied since 1967	Mr. Richard Falk (United States of America)	sropt@ohchr.org
Independent Expert on the situation of human rights in Somalia	Mr. Shamsul Bari (Bangladesh)	ie-somalia@ohchr.org
Independent Expert on the situation of human rights in the Sudan	Mr. Mashood Baderin (Nigeria)	iesudan@ohchr.org
Special Rapporteur on the situation of human rights in the Syrian Arab Republic	Mr. Paulo Sérgio Pinheiro (Brazil)	srsyria@ohchr.org

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Special Procedures (continued)

THEMATIC MANDATES	
TITLE/MANDATE	CONTACT
Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context	srhousing@ohchr.org
Working Group of Experts on People of African Descent	africandescent@ohchr.org
Working Group on Arbitrary Detention	wgad@ohchr.org
Special Rapporteur on the sale of children , child prostitution and child pornography	srsaleofchildren@ohchr.org
Special Rapporteur in the field of cultural rights	srculturalrights@ohchr.org
Independent expert on the promotion of a democratic and equitable international order	ie-internationalorder@ohchr.org
Special Rapporteur on the right to education	sreducation@ohchr.org
Independent Expert on the issue of human rights obligations relating to the enjoyment of a safe, clean, healthy and sustainable environment	ieenvironment@ohchr.org
Working Group on Enforced or Involuntary Disappearances	wgeid@ohchr.org
Special Rapporteur on extrajudicial, summary or arbitrary executions	eje@ohchr.org
Special Rapporteur on extreme poverty and human rights	srextremepoverty@ohchr.org
Special Rapporteur on the right to food	srfood@ohchr.org
Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights	ieforeigndebt@ohchr.org
Special Rapporteur on the rights to freedom of peaceful assembly and of association	freeassembly@ohchr.org
Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression	freedex@ohchr.org
Special Rapporteur on freedom of religion or belief	freedomofreligion@ohchr.org
Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health	srhealth@ohchr.org
Special Rapporteur on the situation of human rights defenders	defenders@ohchr.org
Special Rapporteur on the independence of judges and lawyers	srindependencejl@ohchr.org
Special Rapporteur on the rights of indigenous peoples	indigenous@ohchr.org

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Special Rapporteur on the human rights of internally displaced persons	idp@ohchr.org
Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination	mercenaries@ohchr.org
Special Rapporteur on the human rights of migrants	migrant@ohchr.org
Independent Expert on minority issues	minorityissues@ohchr.org
Independent Expert on the enjoyment of all human rights by older persons	olderpersons@ohchr.org
Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence	srtruth@ohchr.org
Special Rapporteur on contemporary forms of racism , racial discrimination, xenophobia and related intolerance	racism@ohchr.org
Special Rapporteur on contemporary forms of slavery , including its causes and its consequences	srslavery@ohchr.org
Independent Expert on human rights and international solidarity	iesolidarity@ohchr.org
Special Rapporteur on the promotion and protection of human rights while countering terrorism	srct@ohchr.org
Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment	sr-torture@ohchr.org
Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes	srtoxicwaste@ohchr.org
Special Rapporteur on trafficking in persons , especially women and children	srtrafficking@ohchr.org
Working Group on the issue of human rights and transnational corporations and other business enterprises	wg-business@ohchr.org
Special Rapporteur on the human right to safe drinking water and sanitation	srwatsan@ohchr.org
Working Group on the issue of discrimination against women in law and in practice	wgdiscriminationwomen@ohchr.org
Special Rapporteur on violence against women , its causes and consequences	vaw@ohchr.org

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Non-Treaty-Based Mechanisms

Non-treaty-based mechanisms are supervisory mechanisms not based on legally binding human rights treaty obligations, and are usually referred to as “declarations” or “principles.”

While they are not legally binding, human rights declarations adopted by the United Nations General Assembly have considerable authority, because they are developed by experts in international law, negotiated at length by States and often adopted by consensus of all Members of the United Nations. Some declarations come to be considered, in whole or in part, customary international law or general principles.

While there is no monitoring or enforcement mechanism for non-treaty standards, they still have a profound influence, not least because they are carefully drafted by States and adopted by consensus.

Among the most important of these relative to Iran are the following:

- [Standard Minimum Rules for the Treatment of Prisoners](#) (1997) provide guidelines for international and domestic law for citizens held in prisons and other forms of custody. It contains: standards which set out what are generally accepted as being good principles and practices in the treatment of prisoners and the management of penal institutions; rules applicable to different categories of prisoners including those serving sentences; and rules for prisoners under arrest or awaiting trial, rules for civil prisoners and rules for persons arrested or detained without charge.
- The [Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion and Belief](#) (1981) affirms the right of everyone to freedom of thought, conscience and religion and the right not to be subject to discrimination on the grounds of religion or other beliefs.
- The [Declaration on the Right to Development](#) (1986) established an inalienable human right that all peoples are entitled to participate in, contribute to and enjoy economic, social, cultural and political development with equal opportunity for development for both nations and individuals.
- The [Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions](#) (1989) establishes that Governments must guarantee protections through judicial (or other means) to individuals and groups who are in danger of extra-legal, arbitrary or summary executions, including those who receive death threats.

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Non-Treaty-Based Mechanisms (continued)

- The [Body of Principles for the Protection of all Persons under Any Form of Detention or Imprisonment](#) (1988) is a set of internationally recognized standards on the treatment of detainees and prisoners. Principle 17 grants detained persons the assistance of legal counsel of their own choice, or if they do have access to legal counsel they are entitled to have a judge or other legal authority provide them with one without payment if they do not possess sufficient means to pay.
- [Declaration on the Right and Responsibility of Individuals, Groups and Organs Of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms](#) (Declaration on Human Rights Defenders) (1998) affirms the primary responsibility of States to protect human rights by protecting human rights defenders. The definition of human rights defenders includes lawyers and human rights organizations, as well as those who conduct human rights education or advocate for human rights, including student groups, community activists advocating for human rights, land rights or integrity of the environment, or politicians addressing the rule of law or corruption.
- The [Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities](#) (1992) requires states to protect the existence and identities of minorities, and calls on states to encourage the promotion of national, ethnic, cultural, religious and linguistic identities. Article 2 protects the right to practice their religion, enjoy their culture and use their own language privately and publicly without discrimination.

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Non-Treaty-Based Mechanisms (continued)

Other important non-treaty standards include:

- [Declaration on the Protection of All Persons from Being Subjected to Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment](#) (1975)
- [Code of Conduct for Law Enforcement Officials](#) (1979)
- [Basic Principles on the Independence of the Judiciary](#) (1985)
- [United Nations Standard Minimum Rules for the Administration of Juvenile Justice](#) ("The Beijing Rules") (1985)
- [Basic Principles on the Use of Force and Firearms by Law Enforcement Officials](#) (1990).
- [Guidelines on the Role of Prosecutors](#) (1990)
- [Basic Principles on the Role of Lawyers](#) (1990)
- [Declaration on the Protection of All Persons from Enforced Disappearance](#) (1992)
- [Principles relating to the Status of National Institutions](#) (The Paris Principles) (1993).
- [Declaration on the Rights of Indigenous Peoples](#) (UNDRIP) (2007)
- [Declaration on Human Rights Education and Training](#) (2011)

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Impact of Non-Treaty-Based Mechanisms on Iran

Although non-treaty based mechanisms are considered non-binding documents, the Charter of the United Nations requires Member States to respect and promote these standards. And by ratifying these mechanisms, the United Nations General Assembly establishes them as morally guiding principles for the world.

One of the goals of non-treaty-based standards is to lay the groundwork for ratification of a treaty with similar subject matter and therefore prepare States to take on stronger commitments at a later stage. In the context of Iran, where the country has not acceded to a treaty-based standard, non-treaty standards can provide an opportunity for civil actors to advocate and raise awareness around a particular human right. Therefore, developing a familiarity with these declarations and different forms of international standards equips you with tools to support your monitoring efforts in holding the government accountable for respecting and upholding human rights.

For example, the [Basic Principles for Treatment of Prisoners](#) emphasize that all prisoners shall enjoy equal rights, regardless of their race, gender, ethnicity, language, and religious and political beliefs, as well as any other individual, or social differences.

"Except for those limitations that are demonstrably necessitated by the fact of incarceration, all prisoners shall retain the human rights and fundamental freedoms set out in the Universal Declaration of Human Rights, and, where the State concerned is a party, the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights and the Optional Protocol thereto, as well as such other rights as are set out in other United Nations covenants (Annex Five)."

The Constitution of the Islamic Republic of Iran contains articles that oversee the basic principles for the treatment of prisoners:

- The article six asserts the "exalted dignity and value of man";
- Articles 19 and 20 maintain that all people of Iran shall enjoy equal rights and shall be equally protected by the law;
- Article 39 States that, "All affronts to the dignity and repute of persons arrested, detained, imprisoned, or banished in accordance with the law, whatever form they may take, are forbidden and liable to punishment";
- The third chapter outlines the "Rights of the People" (*discussed in further detail in lesson three*) and does not distinguish between prisoners and others in their enjoyment of fundamental rights, including the right to dignity and respect.

As noted before, Iran is a Member State to both the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights and the Optional Protocol. However, reports by UN Special Rapporteur Ahmed Shaheed show that the treatment of prisoners violates both the Constitution of Iran based on the articles above, as well as the principles outlined in the above covenants. Specifically, Iran has violated laws as they relate to the cases of political prisoners and prisoners with drug-related charges. Moreover, prisoners in Iran have been subjected to various types of discriminations based on their gender, ethnicity, religious beliefs, and political tendencies.

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Lesson Two: Key Points to Remember

- The treaty bodies are the committees of independent experts that monitor the implementation of the core international human rights treaties.
- In addition to reviewing reports submitted by state parties, committees also receive information from other organizations – such as NGOs, national human rights institutions and other UN entities – either through oral or written reports.
- The Human Rights Council is made up of 47 Member States that are responsible for the promotion and protection of all human rights around the world.
- Universal Periodic Review (UPR) is a Member-driven process that provides the opportunity for each State to declare what actions it has taken to improve the human rights situations in its country as well as its fulfillment of human rights obligations.
- NGOs and civil society actors can submit information to the UPR Working Group that reviews reports, as well as attended working group sessions.
- Special procedures are either an individual (called Special Rapporteur or Independent Expert) or a working group composed of five members, one from each of the five United Nations regional groupings.
- While non-treaty-based mechanisms referred to as “declarations” or “principles” are not legally binding, they have considerable authority because they are developed by experts in international law, negotiated at length by States and often adopted by consensus of all Members of the United Nations.
- One of the goals of non-treaty-based standards is to lay the groundwork for ratification of a treaty with similar subject matter and therefore prepare States to take on stronger commitments at a later stage.

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Quiz

- 1. What is a committee of independent experts that monitor the implementation of the core international human rights?**
 - a. Treaty-Based Human Rights Committees
 - b. Charter-Based Human Rights Council
 - c. Charter-Based Universal Periodic Review
 - d. Charter-Based Special Procedures
- 2. True or false: Iran is a Member of the Human Rights Council.**
 - a. True
 - b. False
- 3. Which of the following human rights treaty committees has Iran acceded to?**
 - a. Committee on the Elimination of Discrimination against Women (CEDAW)
 - b. Committee on the Elimination of Racial Discrimination (CERD)
 - c. Committee on Migrant Workers (CMW)
 - d. Committee against Torture (CAT)
- 4. Who takes part in the Universal Periodic Review?**
 - a. All 192 UN Member States
 - b. All 47 Members of the Human Rights Council, but any Member state may take part in the discussion
 - c. All 47 Members of the Human Rights Council, but any Member state may take part in the discussion, in addition to the troikas
 - d. Three States, known as "troikas," who serve as rapporteurs
- 5. True or false: The advantage of special procedures is their ability to quickly respond to any allegation of ongoing human rights violations, anywhere and anytime.**
 - a. True
 - b. False
- 6. Why are non-treaty based mechanisms, including human rights declarations, given considerable authority, despite not being legally binding?**
 - a. They are developed by experts in international law
 - b. They are negotiated at length by states
 - c. They are often adopted by consensus of all Members of the United Nations.
 - d. All of the above
- 7. Which of the following is NOT part of the role of Dr. Ahmed Shaheed, the Special Human Rights Rapporteur to Iran?**
 - a. Monitor and investigate human rights violations
 - b. Transmit urgent appeals and letters to Iran on alleged violations of human rights
 - c. Serve as UN staff and receive compensation for his work
 - d. Engage publicly on issues of concern, including through press releases
- 8. True or false: Iran has not acceded to several treaty-based standards, which makes holding the government accountable for respecting and upholding human rights nearly impossible.**

- a. True
- b. False

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LESSON THREE: INTERNATIONAL TREATIES AND IRANIAN LAW

When you complete this lesson, you will be able to understand:

- International treaties and Iran's legal system;
- The procedures by which a declaration is adopted in Iran;
- The treaties and conventions joined by Iran;
- Challenges posed by Iran's constitution in implementing human rights standards; and
- Iran's fulfillment of its international commitments.

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International Treaties and Iran's Legal System

According to Iranian law, international treaties enjoy the same level and status as regular domestic laws within the legal hierarchy. Similar to domestic laws, international treaties are not implemented unless voted on by the parliament and approved by the Guardian Council to ensure they do not contradict the laws of Islam and the constitution.

- Article 9 of [The Civil Code of the Islamic Republic of Iran](#) States, "Treaty stipulations which have been, in accordance with the constitutional Law, concluded between the Iranian Government and other government, shall have the force of law."
- Article 77 of the [Constitution of the Islamic Republic of Iran](#) States, "International treaties, protocols, contracts, and agreements must be approved by the Parliament."
- Article 125 of the [Constitution of the Islamic Republic of Iran](#) States, "The President or his legal representative has the authority to sign treaties, protocols, contracts, and agreements concluded by the Iranian government with other governments, as well as agreements pertaining to international organizations, after obtaining the approval of the Islamic Consultative Assembly."

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International Treaties and Iran's Legal System (continued)

The chart below outlines the most fundamental and important binding human rights treaties (presented in chronological order of adoption), and documents Iran's status on each of these treaties and conventions.

INTERNATIONAL TREATY	SUBJECT OF THE TREATY	IRAN'S STATE OF RATIFICATION AND SIGNATURE
<u>The Convention on the Prevention and Punishment of the Crime of Genocide</u> (December 1948)	<p>This Convention recognizes genocide, whether committed in time of peace or in time of war, as a crime against humanity. Genocide is defined as any act committed with intent to destroy, in whole or in part, a national, ethnical, racial, or religious group as such. It includes:</p> <ul style="list-style-type: none"> • Killing members of the group; • Causing serious bodily or mental harm to members of the group; • Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; • Imposing measures intended to prevent births within the group; • Forcibly transferring children of the group to another group. 	<p><i>Signed:</i> December 8, 1949 <i>Ratified:</i> August 14, 1956 (without reservation)</p>
<u>International Convention on the Elimination of All Forms of Racial Discrimination</u> (March 1966)	<p>This Convention reaffirms the fundamental equality of all persons and that discrimination between human beings on the grounds of race, color or ethnic origin is a violation of the human rights proclaimed in the Universal Declaration. It also obliges States parties to adopt legislative, judicial, administrative and other measures to prevent and punish racial discrimination.</p>	<p><i>Signed:</i> March 8, 1967 <i>Ratified:</i> August 29, 1968 (without reservation)</p>
<u>International Covenant on Economic, Social and Cultural Rights</u> (December 1966)	<p>This Covenant seeks to promote and protect:</p> <ul style="list-style-type: none"> • The right to work in just and favorable conditions. • The right to social protection, to an adequate standard of living and to the highest attainable standards of physical and mental wellbeing. • The right to education and the 	<p><i>Signed:</i> April 4, 1968 <i>Ratified:</i> June 24, 1975 (without reservation)</p>

	enjoyment of benefits of cultural freedom and scientific progress.	
<p><u>International Covenant on Civil and Political Rights</u> (December 1966)</p>	<p>This Covenant is one of the pillars of international human rights standards and expands upon the civil and political rights endorsed in the Universal Declaration of Human Rights.</p> <p>The Human Rights Committee oversees the reports that States parties submit on the implementation of this treaty.</p> <p>This Covenant deals with rights such as:</p> <ul style="list-style-type: none"> • Freedom of movement; • Equality before the law; • The right to a fair trial and presumption of innocence; • Freedom of thought, conscience and religion; • Freedom of opinion and expression; • Peaceful assembly; • Freedom of association; • Participation in public affairs and elections; and • Protection of minority rights. <p>It also prohibits:</p> <ul style="list-style-type: none"> • Arbitrary deprivation of life; • Torture, cruel or degrading treatment or punishment; • Slavery and forced labor; • Arbitrary arrest or detention; • Arbitrary interference with privacy; • War propaganda; and • Advocacy of racial or religious hatred. 	<p><i>Signed:</i> April 4, 1968 <i>Ratified:</i> June 24, 1975 (without reservation)</p>
<p><u>Optional Protocols to the International Covenant on Civil and Political Rights</u> (December 1966 and March 1989)</p>	<p>This Covenant has two optional protocols. The <i>First Optional Protocol</i>, a procedural instrument, establishes an individual complaint mechanism for any individual claiming to be victims of violations of any rights set forth in the Covenant.</p> <p>The <i>Second Optional Protocol</i> establishes substantive obligations towards abolition of the death penalty.</p>	<p>NO COMMITMENT</p>

<p><u>International Convention on the Suppression and Punishment of the Crime of Apartheid</u> (November 1973)</p>	<p>This Convention declares that apartheid is a crime against humanity and that, "inhuman acts resulting from the policies and practices of apartheid and similar policies and practices of racial segregation and discrimination" are international crimes (Article 1).</p>	<p><i>Accession</i> April 17, 1985 (without reservation)</p>
<p><u>Convention on the Elimination of All Forms of Discrimination against Women</u> (December 1979)</p>	<p>With 185 States parties, this Convention, known as CEDAW, guarantees women's equality before the law and specifies measures to eliminate discrimination against women with respect to political and public life, nationality, education, employment, health, marriage and the family.</p>	<p>NO COMMITMENT</p>
<p><u>Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment</u> (December 1984)</p>	<p>This Convention, with 144 States parties, defines torture as an international crime, holds States parties accountable for preventing torture and requires them to punish perpetrators. No exceptional circumstances may be invoked to justify torture, nor may a torturer offer a defense of having acted under orders.</p>	<p>NO COMMITMENT</p>
<p><u>International Convention against Apartheid in Sports</u> (December 1985)</p>	<p>The Convention, as part of the United Nations' struggle to fight against apartheid in South Africa, condemns a system of institutionalized racial segregation and discrimination for the purpose of establishing and maintaining domination by one racial group in sports activities, whether organized on a professional or an amateur basis. Member States and NGOs have used the Covenant to condemn Israel for its mistreatment and discrimination of Palestinians.</p>	<p><i>Signed:</i> May 16, 1986 <i>Ratified:</i> January 22, 1988 (without reservation)</p>

<p><u>Convention on the Rights of the Child</u> (November 1989)</p>	<p>This Convention is the first legally binding instrument to incorporate the full range of human rights from civil, cultural, economic, political and social rights. The Convention sets out these rights in 54 articles and two Optional Protocols. It spells out the basic human rights that children everywhere have: the right to survival; to develop to the fullest; to protection from harmful influences, abuse and exploitation; and to participate fully in family, cultural and social life. The four core principles of the Convention are non-discrimination; devotion to the best interests of the child; the right to life, survival and development; and respect for the views of the child.</p>	<p><i>Signed:</i> September 5, 1991 <i>Ratified:</i> July 13, 1994 (with reservation)</p>
<p><u>International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families</u> (December 1990)</p>	<p>This Convention aims to foster respect for migrant workers' human rights.</p> <ul style="list-style-type: none"> • Protects the rights and interests of all, whether legal or illegal, migrant workers and their families; • Prohibits their collective dismissal and outlaws any attempt by anyone other than a public official duly authorized by law to confiscate, destroy or attempt to destroy their identity documents, documents authorizing their entry to or stay, residence or establishment in the national territory or work permits; • Provides all workers and their families with access to social and health services, and access to co-operatives and self-managed enterprises; • Protects their right to transfer their earnings and savings upon the termination of their stay in the state of employment; • Protect the right of their children to a name, to registration of birth, and to a nationality, as well as providing them with access to educational institutions and services. 	<p>NO COMMITMENT</p>

<u>Optional Protocols to the Convention on the Rights of the Child</u> (May 2000)	The General Assembly in 2000 adopted two Optional Protocols to the Convention on the Rights of the Child: one prohibits the recruitment of children under 18 into armed forces or their participation in hostilities; the other strengthens prohibitions and penalties concerning the sale of children, child prostitution and child pornography.	<i>Signed</i> September 24, 2010
<u>Convention on the Rights of Persons with Disabilities</u> (December 2006)	This Convention outlaws discrimination against persons with disabilities in all areas of life, including employment, education, health services, transportation and access to justice.	<i>Accession:</i> October 23, 2009 (with reservation)
<u>Optional Protocol to the Convention on the Rights of Persons with Disabilities</u> (December 2006)	An Optional Protocol to the convention gives individuals recourse to that Committee when all national options have been exhausted.	NO COMMITMENT
<u>International Convention for the Protection of All Persons from Enforced Disappearance</u> (December 2006)	The Convention prohibits the practice of enforced disappearances and calls on States parties to make it an offence under their domestic laws. It also affirms the right of victims and their families to know the circumstances of such disappearances and the fate of the disappeared person, as well as to claim reparations.	NO COMMITMENT
<u>Optional Protocol to the International Covenant on Economic, Social and Cultural Rights</u> (December 2008)	This Optional Protocol provides a procedural instrument for the Committee on Economic, Social and Cultural Rights to consider complaints from individuals or groups who claim their rights under the Covenant have been violated. To be admissible complainants must have exhausted all domestic remedies, and anonymous complaints and complaints referring to events which occurred before the country concerned joined the Optional Protocol are not permitted.	NO COMMITMENT

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The Constituion of the Islamic Republic of Iran

The Constitution of the Islamic Republic is the most important legal reference in Iran. The preamble to the Constitution states:

"The Constitution of the Islamic Republic of Iran advances the cultural, social, political, and economic institutions of Iranian society based on Islamic principles and norms, which represent an honest aspiration of the Islamic Community (Ummah)."

As previously stated, the Constitution holds a higher status in the hierarchy of laws than all the laws passed by the parliament (Majlis). Before laws can be ratified by the parliament they must be reviewed and approved by the Guardian Council to ensure their compatibility with Islamic rules and compliance with the Constitution.

[Chapter 3 of the Constitution](#) establishes and defines the "Rights of the People." Comparing the articles of this chapter with the human rights standards and commitments that Iran is obligated to abide by, especially the Universal Declaration of Human Rights and the two international covenants on civil and political rights and economic, cultural, and social rights, two notable points stand out:

- There are certain rights not expressly covered or protected by the Constitution including the right to free choice and conversion of religions, and provision of equal rights for all people regardless of their sexual orientation, religion or beliefs; and
- Recognition of fundamental rights in several cases is constrained and made conditional to their compliance with the rules and edicts of Islam, as interpreted in the Iranian context.

INTERPRETIVE CHALLENGES TO THE RIGHTS OF THE PEOPLE		
RIGHTS	LEGAL LANGUAGE	ARTICLE
Equal protection under the law	On condition that these rights remain in conformity with Islamic criteria.	20
Protection of Women's Rights	On condition that these rights remain in conformity with Islamic criteria.	21
Protection of dignity, life, property, rights, residence, and occupation	Except in cases sanctioned by law.	22
Freedom of Expression, Press, and Association	Except when there is infringement of the basic tenets of Islam or public right; if it is not detrimental to the principles of Islam.	24 and 27

Right to privacy and communication free from censorship	Tapping and bugging and any kind of investigations are all forbidden, unless ordered by law.	25
Freedom of political parties, societies, political and craft associations, and Islamic or recognized minority religious associations	Provided that no violation is involved in the principles of independence, freedom, national unity, Islamic standards, and the foundations of the Islamic Republic.	26
Freedom of choice in occupation	As long as it is not contradictory to Islam, public interest or the rights of others.	28
Right to reside in the locality of their choosing	Unless prescribed in law.	33

In addition to the legal language outlined in Chapter 3 which can be used as limiting factors in the protection of human rights, there are also other legal bases within the Constitution that are used to justify certain practices and restrictions on human rights. For example, Chapter 1(4) lays out provisions and mechanisms of compliance with Islam. This Article impacts the implementation of human rights standards as it awards exclusive authority to the six Islamic jurists (*fuqaha*) of the Guardian Council to decide whether freedoms or rights are compatible with the edicts of Islam.

All civil, penal, financial, economic, administrative, cultural, military, political, and other laws and regulations must be based on Islamic criteria. This principle applies absolutely and generally to all articles of the Constitution as well as to all other laws and regulations, and the Islamic Jurisprudents (fuqaha) of the Guardian Council are judges in this matter.

The Constitution also defines the country as an Islamic Shi'a state, but Iran is also home to communities of Sunni Muslims, Christians, Jews, Baha'is, Sufis, Buddhists and Zoroastrians; however, the Constitution only recognizes and legally protects three minority religious groups: Christians, Jews and Zoroastrians. All other minority faiths are not recognized by the State and are not afforded legal protection. This then calls into the question the validity and ability to uphold certain articles in Chapter 3, such as:

- Article 19, which calls for the protection of equal rights for all.
- Article 20, which states that everyone has the right to an education; there are, however, many documented cases where ethnic and religious minorities are often denied access to education.
- Article 23, which prohibits the inquisition and investigation into an individual's beliefs; there are, however, numerous accounts of Bahai's and Sunni Muslims being investigated because of their religious beliefs.

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The Constitution of the Islamic Republic of Iran (continued)

Because the Guardian Council serves as the sole reference for determining compliance with Islam, there is little room for different interpretations, constructive debate or the emergence of different ideas on Iranian law.

Case Study: Centre for Women's Participation and the Convention on the Elimination of All Forms of Discrimination Against Women

In June 1999, the Centre for Women's Participation called on then-President Mohammad Khatami to allow Iran to join the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Despite objections from religious institutions and sources of emulation (*Maraji*), the parliament eventually passed a bill – under pressure from women activists, rights lawyers and a number of committed MPs – that authorized Iran to accede to the Convention, with reservations. Passed on May 3, 2003, the bill was later rejected by the Guardian Council. The main arguments put forward for this rejection were that the Convention would breach the rules of Islam, defy the principles that support the institution of family and show disrespect for the dignity of women.

Despite some of the challenges, there are still a number of constitutional articles that do not lay down any conditions or constraints to the rights or freedoms they address. Using and referring to such articles of law, along with similar principles enshrined in international human rights standards that Iran has accepted without any reservations, could provide opportunities for holding the government to account and strengthen such articles by expanding the range of their application. Laws that facilitate public access to higher education regardless of religion, ethnicity, or the political inclination, as well as the principles that entitle all citizens to judicial recourse and forbid torture, might be examples of how such articles can be used.

Iran has a history of human rights dating back to the 6th century. [The Cyrus the Great Cylinder](#), named after Cyrus King of Persia (559-530 BC), is considered to be the first charter of human rights and has been translated into all six official UN languages. Passages on the Great Cylinder have been interpreted as expressing the king's [respect for humanity](#) and as promoting forms of religious freedom and tolerance.



For more information visit on The Cyrus the Great Cylinder visit the [Iran Chamber of Commerce](#) or the [British Museum](#) websites.

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Fulfillment of International Commitments

International monitoring institutions that cover human rights issues in Iran have regularly voiced their concerns about the human rights situation in Iran. Additionally, some of the challenges mentioned throughout this lesson make it particularly difficult to safeguard and protect the rights of particular groups and communities because the Constitution does not recognize the existence of such groups or is silent about their situation. This leaves them defenseless before prosecutions they may face for their tendencies or beliefs. Baha'is, those who converted from Islam to other religions and the LGBTQ community are among such groups.

The [October 2013 report](#) from UN Special Rapporteur Dr. Shaheed expressed concerns over Iran's violation of its international commitments. Among the main issues highlighted in the report are the following:

- Rate of executions are escalating at an alarming rate, with an absence of fair trial standards; further, the application of capital punishment for offences that do not meet "most serious crimes" standards - including alcohol consumption, adultery and drug trafficking – are increasing.
- Gender-based disparities in economic participation and political empowerment remain problematic.
- Religious minorities continue to face a serious situation where their human rights are fully denied.

In response to these accusations, Iran has argued that it demonstrates a commitment to international obligations and human rights through several means:

❖ *Ratification and Modification of Laws*

Accession to the Convention on the Rights of the Child, minor amendments of penal code, family laws, rights of women to [equal] inheritance, improvements in women's rights to divorce and custody of their child/children, and also ratification of a single article pertaining to civil and political rights .

❖ *Provision of Educational Opportunities in the Field of Human Rights*

Offering a Masters' degree course on Human Rights at several universities, adding human rights courses to the curriculum of International Laws at Master's and PhD level, endowment of a new chair of Human Rights, Peace, and Democracy at Shahid Beheshti University, establishment of Human Rights Council at the Judiciary.

❖ *Fulfillment of International Obligations*

Preparation and submission of periodic reports to treaty committees, responding to questions and considering recommendations that are offered during the revision of human rights reports on Iran.

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Lesson Three: Key Points to Remember

- In Iranian law, international treaties enjoy the same level and status as do regular domestic laws within the legal hierarchy.
- Before laws can be ratified by the parliament they must be reviewed and approved by the Guardian Council to ensure their compatibility with Islamic rules and compliance with the Constitution.
- Chapter 3 of the Constitution establishes and defines the "Rights of the People."
- The Guardian Council decides whether freedoms or rights are compatible with the edicts of Islam.

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Quiz

- 1. True or false: In Iran, international treaties are not awarded the same level and status as regular domestic laws within the legal hierarchy.**
 - a. True
 - b. False
- 2. Fill in the blank: Before laws can be ratified by the Majlis they must be reviewed to ensure their compatibility with _____.**
 - a. The Human Rights Committee rules
 - b. Islamic rules
 - c. Democratic values
 - d. United Nations protocol
- 3. Which of the following is NOT a challenge presented to the "Rights of the People" by Chapter 3 of the Constitution?**
 - a. Protection of women's rights, on condition that these rights remain in conformity with Islamic criteria
 - b. Freedom of expression, press, and association, except when there is infringement of the basic tenets of Islam or public right
 - c. Right to privacy and communication free from censorship - tapping and bugging and any kind of investigations are all forbidden, unless ordered by law
 - d. All of the above
- 4. Why is there is little room for different interpretations, constructive debate or the emergence of different ideas on Iranian law?**
 - a. Because the Guardian Council serves as the sole reference for determining compliance with Islam
 - b. Because public discourse on law is prohibited
 - c. Because the President serves as the sole reference for determining compliance with Islam
 - d. None of the above
- 5. True or false: The Constitution of the Islamic Republic is the most important legal reference in Iran.**
 - a. True
 - b. False
- 6. True or false: Because the Guardian Council serves as the sole reference for determining compliance with Islam, there is no room for different interpretations, constructive debate or the emergence of different ideas on Iranian law.**
 - a. True
 - b. False
- 7. Which of these religious minority groups in Iran are NOT protected by law?**
 - a. Christians
 - b. Baha'is
 - c. Zoroastrians
 - d. Jews

8. True or false: Iran has refused to address concerns voiced by international monitoring institutions that cover human rights issues.

- a. True
- b. False

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LESSON FOUR: CIVIL SOCIETY AND HUMAN RIGHTS STANDARDS

When you complete this lesson, you will be able to understand:

- Civil society's role in enforcing human rights standards;
- The different civic actors that can be influential in establishing and fostering human rights standards;
- The role of non-state actors and the United Nations; and
- Activities that civil society can engage in to promote international standards within their own country.

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Civil Society and International Human Rights Standards

Civil society can play a significant role in securing human rights. When civil society is allowed to flourish and operate independently of government, it can serve as a resource for government by serving to link citizens with their government as well as acting as a much-needed check to keep government transparent and accountable to citizen needs and concerns. This is especially important when protecting social, economic and human rights.

Within the international human rights system, civil society is a critical partner. For the purposes of this lesson, civil society refers to formal and informal groupings of citizens that coalesce around common goals or interests. They may operate at a national, regional or community level and may focus on specific issues (such as healthcare, education and the environment), cultural heritage (including arts and language preservation), religion, sport, business interests (such as business owners associations or cooperatives), demographic sectors (women, youth, elderly and the disabled) or political affiliation and ideology. Civil society is distinct from the state and can involve networks through which individuals and groups represent themselves to government and each other.

Civil society actors are individuals who, by their own choice, engage in a variety of forms of community improvement—from political participation to service delivery to charity and humanitarian action. No matter their specific area of focus, civil society actors share interests, purposes or values that are compatible with the promotion and protection of universal human rights.

Included in this definition are:

- Human rights defenders and organizations (including NGOs, associations and victims groups)
- Issue-based organizations (such as those focusing on healthcare, education or the environment)
- Rights-oriented coalitions and networks (women's rights, children's rights, environmental rights)
- Persons with disabilities and their representative organizations
- Community-based groups (indigenous peoples, minorities)
- Faith-based groups
- Unions (trade unions as well as professional associations such as journalist associations, bar associations, magistrate associations, student unions)
- Social movements (peace movements, student movements, issue-based movements)
- Professionals contributing directly to the provision of rights (lawyers, doctors and medical workers)
- Charitable and humanitarian groups supporting those impacted by rights violations
- Relatives of victims who file complaint and follow the lawsuit as a plaintiff
- Public institutions that carry out activities aimed at promoting human rights (student organizations, research bodies).

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The Importance of Civil Society

Civil society provides a critical foundation for holding governments accountable, ensuring good governance and promoting all human rights, including economic, social, political and cultural rights. Civil society is well positioned to hold the state and state-run institutions to account for respecting, affirming and implementing the rights and obligations they have agreed to uphold in accordance with domestic laws and international commitments. Civil society can also help lay the groundwork for wider public participation in civic and political affairs, thereby increasing active civil participation.

On any issue, civil society can:

- ✓ Educate the public about key issues;
- ✓ Mobilize like-minded organizations and citizens to join their efforts;
- ✓ Serve as a resource to both citizens and government on their specific issue;
- ✓ Provide linkages between citizens and government; and
- ✓ Monitor government to press for greater transparency and accountability.

Using these techniques can help civil society actors secure human rights in their country.

There are two main avenues by which civil society organizations and members like you may want to consider pursuing to help secure broad-based rights for citizens:

1. The first is to focus on the **national level** through awareness-raising, coalition or network building, advocacy and engaging government officials directly on human rights issues that they may have the authority to address and change.
2. The second is to incorporate a large **international level** component within your human rights work. This may include partnerships with other human rights organizations within your country, as well as partnership with international organizations working on similar issues, engaging international rights mechanisms and leading advocacy of international actors.

These two tracks are not mutually exclusive, however, and incorporating different elements into your campaign may be best for your issue and your country context. Whatever you choose for your circumstances, the following sections of the lesson will provide you with ideas for how civil society can help to promote human rights.

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Civil Society and the United Nations

Let's begin by looking at how civil society can use the United Nations as a resource and as a focal point of its human rights work. Working with the UN, or leveraging UN resources, can be useful for both international and national level focused campaigns that seek to press human rights in your country. As we have seen in other lessons of this module, the United Nations plays a significant role in developing and upholding universal human rights standards through conventions, treaties, and declarations.

In addition to advocating specific issues and providing recommendations to country representatives at the United Nations, civil society can work with the established human rights treaty bodies. For instance, civil society can:

- Promote the ratification of a treaty
- Monitor compliance of States parties to their reporting obligations
- Submit information and material to human rights treaty bodies, including through written reports
- Submit an individual complaint to human rights treaty bodies (for the Human Rights Committee, Committee on the Elimination of Discrimination against Women, Committee against Torture, Committee on the Elimination of Racial Discrimination and Committee on Migrant Workers)
- Participate in human rights treaty body sessions as observers or through oral submissions (depending on the rules of each human rights treaty body)
- Follow up on human rights treaty bodies' concluding observations
- Provide information to generate confidential inquiries (for the Committee Against Torture, Committee on the Elimination of Discrimination against Women, Committee on the Rights of Persons with Disabilities, Committee on Enforced Disappearances, Committee on Economic, Social and Cultural Rights and Committee on the Rights of the Child)
- Provide information for early warning and urgent procedures (as with the Committee on the Elimination of Racial Discrimination)
- Make submissions to the annual inter-committee of the human rights treaty bodies

KEEP IN MIND

Before submitting written information on Iran to treaty-based human rights institutions, it is important to check:

- Whether Iran has ratified or acceded to the relevant instrument, and, if so, the extent of any reservations that has been made to its provisions. Generally, reservations do not prevent civil society actors from addressing specific issues and from bringing them to the attention of the committee.
- When the next report on Iran is due and when the next session of the relevant committee is scheduled. These dates are subject to change at short notice so it is important to be in regular contact with the relevant committee's secretariat in the lead-up to each session.
- What the main issues are or have been under consideration. It is important for civil society actors to familiarize themselves with the content of previous States parties' reports, as well as the previous concluding observations and previous lists of issues.
- The reporting guidelines of each human rights treaty body to be better positioned to help monitor the extent to which States parties' reports conform to them).

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Civil Society and The United Nations (continued)

❖ Observers

To be accredited as formal observers to the Human Rights Council's sessions, non-governmental organizations are required to have a consultative status with the United Nations Economic and Social Council. Once accredited as observers, NGOs enjoy a number of particular privileges and arrangements at the Human Rights Council. They are able to:

- Submit written statements to the Human Rights Council ahead of a given session;
- Make oral interventions during all substantive items of the Human Rights Council's agenda;
- Participate in debates, interactive dialogues and panel discussions; and
- Organize "parallel events" on issues relevant to the work of the Human Rights Council.

However, NGOs without such status and other civil society actors can still contribute to the overall work of the Human Rights Council and its mechanisms in a number of different ways that will be explored throughout this lesson.

❖ Special Procedures

Civil society actors, individually or collectively, may access and work with the special procedures by:

- Submitting individual cases to special procedures;
- Providing information and analysis on specific human rights concerns;
- Providing support for special procedures' country visits;
- Working locally or nationally to advocate, disseminate, follow up and implement the work of special procedures;
- Inviting special procedures mandate-holders to participate in their own initiatives; and
- Meeting individual mandate-holders throughout the year and participating in the annual meeting of special procedures mandate-holders.



Case Study: Working Group on Arbitrary Detention

Questioning and holding the Islamic Republic of Iran to account over arbitrary arrests and detentions resulted from civil society's activities in compiling and submitting reports and cooperating generally with the Working Group on Arbitrary Detention (a Human Rights Council mechanism under the category of Special Procedures). This Working

Group not only has recognized several specific cases of arbitrary detentions in Iran, including those of Heshmatollah Tabarzadi, Mir Hossein Mousavi, Mehdi Karroubi, and Zahra Rahnava, but it has also demanded explanations from Iran.

Diane Alai, a representative of the Baha'i international community to the United Nations, believes that the execution and extra-judicial murder of Baha'is in Iran only stopped thanks to several years of activities of the Baha'i International Community, which has also contributed to raising public awareness internationally on gross violations to the rights of religious minorities in Iran.

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Civil Society and The United Nations (continued)

❖ Human Rights Council Complaint Procedure

Four of the international human rights treaties currently have individual complaints procedures: the International Covenant on Civil and Political Rights, the Convention against Torture, the International Convention on the Elimination of Racial Discrimination and the Convention on the Elimination of All Forms of Discrimination against Women.

The goal of the complaint procedure is to identify systematic patterns of human rights violations in a State. Individuals, groups or non-governmental organizations submit a complaint to address consistent patterns of gross and systemic patterns of human rights violations. This process is therefore not the right course of action to take for individual cases, unless it is representative of a pattern of rights abuses.

Where to Submit Complaints?

Complaint Procedure Unit
Human Rights Council Branch
Office of the United Nations High
Commissioner for Human Rights
United Nations Office at Geneva
CH-1211 Geneva 10, Switzerland
Fax: (41 22) 917 90 11
E-mail: CP@ohchr.org

For more information on complaint procedures, visit: [23 Frequently Asked Questions About Treaty-Based Complaint Procedures](#).

A complaint is first reviewed by the Working Group on Communications. If the Working Groups deems the allegations legitimate, the State in question is then contacted to respond to the accusations. A Working Group of the Human Rights Council (the Working Group on Situations) will then review the complaint, as well as the reply from the State, and make a recommendation to the Human Rights Council.

The Human Rights Council can take one of the following measures:

- Discontinue the review if no further action is needed;
- Continue the review and request further information from the State in question;
- Continue the review and appoint an independent expert to monitor the situation and report back to the Council;
- Discontinue the review under the confidential complaint procedure to take up a public consideration; or
- Recommend the OHCHR assist the State concerned.

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Civil Society and The United Nations (continued)

❖ Universal Periodic Review

While consultative status with the UN Economic and Social Council is required to attend sessions of the Working Group on the Universal Periodic Review and sessions of the Human Rights Council, non-accredited civil society actors may contribute to the work of the Universal Periodic Review by:

For more information on Universal Periodic Review visit [UPR Info](#).

- Participating in consultations held by Governments to prepare their national reports on the human rights situation in their countries; and
- Contributing to the follow-up of the implementation of review outcomes.

Civil society organizations may also use the UPR as a monitoring tool. Some civil society groups have used the UPR as an entry point with the UN, developing a shadow report on their government's progress toward provisions of the UPR. These reports were submitted to the appropriate bodies within the UN focused on both the UPR and specific human rights issues (such as disability access, education and labor issues that were tied to the Convention on the Rights of the Child). Read on to learn more about how to develop a shadow report.

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Civil Society and The United Nations (continued)

In addition to these formal mechanisms, there are several more informal mechanisms by which civil society can use the UN for its human rights work. For example, every UN conference and the annual General Assembly meetings host side conferences where civil society organizations may attend workshops and meetings, present position papers and network. These events can be invaluable places to make important connections, share ideas, develop issue-based coalitions, connect with important decision makers and, most importantly, let your government know how serious you are about your issues.

Often, traveling to New York City and Geneva can be costly; there are several UN-focused meetings that take place regionally. You should monitor the UN websites to see if the human rights focused issue that your organization is working on has any regional conferences or events that you would benefit from attending. Often specific regions (such as Africa, Asia-Pacific, Latin America) host annual and semi-annual events that your organization may be able to attend. Additionally, other like-minded civil society organizations will schedule side events and conferences that may be of interest to you.

And this leads to the first type of human rights campaign — internationally-focused campaigns.

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Internationally-Focused Civil Society-Led Human Rights Campaigns

Building international support for the human rights issues facing your country is important. The international community has a great deal of leverage it can use to pressure governments to action. Not only is the UN a powerful body that has influence over country performance, but so do other regional bodies such as the Organization for Security and Cooperation in Europe (OSCE), European Union (EU), Association of Southeast Asian Nations (ASEAN), African Union (AU), Arab League, the Gulf Cooperation Council (GCC) and Organization for American States (OAS).

Each of these bodies not only has standards and governing principles that espouse basic human rights principles, but it also has the buy-in and attention of Member State leaders. In addition, the international donor community, including the World Bank, includes rights-based approaches within its funding framework. This is important to know so that you can do your own research to better understand which international players may have an interest in your human rights efforts, but who may also be able to provide you with valuable information, resources and connections.

With this in mind, it is also important to research and develop relationships with international organizations working on your specific issue. International organizations often include regional and country-based networks of like-minded organizations. A good example is [CIVICUS](#), which is an international network of human rights and civic engagement related organizations focused on promoting basic rights such as freedom of speech, freedom of assembly and freedom of association. It has a secretariat, based in South Africa, which helps to coordinate resources, provides frequent news updates about changes within the political space where civil society can operate, develops and implements advocacy campaigns targeting both international and national level stakeholders, and hosts regional and global events to draw attention to civil society and human rights-focused issues. CIVICUS is extremely valuable, both for the access to its resource library and newsletters and because it is an active leader in promoting civil society and rights-based issues. It can help promote country-specific issues, including drawing attention to national-level campaigns, and can bring the issue to an international level. An interesting blog post on CIVICUS and the UN can be found [here](#).



There are numerous other international organizations focused on human rights issues. For example:

- Article 19 (www.article19.org) is focused on freedom of expression issues.
- Amnesty International (www.amnesty.org) is focused on the spectrum of human rights issues, including gender, discrimination, violence and cultural protection.
- The Committee to Protect Journalists (www.cpj.org) focuses on freedom of the press.

It may be of interest to you or your organization to research if there are any international organizations working on your specific human rights issue and find ways to connect with them. There are international and regionally-focused organizations working on just about every human rights issue you can think of.

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National-Level Civil Society-Led Human Rights Campaigns

In order to have success at the international level, organizations often build a comprehensive, national-level human rights-focused campaign first. While there are many ways to develop a national-level campaign, several key components and an example are laid out in this section.

1. Developing Coalitions with Like-Minded Local Organizations

Adapted from Brad Spangler, "Coalition Building," Beyond Intractability, Eds. Guy Burgess and Heidi Burgess. Conflict Information Consortium, University of Colorado, Boulder.

A coalition is an alliance or partnership of groups formed to achieve a common purpose or to engage in joint activity around a common issue or goal. Coalitions can be permanent or temporary, depending on the goals and needs of the groups.

Forming coalitions with other groups with similar values, interests, and goals allows members to combine their resources and become more powerful than when they each act alone. The power in numbers is extremely motivating for governments and is a successful strategy used by many organizations to push their issues forward. This is particularly true for human rights-focused campaigns, where you can argue that many citizens are supportive, but where it is often difficult to mobilize citizens for fear of violent retribution from the offenders (typically government).

Why Build or Join a Coalition?

There are many aspects that should be thought about when considering forming or joining a coalition.

These may include: conducting better research, sharing information, mobilizing supporters, informing the public, advocating on an issue, raising money, organizing against a stronger force and gaining more power and influence. Not every coalition will do every one of these things, but they should at least consider them and decide what makes sense for them.

MORE E-LEARNING!

Check out the Nabz-Iran [e-learning course on advocacy](#) to learn more about building coalitions and alliances.

For human rights-focused campaigns the formation of a coalition can help shift the balance of power. When individuals or smaller groups pool their resources and work together. They are generally more powerful and more able to advance their interests, than those who do not. Coalition members may be able to resist threats their issue or goal when acting together versus acting alone. Generally, low-power groups are much more successful in defending their

interests against the dominant group if they work together as a coalition. This is particularly true on issues of human rights, where the perpetrators typically have more power than the victims of human rights infringements or abuses.

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National-Level Civil Society-Led Human Rights Campaigns (continued)

The benefits of coalition building go beyond increased power in relation to opposing forces. Coalition building may also strengthen the member organizations internally, enabling them to be more effective in other arenas.

Some other key advantages to coalition building include:

- *A coalition can bring more expertise and resources to bear on complex issues,* particularly where the technical or personnel resources of any one organization would not be sufficient.
- *A coalition can increase the impact of each organization's effort.* Involvement in a coalition means there are more people who have a better understanding of your issues and more people advocating for your side.
- *A coalition can increase available resources.* Not only will physical and financial resources be increased, but each group will gain access to the contacts, connections and relationships established by other groups.
- *A coalition may raise its members' public profiles by broadening the range of groups involved in an issue.* The activities of a coalition are likely to receive more media attention than those of any individual organization.

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National-Level Civil Society-Led Human Rights Campaigns (continued)

2. Organizing Public Awareness and Advocacy Campaigns

One key way to get a government to react to a civil society organization's requests for change, including adherence to human right standards, is to raise the public's awareness and develop targeted advocacy campaigns. These types of campaigns can draw attention to what the government isn't doing well, but can also point to positive steps it is taking, if appropriate.

Awareness-raising campaigns can take many forms. They may be focused on informing the public of its rights, the provisions and specifics of the agreements that its government has signed on to (and what 'signing on to an agreement' means in actuality) and how the public can get involved (which may include gathering evidence of rights violations or contacting local government officials).

Public awareness campaigns can use the media as a primary tool, or be more grassroots-focused and use personal or word-of-mouth techniques.

Public awareness campaigns are often the first stage to a more robust advocacy campaign. Thinking back to the beginning of the lesson when 'civil society actors as resources' was discussed, civil society groups may want to consider developing advocacy campaigns that highlight progress towards a government's adherence and implementation to specify human rights standards. This can place the civil society organization, or coalition, in a positive light in the eyes of the government. Often governments react negatively when civil society organizations criticize the work of the government and make it look bad. If a group or coalition can begin by highlighting successes, even if small, they may be able to gain greater access to other areas important to their campaign (like accessing government records or government institutions).

MORE E-LEARNING!

Check out the Nabz-Iran [e-learning course on advocacy](#) to learn more about how to design and implement an advocacy campaign from start to finish.

But often, things are not so easy and there are few, if any, successes to highlight. When it comes to pressing a government to adhere to international human rights standards, a lot of unpleasant issues and explicit details may need to be brought to the attention of all involved, including the government officials. This is not without risks, so working in coalition with other like-minded organizations is a best practice. This may also be a time to involve regional or international partners or networks. Amnesty International, Oxfam (which links economic and human rights) and Save the Children all provide good examples of public awareness and advocacy campaigns on their webpages.

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National-Level Civil Society-Led Human Rights Campaigns (continued)

3. Shadow Reporting

One tool activists can use to promote improved human rights is a *shadow report*. Shadow reports provide a mechanism for monitoring and raising awareness of government compliance with international treaties, conventions and declarations to which countries are signatories. As part of their compliance with these agreements, governments are typically required to report to the international body associated with the agreement. These official government reports describe the progress that has been made toward various requirements outlined in the signed agreements.

Often, civil society groups will conduct research on how well their respective government is complying with an agreement and will produce a supplement or alternative “shadow report” of the national government’s “official” report. Shadow reports also allow groups to use the international agreement’s principles and standards to hold their government accountable for enhancing services and strengthening laws and policies addressing the relevant issue.

For more information on shadow reporting and examples, check out the “[Shadow Reports](#)” in *Political Process Monitoring: Activists Tools and Techniques*.

Shadow reporting is typically part of a broader effort to influence change within an issue area, and it is an opportunity for groups already active in an issue area to bring attention to the issue and establish relationships with both national and international stakeholders. Beyond the attention that can be garnered by publicizing a shadow report, the very process of developing a shadow report can raise awareness of an issue. In order to rigorously collect information on the government’s compliance with an agreement, monitoring groups must engage government officials and citizens in the data collection process. For these reasons, the majority of groups engaged in shadow reporting find value in both the monitoring process and the product.

CASE STUDIES: SHADOW REPORTING



People With Disabilities in Australia, a network of people with disabilities and disability-focused organizations, developed a shadow report on their government’s adherence and implementation of the CRPD. Its work and periodic reports can be found [here](#).

The CEDAW Implementation Monitoring Coalition of Burkina Faso, a coalition of organizations focused on gender specific issues, developed a shadow report on their government’s adherence to and implementation of the CEDAW convention. Its report can be found [here](#).



Child Soldiers International developed a shadow report on the performance of the Myanmar on the adherence and implementation to the UN Convention on the Rights of the Child. Its report can be found [here](#).

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How to Develop a Shadow Report

1) Determine an objective that relates to your purpose.

The first step in developing a shadow report initiative is to determine exactly what your objective is. An objective is the immediate goal that you want your monitoring project to accomplish. This should also fit into the overarching purpose of partner or coalition member organizations.

For example, if you are a member of a coalition working to reduce violence against women, your shadow report objective may be to see that your government is fully implementing the CEDAW provisions (if, in fact, your government has ratified the convention). That is an easy example, but not all efforts are as easily focused.

If your effort is focused on improving education, you may need to spend more time thinking how a shadow report on CEDAW (or maybe the Convention on the Rights of the Child), may be a good fit for what you are focused on as well as how developing a shadow report fits into a coalition's purpose for expanding education.

2) Outline the steps in the shadow reporting process.

Once you and partners have settled on an objective, you will need to outline the steps to develop a thorough shadow report, including necessary human and financial resource needs, timeframes for completion, roles and responsibilities and divisions of labor.

The basic process steps include:

- ✓ *Developing a plan* on how you will access necessary government information and other relevant plans. [Click here](#) for an example of a data collection plan from a youth education evaluation.
- ✓ *Analyze data and findings*. How will you analyze the information once you have it? Will you need special software or extra help to dig through the information to find trends, patterns or to develop recommendations?
- ✓ *Write the shadow report*. Who will write the report? Will you need any special human or technical support? What will be the vetting process for all coalition members for the final product?
- ✓ *Publicizing Findings*. Begin to consider your outreach plan even before you begin your shadow report project. Do you need to develop or strengthen relationships with government officials or the media? Who will present the report to the government or relevant UN Committee? Will you launch an advocacy campaign or public awareness campaign?
- ✓ *Follow-up*. Once the report is public, what will you need to do to follow up on the report's recommendations?

In addition to the steps laid out here, you will also need to consider a few additional areas. Do you have the **necessary human resources**? Maybe you need to hire a lawyer or legal expert, engage research staff or recruit volunteers to conduct community surveys. You will also need to estimate **necessary financial resources** – can coalition members provide financial contributions or will you need to do extra fundraising, or can much of the work be done at little extra cost?

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How to Develop a Shadow Report (continued)

3) Develop a timeline and implementation plan.

Now that you have a general idea of the steps for the shadow report process, what is the timeline for implementation? What steps need to come first or will need to get started before others? Are there any important processes external to your project that you may need to consider as you plan your project (such as a legislative cycle or election)?

A good, simple tool that may be useful for you to plan is a task chart. An example is shown here:

Task	Responsible Organization/Individual	Month						
		1	2	3	4	5	6	7
Develop Timeline and Implementation Plan	Coalition Secretariat/Decision-making body	X						
Collect Data	Designated Coalition members and volunteers		X	X	X	X		
Write Report	Designated writer, reviewed by Coalition Secretariat						X	
Publicize Report	Designated Coalition members							X
Develop Follow-on Plan	Coalition Secretariat						X	X

4) Determine a division of labor within your organization or coalition.

Once you have developed a timeline and implementation plan, you will need to consider who will do which planned item. This may be done individually or together with many people from members of a partnership. It is important to assign tasks so that everyone is aware and agrees to roles and responsibilities. See the previous step's task chart as an example.

If you are working in a coalition, the members may also develop a secretariat or steering committee that has ultimate responsibility for the shadow report process. This secretariat may include members from each participating organization or from selected groups.

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How to Develop a Shadow Report (continued)

5) Identify the possible internal implications, including follow-on initiatives building off the shadow report.

It will be important early on to begin to consider what implications the shadow report project may have on your own organization or a coalition – including its goals and activities and any future work your group may be considering.

For example, your group may be focused on providing services that help women who are victims of abuse. How will your service delivery work be impacted by the shadow report activities (will you need to hire or recruit staff/volunteers to help with any new or existing workload, for example)? How might the recommendations, and whether or not the government can implement any shadow report recommendations, affect your service delivery work?

It is important to think about how your individual organization's work also contributes to the shadow report process. Using the example above, does your organization bring any specific expertise or access to resources that others may not? For example, do you have doctors or lawyers on your staff or board of directors? Do you have access to government information or abuse victims that could be a part of the data collection step?

6) Develop rigorous data collection methods – using document reviews, surveys and questionnaires, interviews or small group discussions.

The meat of the shadow report process is collecting and analyzing data. The best way to get started is to develop well thought-out data collection tools.

- ✓ If you are reviewing specific documents, you may want to develop a checklist of key information that would align with the convention you are developing a shadow report for.
- ✓ If you are collecting data through interviews or community surveys, you may want to develop questionnaires that have well thought-out, non-biased questions that collect consistent information (the question is applied the same across different audiences, for example).
- ✓ If you are conducting small group discussions, you may want to develop a facilitators guide that poses the same questions and provides instructions to facilitators so they are aware of the specific information you are gathering.

In addition, you should also consider how you will keep information secure – what are your data management processes? Who will have access to the questionnaires and where/how will they be stored (in a file cabinet that is locked or encrypted on a computer hard drive that is password protected)? If you are conducting interviews of female abuse victims, how will their personal information remain secured and protected to avoid reprisal?

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How to Develop a Shadow Report (continued)

7) Include key elements for each article or section of the treaty.

Include the text of the treaty, convention or accord; the government's stance on its compliance; the findings on the government's compliance; and your recommendations for improving government compliance.

For whatever document or standard that you are developing a shadow report for, you will want to align your findings and data to specific articles.

For example, CEDAW Article 5 (a):

To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;

Coalition Findings: Data, Evidence, Analysis, and Recommendations

8) Develop a strategy for making the shadow report public - including submission to the appropriate UN committee or other governing bodies, publication in local and international media and submission to your host government.

Now that all of the information is in and analysis is complete, what is the best way to present your findings? Of course you will have the written shadow report that should be presented to both the relevant government officials as well as the appropriate UN committee.

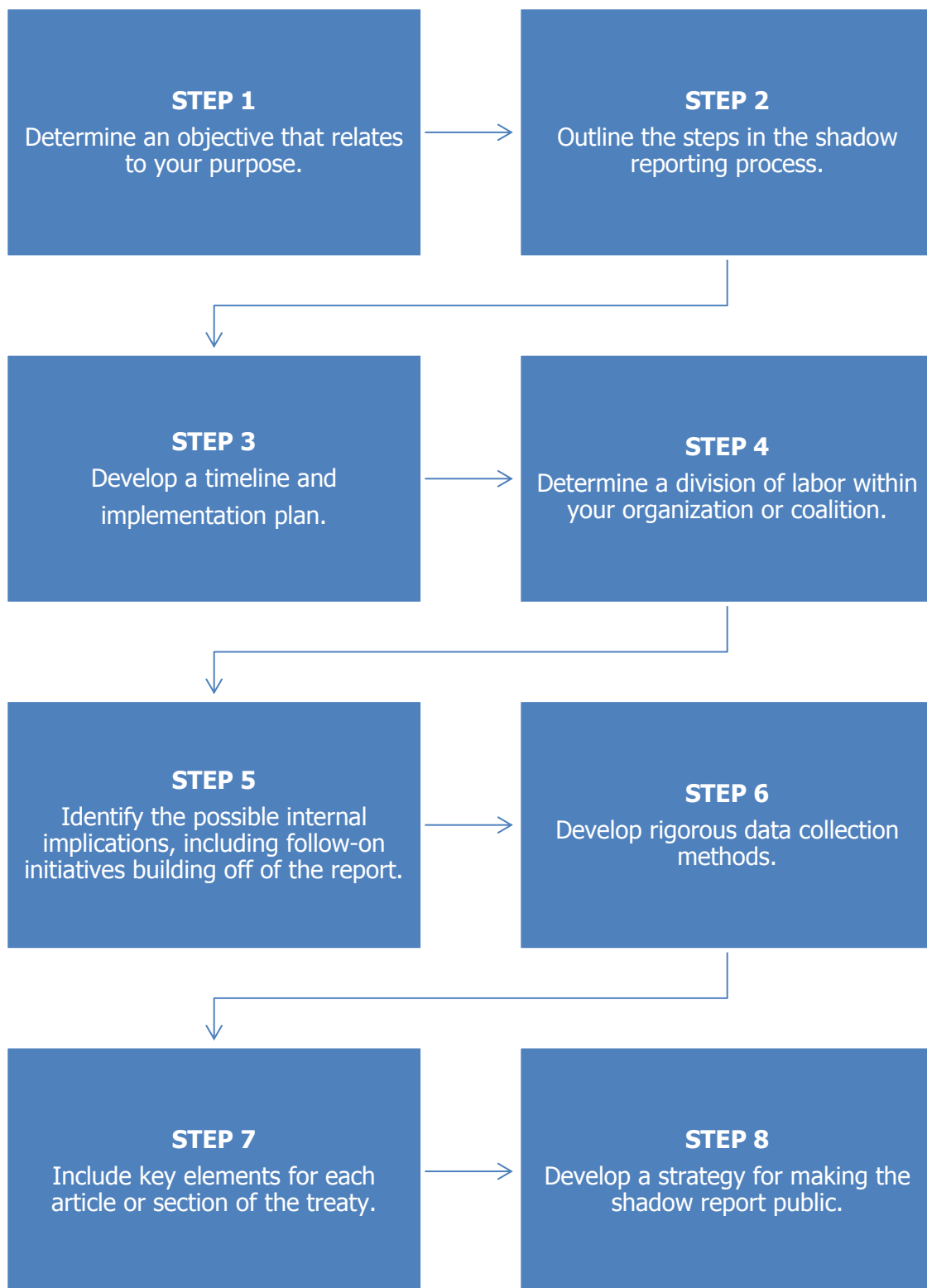
- Who will be the person or persons to present the report to these important stakeholders?
- What will your media strategy be?
- Will you make the full report public at a event where the media will be present, or will you seek to do on-air interviews or some other media event?
- What will your social media strategy be?
- Will you seek to include the international media in your outreach plan?
- How will you get them interested in your issues and your shadow report?

Remember, you are undertaking a shadow report because of how it contributes to some goal you want to achieve. How else can you use the information you collected and the analysis you did into something more to further the broader objective? Perhaps you will develop an advocacy campaign, a public awareness campaign, another monitoring project or a public information campaign. Much of this will be determined by what you found during the development of your report and what your other goals and objectives are.

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How to Develop a Shadow Report (continued)



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Nabz-Iran: Working to Raise Awareness around Human Rights Violations in Iran

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Challenges to Shadow Reporting

Any initiative that seeks to hold government accountable can come with challenges. Scrutinizing government performance, whether to highlight successes or failures, can make those in power feel uneasy. Here are a few of the top risks to consider before starting a shadow reporting project:

❖ Political Space

When deciding whether to engage in shadow reporting, the political space first needs to be analyzed. Then attention should be turned toward the group or coalition developing the shadow report. What capacity does the group or coalition already have and what capacities will it need to

Keep in Mind

In a restricted political space, it could be dangerous to publicize documents that are critical of the government.

develop in order to successfully collect information and develop a shadow report? How is the coalition situated within the local civil society community and the international arena? How do citizens perceive the coalition and its members? Restricted political space could also limit the extent to which groups are able to raise awareness of their findings and use those findings to create concrete changes. In a restricted political space, it could be dangerous to publicize documents that are critical of the government.

❖ Access to information

Shadow reports need to have a certain amount of access to information in order to be robust and develop meaningful recommendations based on facts and evidence. Gathering information can be challenging, and in some cases impossible, if groups are unable to access public documents or observe government hearings or committee meetings. If the media is restricted and citizens are afraid to participate in surveys or interviews, then even data collection that does not directly involve the government would be difficult.

❖ Institutional Capacity

In some cases, there may be political will within the government to increase citizen access to information or decision-making processes, but there may be institutional limitations. The government may not have the capacity to meet the needs of groups seeking to access the necessary information or processes as they develop their shadow report.

For instance, government officials may be unaware of public access to information laws or local government agencies may not have the systems in place to provide information to the public. Shadow reporting groups should also be aware of the government's ability to absorb monitoring findings and recommendations. Institutional problems, such as internal organizational issues or party politics, may limit the ability of government bodies to implement CSO recommendations. In such cases, both citizens and local government are likely to become frustrated and see their efforts as ineffective and useless. Being aware of these potential institutional limitations is important as groups develop strategies and identify appropriate monitoring methods in an effort to achieve their larger organizational goals.

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Challenges to Shadow Reporting (continued)

❖ Power Dynamics and Political Power

Other important factors to take into consideration when supporting or implementing shadow reporting recommendations are the power dynamics amongst the initiative's stakeholders. Challenges may arise if the group does not gain the respect of government officials or citizens do not feel that the group represents their interests. If other local CSOs or international non-governmental organizations (INGOs) do not regard the group as legitimate or trustworthy, then they may not support shadow report recommendations and report findings will not be as influential. Shadow report coalitions should understand the power dynamics of the political space in which they are working, and create positive relationships with stakeholders in order to gain their buy-in to the monitoring initiative.

Keep in Mind

Before beginning any type of initiative that monitors government performance, civil society groups must also fully understand and accept the risks involved. Even in its most non-confrontational form, monitoring government requires that CSOs and citizens be openly critical of the government. Probably the greatest challenge of conducting these types of initiatives is ensuring that groups not only have an adequate amount of political space to implement such initiatives, but that they are able to do so safely.

Groups must develop enough "power" to prevent or withstand negative consequences stemming from their initiatives – such as reduced government funding for its programs, threats, intimidation and smear campaigns. Bringing public officials into the process from the beginning and presenting findings so that both the government's successes and shortcomings are highlighted are two ways to reduce risks.

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Lesson Four: Key Points to Remember

- Civil society can serve as a resource for government by linking citizens with their government and acting as a check to keep government transparent and accountable to citizen needs and concerns.
- Civil society is distinct from the state and can involve networks through which individuals and groups represent themselves to government and each other.
- Civil society can help lay the groundwork for public participation in civic and political affairs, increasing active civil participation.
- There are two main avenues by which civil society organizations can pursue to help secure broad-based rights for citizens: national level and international level.
- There are four formal mechanisms in which civil society can interact with the United Nations: formal observer, special procedures, human rights council complaint procedures and universal periodic review.
- Forming a coalition with other groups with similar values, interests, and goals allows members to combine their resources and become more powerful than when each acts alone.
- Public awareness and advocacy campaigns can help draw attention to what the government isn't doing well, but can also point to positive steps it is taking, if appropriate.
- Shadow reports provide a mechanism for monitoring and raising awareness of government compliance with international treaties, conventions and declarations to which countries are signatories.
- Shadow Reporting provides the opportunity for groups already active in an issue area to bring attention to the issue and establish relationships with both national and international stakeholders.

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Quiz

1. What is the definition of civil society?

- a. State institutions that represent the needs of a local community.
- b. A voluntary body or society which aims to represent the needs of a local community.
- c. Formal and informal groupings of citizens that coalesce around common goals or interests.
- d. The interplay between economics, law and politics, and how institutions develop in different social and economic systems

2. How can civil society help improve human rights in their country?

- a. Educate the public about key issues
- b. Mobilize like-minded organizations and citizens to join their efforts
- c. Monitor government to press for greater transparency and accountability
- d. All of the above

3. Civil Society can interact with the UN in the following ways:

- a. Become an accredited observer to the Human Rights Council sessions
- b. Develop a shadow report to a convention its government has ratified
- c. Submit a complaint to the Human Rights Council
- d. Provide formal inputs into the Universal Periodic Review (UPR)
- e. All of the above

4. True or False: Civil Society can attend regional UN gatherings on its own to pressure officials and attend relevant side events.

- a. True
- b. False

5. True or False: Developing an internationally-focused human rights campaign is not useful since we are a small coalition and no one knows who we are.

- a. True
- b. False

6. Coalitions are useful for human rights-focused work by civil society because:

- a. There is power in numbers
- b. You can leverage individual organization resources to improve the effectiveness of the coalition's objective
- c. You can expand your coalition's reach through coalition members' own networks
- d. All of the above

7. True or False: A shadow report allows civil society to use an international agreement's principles and standards to hold its government accountable for enhancing services and strengthening laws and policies addressing the relevant issue.

- a. True
- b. False

8. Challenges to developing an effective shadow report include:

- a. Access to information

- b. Lack of political space
- c. Institutional capacity to implement shadow report findings and recommendations
- d. **All of the above**

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CONCLUSION

Congratulations, you've finished the course! But your work is not done - it is time to actually put the ideas into practice. The important thing to remember about this type of work is that it is an ongoing project, and it will only show results if you and your fellow citizens remain vigilant in your efforts.

You will recall that, according to the Universal Declaration of Human Rights, simply by the virtue of being born, all of us are inherently entitled to certain rights, regardless of race, ethnicity, gender, sexual orientation, social class or political affiliation. And now that you are aware of these rights and freedoms, you should be able as a citizen to:

- Demand and pursue, with support of international standards and laws, the realization of your rights and freedoms as human beings;
- Hold to account those who violate these rights;
- Promote your rights and freedoms; and
- Compel the government to remain committed to its international obligations.

Simply by taking this course, you have already taken the first step in trying to hold the government accountable for its international obligations. The knowledge you gained will help you pave the way forward from awareness to action, whether that be through formal mechanisms like the United Nations, or by organizing an advocacy campaign or implementing a shadow reporting project. Remember, whichever course of action you choose to pursue, always keep your safety and the safety of your fellow citizens in mind as you move forward.

This is by no means an easy process to undertake, and particularly challenging in an oppressive environment like Iran. This type of work also does not come without risks – risks that you must be prepared for before taking on any type of projects. So before you begin it is essential you develop a safety and security plan. This plan should outline a step-by-step process for all of your activities such as collecting testimonies of rights violations or contacting potential coalition members. In your safety and security plan you should include an assessment of possible risks to you and to your subjects, and a plan for how you will react to each of these risks.

But always remember, you play a significant role in securing human rights, and understanding the international standards and mechanisms for helping in this process is important – they serve as a benchmark by which to measure the government and find solidarity in the difficult struggle to realize those rights. You can act as a much needed check to keep government transparent and accountable to citizen needs and concerns, especially when it comes to protecting social, economic and human rights.

QUIZ ANSWERS

LESSON ONE QUIZ

1. C) As defined by the Universal Declaration of Human Rights, rights that are commonly understood as inalienable fundamental rights to which a person is inherently entitled simply because she or he is a human being.)
2. A) The Office of the High Commissioner for Human Rights categorizes the UN human rights bodies into two classes: charter-based bodies and treaty-based bodies. Charter based bodies hold broad human rights mandates, address an unlimited audience, and take action based on majority voting?
3. D) All of these documents combined form the International Bill of Human Rights.
4. B) The Organization of Islamic cooperation is the second largest inter-governmental organization after the United Nations. It aims to present a collective voice and protect the interests of the Muslim world in the spirit of promoting international peace and harmony among various people of the world.
5. A) Treaties are formal agreements between States that define mutual responsibilities and obligations, and by becoming a Member to a treaty a State is agreeing to abide by the stipulated provisions. Citizens can hold the State accountable to a treaty through the monitoring mechanisms provided within a treaty or convention to guarantee its proper enforcement can also serve as further reassurances that the States parties are truly committed to the treaty they have acceded to.
6. B) By signing a treaty, a state supports the treaty and agrees to act in accordance with the provisions in the treaty, and not act in a way that contradicts the purpose of the treaty. A signature, however, does not legally bind the state to the treaty. A state needs to ratify or accede to the treaty for it to become legally binding. In some instances, a state will sign a treaty but never ratify or accede to it.
7. B) When a state signs, ratifies or accedes to a treaty, that state can include reservations, or declarations that aim to exclude or alter the legal effect of a certain provision in a treaty. A reservation allows a state to become party to a treaty while at the same time giving it the option to exempt itself from adhering to a particular article, section or clause in the treaty that it does not want to comply with.
8. A) True. Soft law, over time, can become customary international law and universally accepted. The Universal Declaration of Human Rights (UDHR) is the best example of a soft law instrument. The UDHR was adopted in 1948 as a non-binding UN General Assembly Resolution but it is considered to have become customary international law.

LESSON TWO QUIZ

1. A) treaty-based human rights committees are committees of independent experts that monitor the implementation of the core international human rights.
2. False) Iran is not a Member of the Human Rights Council and withdrew its bid for the Council in 2010 and 2013 following international condemnation and criticism of human rights conditions, including from a group of prominent Iranian human rights defenders.
3. B) Iran has acceded to CERD, but Iran has not acceded to the additional protocol of the Convention regarding individual petitions.
4. C) all 47 Members of the Human Rights Council, but any Member state may take part in the discussion, in addition to the troikas – three other States who serve as rapporteurs

5. A) Special mandates appoint rapporteurs to monitor the human rights records of a specific country or a region (country mandates) or on a particular aspect of the human rights across the globe (thematic mandates).
6. D) For all of these reasons, non-treaty based mechanisms are still given considerable authority. Some declarations come to be considered, in whole or in part, customary international law or general principles.
7. C) The Special Rapporteurs, independent experts and Members of Working Groups are appointed by the Human Rights Council and serve in their personal capacities, meaning they are not UN staff and are not financially compensated for their work.
8. B) In cases like Iran's, where the country has not acceded to a treaty-based standard, non-treaty standards can provide an opportunity for civil actors to advocate and raise awareness around a particular human right. Therefore, developing a familiarity with these declarations and different forms of international standards equips you with tools to support your monitoring efforts in holding the government accountable for respecting and upholding human rights.

LESSON THREE QUIZ

1. False) international treaties are awarded the same level and status as regular domestic laws within the legal hierarchy. Similar to domestic laws, international treaties are not implemented unless voted on by the parliament and approved by the Guardian Council to ensure they do not contradict the laws of Islam and the constitution.
2. B) The Constitution holds a higher status in the hierarchy of laws than all the laws passed by the parliament (Majlis). Before laws can be ratified by the parliament they must be reviewed and approved by the Guardian Council to ensure their compatibility with Islamic rules and compliance with the Constitution.
3. D) While Chapter 3 of the Constitution establishes and defines the "Rights of the People." Comparing the articles of this chapter with the human rights standards and commitments that Iran is obligated to abide by, all of these presents challenges to the rights of the people.
4. A) because the Guardian Council serves as the sole reference for determining compliance with Islam
5. A) the Constitution holds a higher status in the hierarchy of laws than all the laws passed by the parliament (Majlis).
6. B) despite some of the challenges, there are still a number of constitutional articles that do not lay down any conditions or constraints to the rights or freedoms they address. Using and referring to such articles of law, along with similar principles enshrined in international human rights standards that Iran has accepted without any reservations, could provide opportunities for holding the government to account and strengthen such articles by expanding the range of their application.)
7. B) The law protects Christians, Zoroastrians, and Jews. All other minority faiths are not recognized by the State and are not afforded legal protection, including Sunni Muslims, Baha'is, Sufis, and Buddhists.)
8. B) Iran has made some modifications to some laws, including improvements in women's rights to divorce and custody of their child/children, responds to recommendations issued from rights reports, and is offering a Masters' degree course on Human Rights at several universities.

LESSON FOUR QUIZ

1. C) For the purposes of this lesson, civil society refers to formal and informal groupings of citizens that coalesce around common goals or interests.
2. D) Civil society provides a critical foundation for holding governments accountable, ensuring good governance and promoting all human rights, including economic, social,

political and cultural rights. Civil society is well positioned to hold the state and state-run institutions to account for respecting, affirming and implementing the rights and obligations they have agreed to uphold in accordance with domestic laws and international commitments. Civil society can also help lay the groundwork for wider public participation in civic and political affairs, thereby increasing active civil participation.

3. E) All of the above. Civil society can use the United Nations as a resource and as a focal point of its human rights work. Working with the UN, or leveraging UN resources, can be useful for both international and national level focused campaigns that seek to press human rights in your country.
4. A) there are several UN-focused meetings that take place regionally. You should monitor the UN websites to see if the human rights focused issue that your organization is working on has any regional conferences or events that you would benefit from attending. Often specific regions (such as Africa, Asia-Pacific, Latin America) host annual and semi-annual events that your organization may be able to attend.
5. B) Building international support for the human rights issues facing your country is important. The international community has a great deal of leverage it can use to pressure governments to action.
6. D). Forming coalitions with other groups with similar values, interests, and goals allows members to combine their resources and become more powerful than when they each act alone. This is particularly true for human rights-focused campaigns, where you can argue that many citizens are supportive, but where it is often difficult to mobilize citizens for fear of violent retribution from the offenders (typically government).
7. A) One tool activists can use to promote improved human rights is a shadow report. Shadow reports provide a mechanism for monitoring and raising awareness of government compliance with international treaties, conventions and declarations to which countries are signatories.
8. D) Any initiative that seeks to hold government accountable can come with challenges. Scrutinizing government performance, whether to highlight successes or failures, can make those in power feel uneasy.