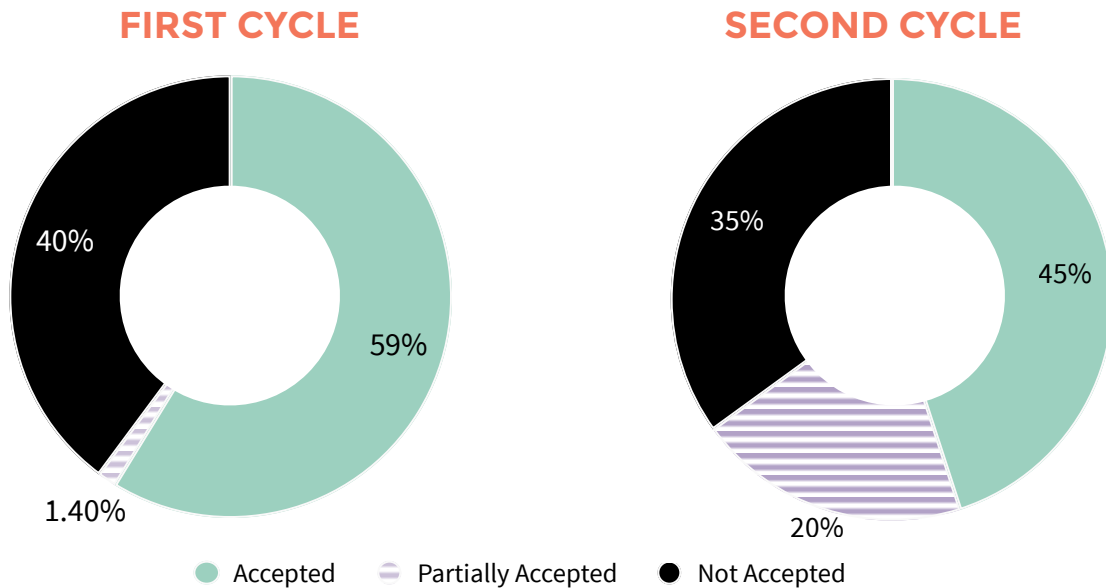


INTRODUCTION



The UPR is a dynamic process that encourages stakeholders to work together towards the common goal of human rights promotion. The process, which repeats every four and a half years, requires the State under Review (SuR) to conduct a self-evaluation of its human rights record, provide an assessment of the human rights situation in the country and identifying the actions it has taken to address specific challenges. The process culminates in a peer review whereby other states have the opportunity to provide recommendations on how to improve the human rights situation in particular areas, and the SuR is given an opportunity to either accept or reject said recommendations.

The UPR operates under the principles of universality and equality.¹ All 193 UN members states (and some observer states) participate in this peer review mechanism, which is a voluntary and cooperative process.² It was established by the UN as a response to criticism of the Council's predecessor body, the UN Commission of Human Rights, for allegedly addressing human rights issues in various states in a selective and politicized manner. The UPR is designed to encourage cooperation and dialogue between states and the SuR, and to allow other stakeholders such as UN human rights bodies, non-governmental organizations (NGOs), national human rights institutions (NHRIs), and regional mechanisms to submit relevant information for consideration.

Because of its emphasis on the principles of universality, equality, and dialogue/cooperation, Iran has repeatedly and publicly expressed its strong support for the mechanism. During the second UPR cycle, for example, an Iranian official stated that, "Iran believes that the UPR is the most pertinent, effective, and trustful UN mechanism for the review of human rights situation of all States."³ Iranian officials have also referred to the UPR as the only "objective, transparent, non-selective, constructive, non-confrontational and non-politicized manner" for evaluating the human rights situations of states.⁴

Iran's seemingly favorable views towards the UPR, and its emphasis on cooperation with this important UN human rights mechanism, create legitimate expectations that the UPR could be an effective mechanism to encourage Iran to undertake the necessary human rights reforms.



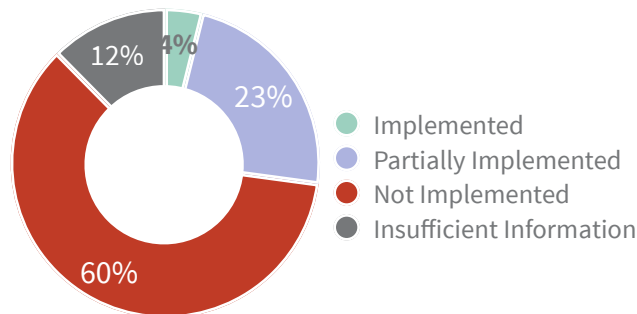
Mohammad Javad Ardeshtir Larjani, Secretary General of Iran's High Council for Human Rights, addresses the UN Human Rights Council after a briefing on Iran from Special Rapporteur Ahmed Shaheed. Image: UN Photo. 12 March 2012

However, Iran's seeming embrace of the UPR process stands in stark contrast to the absence of concrete or meaningful efforts by its government to implement many recommendations it accepted during the first and second cycles. In an earlier study, Impact Iran found that the country implemented only **4 percent** of recommendations it accepted in the first cycle, partially implemented **23 percent**, and failed to implement **60 percent**.⁵

Moreover, Iran's declared support for the UPR process should not overshadow its lack of meaningful cooperation with—and at times hostility to—other human rights mechanisms,

such as the UN Special Procedures. This lack of meaningful cooperation has been particularly evident when it comes to Iran's engagement with the UN Special Rapporteur on the situation of human rights in the Islamic Republic of Iran.⁶ In fact, no UN Special Rapporteur has visited the country since 2005.⁷

IMPLEMENTATION OF ACCEPTED RECOMMENDATIONS IN THE FIRST CYCLE



Iran's approach and performance in connection with the second UPR cycle raises additional concerns regarding its commitment to the mechanism and towards its international human rights obligations overall. In comparison to the first cycle, Iran's government pulled back from pledging fully to recommendations that called for substantive reforms. In effect, Iran's approach to its second UPR cycle was marked by three negative trends:

- (1) **INCREASE IN PARTIAL ACCEPTANCES:** Rather than fully accepting recommendations, Iran chose to “accept in part” a large number of recommendations without providing a clear explanation as to which part of the recommendation it was willing to commit to. This effectively reduced its relative support for the recommendations it received compared to the first cycle and undermines the utility of the recommendations to stakeholders. According to the UN's UPR guidelines, partially accepted and rejected recommendations are categorized identically as “noted”;
- (2) **WEAKER SUPPORT FOR CIVIL AND POLITICAL RIGHTS:** Iran refused to fully accept the majority of recommendations (**145**) regarding civil and political rights. This trend is

regrettable because Iran’s systematic violations of civil and political rights—including the right to life; freedom from torture; freedom from discrimination; freedom of expression, association and peaceful assembly; and religion or belief—have been repeatedly raised by UN bodies such as the Secretary-General, the General Assembly, the Office of the High Commissioner for Human Rights, the Special Procedures, and the treaty bodies. And it is these violations that led the UN Human Rights Council and the UN General Assembly to adopt their own country-specific resolutions condemning the deteriorating situation of human rights in the country;

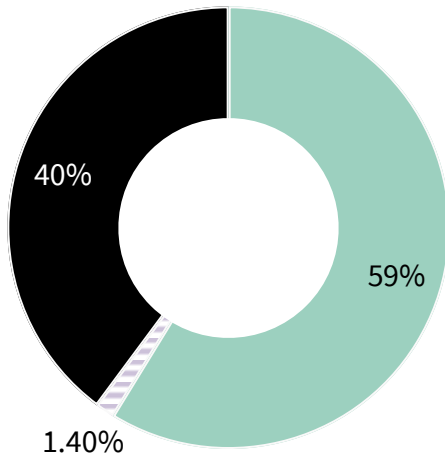
- (3) **WEAKER POSITIONS ON RECOMMENDATIONS SIMILAR TO THE FIRST CYCLE:** Iran generally adopted weaker positions on human rights by rejecting, or only partially accepting, specific recommendations that were nearly identical to ones it had accepted during the first cycle.

These negative trends demonstrate that despite its public announcements, Iran’s relationship with the UPR continues to be largely non-committal and marked by a lack of genuine effort to implement recommendations received. It can be argued, therefore, that the Iranian government’s approach to this mechanism contradicts the very spirit of the process and effectively frustrates real and meaningful movement towards an overall improvement in the human rights situation in the country.

The following analysis focuses on the Islamic Republic’s approach and response to recommendations it received during its second UPR.

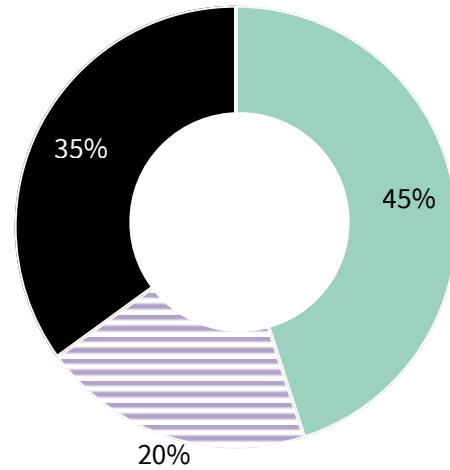
HOW IS IRAN APPROACHING THE UPR?

FIRST CYCLE



● Accepted ● Partially Accepted ● Not Accepted

SECOND CYCLE



FIRST CYCLE

During its first UPR cycle review in 2010, Iran received **212** recommendations from 51 countries and accepted **59%** (126) of recommendations, partially accepted **1%** (3), and did not accept **40 percent** (86) recommendations.

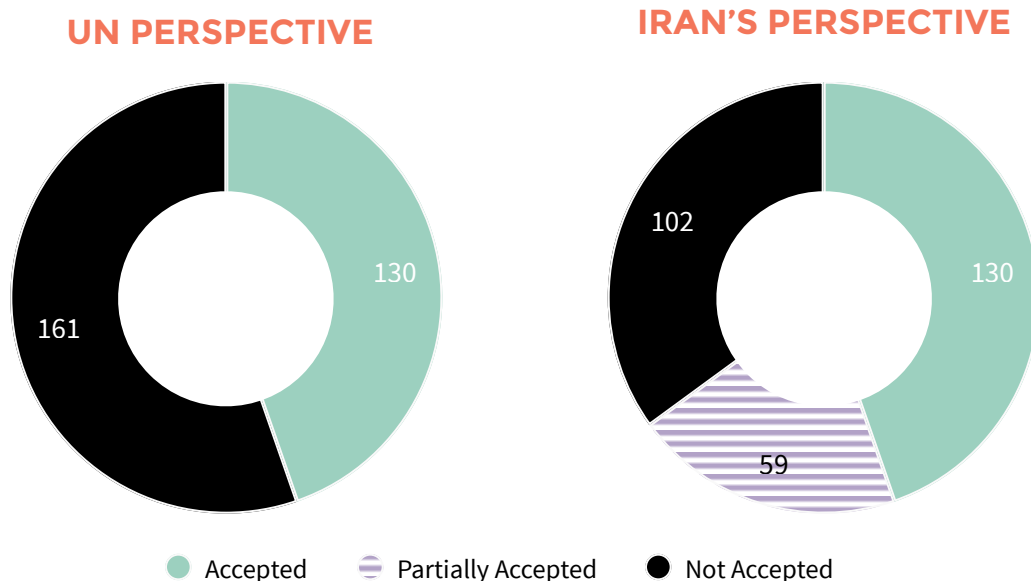
SECOND CYCLE

During its second UPR cycle review in 2014, Iran received **291** recommendations from 100 countries and accepted **45%** (130), partially accepted **20%** (59), and did not accept **35 percent** (102) of the recommendations.

Iran was given **79** more recommendations in its second review but accepted only **4** more recommendations than it did during the previous cycle. Its use of partially accepted recommendations is one explanation for this shift.

Iran used partially accepted recommendations far more extensively in its second UPR: It partially accepted **59** recommendations in comparison to **3** such recommendations during the first cycle. This dramatic increase raises serious concerns regarding whether the government is engaging with the UPR mechanism in good faith.

THE DRAWBACKS OF PARTIALLY ACCEPTED RECOMMENDATIONS



In public statements regarding its engagement with the UPR, Iran includes its partial acceptances in the total count of accepted recommendations. For example, its officials maintain that the government accepted **65 percent** of the UPR recommendations in full or in part during the second cycle.⁸ The UN Human Rights Council, however, categorizes all recommendations that are not accepted in their entirety as “noted,” a designation that effectively means the recommendation has *not* been accepted.⁹ Pursuant to the official UPR framework, therefore, Iran only accepted **45 percent** of the recommendations it received during the second UPR cycle.

According to UN Human Rights Council Resolution 5/1, “acceptance” and “noted” are the only acceptable responses by SuRs, with “noted” effectively designating a “not accepted” response.¹⁰ Moreover, the aforementioned HRC resolution classifies recommendations that are accepted “in part,” or “in principle,” as “noted.”¹¹ **The significance of this classification is that the HRC intends to promote the clearest understanding of a SuR’s UPR commitments and discourage vague postures.** However, in practice the open and fluid nature of the UPR process has, to date, allowed SuRs to provide responses different than those specifically identified by the resolution. This inconsistency, in turn, provides a level of ambiguity and confusion that prevents the international community from providing a fully accurate assessment of an SuR’s performance during the UPR process.

In its response to recommendations presented during its second cycle of the UPR, Iran said they “accepted in part” certain recommendations because these recommendations could not be fully implemented for various reasons. These include recommendations that Iran considers “contrary to the [Iranian] constitution, basic laws and Islamic values,” or ones that require legislative reforms and debate among various stakeholders.¹²

The Iranian government explained its use of partial acceptance as follows:

Despite the fact that some of the recommendations provided during the UPR session of Iran are either having the language which is contrary to the principles enshrined in the Institution-Building of Human Rights Council or are abusive and offensive, the Islamic Republic of Iran partially supports this package of recommendations based on their merits and its serious resolve to protect and promote human rights at national level. Moreover, it should be taken into account that full implementation of some of these recommendations is contrary to our constitution, basic laws and Islamic values. Needless to say, the course of action required to amend current laws need time and lengthy deliberations among different constituent parts in the legislative process. In passing new legislations, we need to take into consideration the view of all the relevant governmental and non-governmental actors. For this reason, only those parts that are adaptable with subjects mentioned in the recommendations will be supported.¹³

The quote above is a blanket explanation, or justification, which applies to all **59** partially accepted recommendations. Iran provides no further clarification about what particular element or aspect of specific recommendations which it ascribes partial acceptances to during the UPR process are accepted, and which parts are rejected. States and other stakeholders who wish to assess Iran's performance during the UPR process, and hold it to account for promises it has made regarding future reforms, are effectively left in the dark regarding what Iran has accepted, and what it has rejected.



UN Photo/Jean-Marc Ferré

Beside failing to provide adequate explanations for each partially accepted recommendation during its UPR review, Iran has seemingly also failed to fulfill a promise by its top human rights official to voluntarily present its views on each recommendation, including those partially accepted, on a bilateral basis with the recommending states. During the interactive dialogue of the second cycle of Iran's UPR in October 2014, the Secretary-General of the Islamic Republic's High Council of Human Rights on International Affairs, H.E. Mr. Mohammad Javad Larijani, made the following pledge:

“One thing that I want to promise in this August meeting is that we will take all recommendations seriously one by one, we'll try to explain our position vis-à-vis those recommendations, and more than that, I will promise all honorable states who presented a recommendation a special answer to them or views about the recommendation which will be directed to them in written form, so (that) we don't leave any of these recommendations without noticing and we don't consider them not worthy of consideration.”¹⁴

According to information received by Impact Iran, at the time of writing Iran had not fulfilled this promise for all states. In short, the application of partial acceptance allows for Iran to avoid its commitment to the implementation of recommendations under the guise of support. The inherently vague nature of the Iran's blanket explanation for partially accepted recommendations is even more troubling considering that the government has provided specific explanations for several recommendations that it rejected outright (See Annex A).

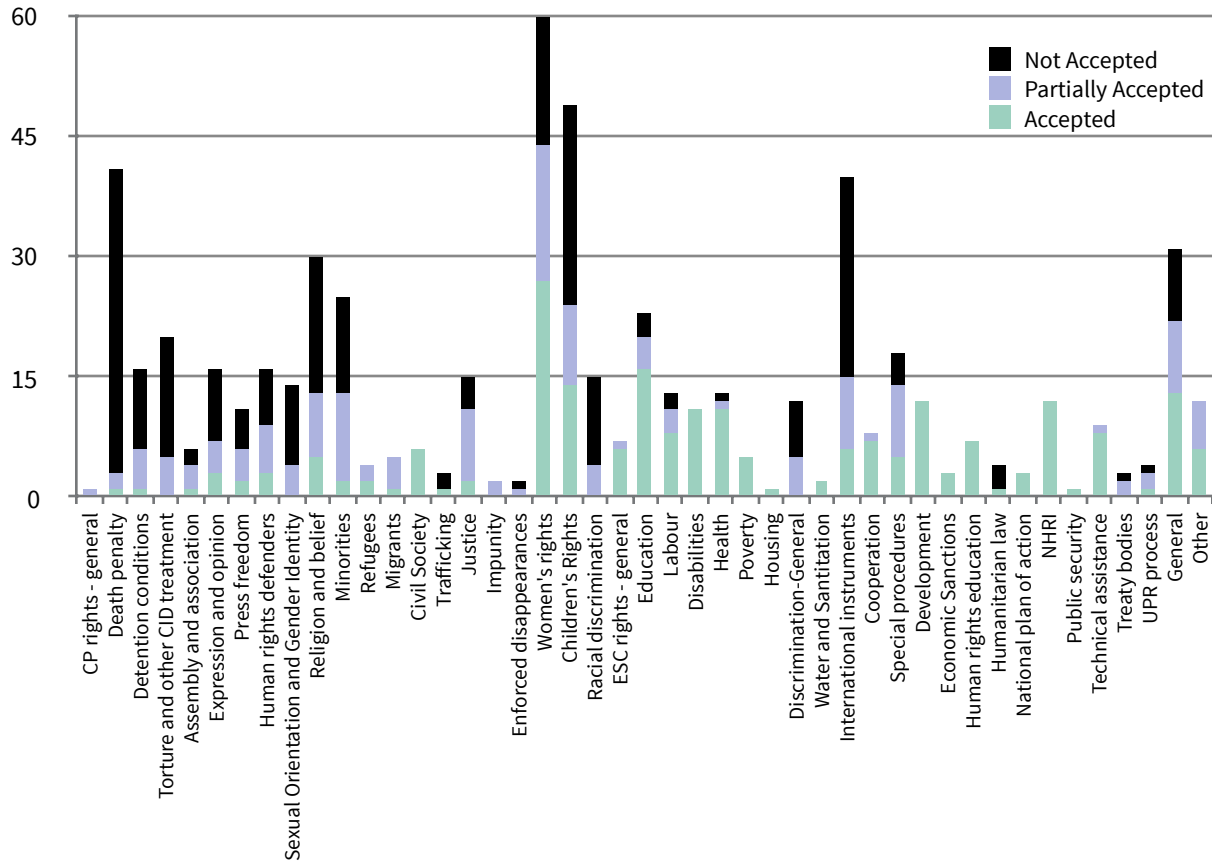
IS IRAN COMMITTING ITSELF TO REAL REFORM?

Throughout both UPR cycles, Iran has responded more positively to recommendations in the area of economic, social, and cultural (ESC) rights than in the area of civil and political rights. During the UPR itself, the majority (**67 percent**) of recommendations made to Iran by states was in the category of civil and political rights, and **27 percent** of the recommendations were related to ESC rights.

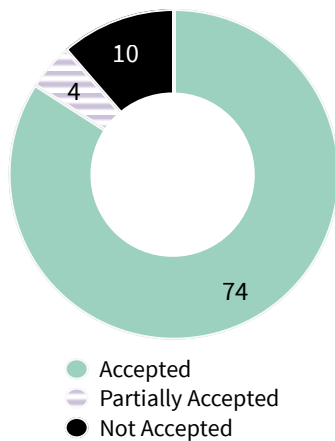
While outlining the failures of Iran to uphold both civil/political and economic, social and cultural rights in their reports, the Secretary-General and the UN Special Rapporteur on the situation of human rights in Iran have consistently expressed acute concern for Iran's violations of the former, including the right to life, freedom from torture, due process/fair trial safeguards, freedom of expression, religious freedom, and non-discrimination. **Similarly, the UN General Assembly resolutions on the situation of human rights in the Islamic Republic of Iran emphasize, almost exclusively, the state's lack of respect for civil and political rights. The most recent protests that gripped the country in December 2017 and January 2018, however, show the extent to which socioeconomic issues—including the right to work and attain an adequate standard of living—play a significant role in the demands and discontent of the population and are inextricably tied to civil and political rights issues.**

It seems that Iran is failing to satisfy its human rights obligations on both counts. And, perhaps more importantly, it is refusing to take the necessary steps required to adequately address its main human rights challenges.

OVERVIEW OF ISSUES RECEIVED BY IRAN IN ITS SECOND CYCLE



ESC RIGHTS



MORE ENGAGEMENT WITH ESC RIGHTS-RELATED RECOMMENDATIONS

In its second cycle, Iran received a total of **88** recommendations related to economic, social and cultural rights. The vast majority of these recommendations **84 percent** (74) were accepted, **5 percent** (4) were partially accepted, and **11 percent** (10) of these recommendations were rejected. During its first UPR cycle, Iran accepted, in whole or in part, 93 of its economic, social and cultural rights recommendations while rejecting 6. During the second UPR cycle, only **5 percent** of Iran's economic, social, and cultural rights recommendations were partially accepted, compared to **49 percent** for civil and political rights.

COMMITTED TO THE GENERALITIES, BUT RESISTANT TO THE PARTICULARS

Iran's acceptance rate for economic, social and cultural rights recommendations that were generally, broadly or vaguely-worded, was relatively high (**66 percent**). Conversely, its acceptance rate for recommendations that called on the state to adopt specific measures, or take specific action, to improve economic, social and cultural rights was very low (**11 percent**). The government's strong

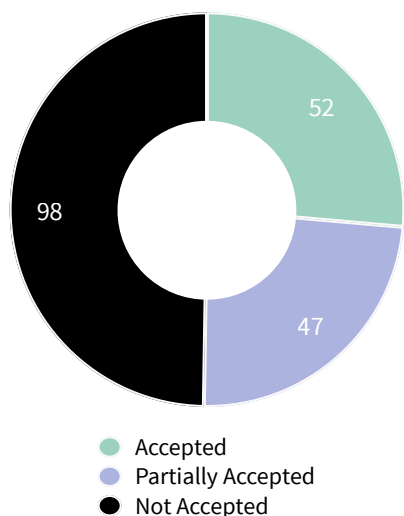
rejection of specific, and action-oriented recommendations, demonstrates a resistance to committing itself to substantive reform in the area of economic, social and cultural rights.¹⁵

AT ODDS WITH ESC TREATY BODIES' RECOMMENDATIONS

In 2013, the Committee on Economic, Social and Cultural Rights (CESCR) made **32** recommendations to Iran, including on gender-based discrimination, the rights of religious and ethnic minorities, and discrimination and violence based on sexual orientation or gender identity.¹⁶ An analysis of the recommendations Iran received during its second UPR cycle reveals that the government rejected, or accepted only in part, the majority of economic, social and cultural rights related to the specific recommendations made by the CESCR in 2013.

WEAK REGARD FOR CIVIL AND POLITICAL RIGHTS RECOMMENDATIONS

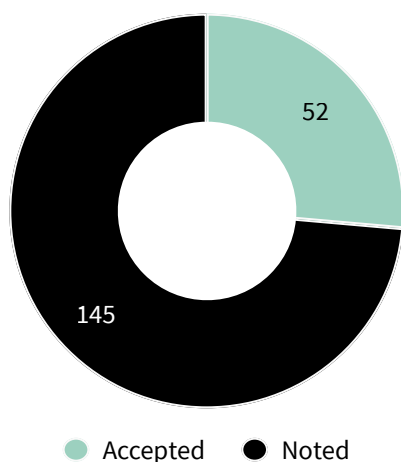
IRAN'S PERSPECTIVE



In its second cycle, Iran received a total of **197** recommendations in the category of civil and political rights: **26 percent** (52) were accepted, **24 percent** (47) were partially accepted, and approximately **50 percent** (98) were not accepted. Similarly, in the first cycle, Iran received **149** civil and political rights recommendations and rejected over **56 percent** of these recommendations, only accepting **44 percent** (67), and partially accepting **1 percent** (3 recommendations).

Although Iran did not fully reject the majority of civil and political rights recommendations, **96 percent** of the total number of rejected recommendations were in the area of civil and political rights. This is a high percentage considering Iran received over twice as many civil and political rights recommendations in its second cycle compared to economic, social and cultural rights ones.

UN PERSPECTIVE















In view of the HRC's standard on how an SuR can respond to recommendations, the state only accepted **26 percent** of the civil and political rights recommendations it received. As noted above, under this standard, partially accepted recommendations are considered “noted” (not accepted). Applying this standard brings the rate of “noted” civil and political rights recommendations to **74 percent**.

STEPS BACKWARD: A WEAKER COMMITMENT TO HUMAN RIGHTS REFORM

Iran's response to recommendations it received during the second cycle suggest that its approach to the UPR process has, in many ways, regressed since its participation in its first review in 2010. Many of the recommendations the government rejected, or only partially accepted, in the second cycle closely mirrored ones they had accepted during the first cycle. Many of these recommendations are similar in language and subject matter to the ones made in 2010 and, in some cases, were made by the same recommending state.

The following inserts identify pairs of recommendations that are nearly identical in language and/or substance between the first and second UPR cycles, and which received full acceptances in 2010 but partial or full rejections in 2014.

ACCEPTED → NOT ACCEPTED

FIRST CYCLE ACCEPTED	SECOND CYCLE NOT ACCEPTED
<p> 122: Amend its press law to define the exceptions to article 24 of its Constitution in specific terms that do not infringe upon the internationally guaranteed rights of free speech and a free press (Canada)</p>	<p> 138.228: Amend its press law to define the exceptions to article 24 of its Constitution in specific terms and that do not infringe upon freedom of expression (Canada)</p>
<p> 120: Repeal all criminal provisions dealing with freedom of expression and freedom of assembly to comply with international human rights standards (Slovakia)</p>	<p> 138.227: Repeal all legal provisions that infringe the freedoms of expression, assembly and association, as guaranteed by the International Covenant on Civil and Political Rights (Belgium)</p>
<p> 119: Fully respect the rights of the adherents of the Baha'i faith and to judicially prosecute those inciting hatred against them in religious environments, the media and the Internet (Luxembourg)</p>	<p> 138.125: Put an end to acts of repression against ethnic and religious minorities, in particular Baha'is, and take effective measures to put an end to discriminatory policies against them (Luxembourg)</p>
	<p> 138.120: Take all necessary measures to ensure the protection and non-discrimination of religious minorities, including by immediately ending production of Government-controlled media programmes spreading misinformation about religious minorities and inciting hatred against them (Denmark)</p>
	<p> 138.134: Take steps to prevent discrimination and incitement to hatred against the Baha'i or any other ethnic or religious minority, regardless of whether it is officially recognized (Mexico)</p>
<p> 104: Investigate and prosecute all those, including Government officials and paramilitary members, suspected of having mistreated, tortured or killed anyone, including demonstrators, political activists, human rights defenders and journalists. (Canada)</p>	<p> 138.215: Investigate and prosecute all those responsible for the mistreatment or abuse of detained persons in Iran, including during the attacks on prisoners in Evin Prison in April 2014 and in the wake of the 2009 presidential election (Canada)</p>
<p> 113: Immediately investigate all allegations involving the torture and other ill treatment of those arrested or detained during the demonstrations in June 2009 (Australia)</p>	
<p> 114: Conduct an independent investigation regarding killings, arrests and detentions following the demonstrations following the 2009 presidential elections, including the possible excessive use of force by security forces (Poland)</p>	

ACCEPTED → PARTIALLY ACCEPTED

FIRST CYCLE ACCEPTED	SECOND CYCLE PARTIALLY ACCEPTED
 34: Ensure the equal treatment of women and girls in law and practice (Austria)	 138.100: Ensure equal rights and opportunities for women and girls (Austria)
 58. Guarantee free and unrestricted access to the Internet (Netherlands)	 138.234: Guarantee freedom of speech and eliminate restrictions to the free flow of information, including through the Internet, and stop arrests, prosecution and sanction of individuals for expressing views and opinions (Netherlands)
 2: Comply fully with the international human rights obligations to which it is bound (New Zealand)	 138.54: Fully comply with its binding international human rights obligations in the light of Iran's commitment towards improving the overall human rights situation in the country (New Zealand)
 6: Take all steps necessary to reform the discriminatory provisions of penal and civil laws, including with regard to women's equal rights in marriage, access to justice and legal discrimination (Ireland)	 138.106: Take all steps necessary to reform the discriminatory provisions of penal and civil laws against women (New Zealand)
 35: Facilitate for all children born to Iranian mothers access to a birth certificate and Iranian nationality, regardless of the nationality of the father (Mexico)	 138.112: Continue working so that Iranian women have the right to transmit their nationality to their children (Guatemala)
 133: Guarantee the protection of the civil and political rights of all, particularly dissidents and members of minority groups (Chile)	 138.122: Implement previous recommendations to guarantee the protection of the civil and political rights of all minority groups (Iceland)
 119: Fully respect the rights of the adherents of the Baha'i faith and to judicially prosecute those inciting hatred against them in religious environments, the media and the Internet (Luxembourg)	 138.125: Put an end to acts of repression against ethnic and religious minorities, in particular Baha'is, and take effective measures to put an end to discriminatory policies against them (Luxembourg)
 28: Fully implement the standing invitation extended to the United Nations human rights special procedures (Chile)	 138.74: In line with its standing invitation to special procedures, engage with and accept visits by special procedures (Brazil)
 53: Enhance freedom of expression and assembly, and to safeguard all groups, journalists and especially human rights defenders (Brazil)	 138.193: Adopt comprehensive measures on the protection of women against any form of public or domestic violence and the implementation of a national policy to protect women at risk and to bring perpetrators to justice, as well as adopt measures for the protection of human rights defenders and journalists (Brazil)
 32. Develop a legal framework for protecting and promoting the rights of women (Brazil)	
 46: Ensure, in law and practice, all guarantees of due process of law established in ICCPR, including the principle of presumption of innocence, as well as avoiding any punishment for the exercise of other rights recognized under the Covenant, such as freedom of expression and the right to association and assembly (Mexico)	 138.209: Provide by law unobstructed access to legal counsel throughout all phases of criminal investigation, trial and appeal; ensure the accused is informed of this right immediately upon arrest; and give defendants and their lawyers unrestricted access to the full case file and all evidence against the accused (Denmark)

It should be noted that at the time of its second UPR cycle, Iran had not yet implemented many of the promises from its first cycle. This prompted some of the recommending states, such as **Brazil, Canada** and **New Zealand**, to restate some of their 2010 recommendations which Iran had already accepted. Iran's decision to opt for partial or full rejections to these recommendations during the second cycle do not reflect favorably on its commitment towards meaningful and sustainable human rights reform. The country's decision to dramatically increase its reliance on partial acceptances (from 3 to 59 recommendations) provides further cause for concern, as previously noted.



FACTORS SHAPING IRAN’S REPLY TO RECOMMENDATIONS

Not all recommendations are created equal. The composition and format of UPR recommendations affects their chances of being accepted or rejected. For example, some recommendations are designed to directly address an identifiable human rights problem, while others may encourage a state to reaffirm its commitment to continuing reform in a particular area (presuming that such reforms are effective or being implemented in good faith). Certain recommendations specifically call for certain actions to be taken by the SuR, while others are more vague and open-ended.

Three main factors appear to have influenced Iran's reception of, and reaction to, the recommendations it received during both UPR cycles : (1) level of action invoked; (2) subject matter; and (3) its relationship with the recommending state.

LEVEL OF ACTION INVOKED BY A RECOMMENDATION

The substance, and more specifically the authoritative verb used in a particular recommendation, provides insight into the type of action that may be required for adequate or proper implementation. A comprehensive review of recommendations made to the SuR during the UPR reveals that the majority of the **130** recommendations that Iran accepted included language with less or vague action-oriented demands, such as calling on Iran to “continue” what it is already doing in certain areas or to “consider” certain protections. In this regard, it should be noted that Iran accepted **98 percent** of its second cycle recommendations that call on it to “continue,” or “strengthen” its efforts towards a particular reform agenda. One such example is a recommendation to “[c]ontinue with the measures to

DIFFERENT IN TREATMENT BASED ON THE LEVEL OF ACTION INVOKED	
SECOND CYCLE ACCEPTED	SECOND CYCLE NOTED
 138.27: Consider introducing specific provisions in the Islamic Penal Code about investigation, prosecution and punishment of perpetrators of domestic violence (Portugal)	 138.200: Revise the Islamic Penal Code provisions that are discriminatory against women and girls; take urgent legislative steps to specifically criminalize domestic violence, including marital rape (Lithuania)

improve the status of women in society,” which Iran accepted.

On the other hand, the majority of recommendations that included specific and precise language calling on Iran to take a particular action were not accepted. **All recommendations that called on Iran to “amend,” “abolish,” “ratify,” or “repeal” legislation identified as preventing the full realization of human rights were rejected (apart from six that were accepted in part).** In addition, recommendations that used action verbs like “end” or “cease” were rejected in their entirety, which is discussed in more detail below.

UPR Info, the leading civil society organization monitoring the UPR, has developed an **action category scale** which assesses and ranks recommendations on a scale of 1 (minimal action) to 5 (specific action).¹⁷ The prevailing understanding is that lower action categories for recommendations are generally more likely to be accepted, and therefore possibly implemented, by SuRs.

UPR INFO - ACTION CATEGORY VERBS

ACTION CATEGORY RANK	EXAMPLES OF VERBS
1 - Minimal action	call on, seek, share
2 - Continuing action	continue, maintain, persevere, persist, pursue
3 - Considering action	analyze, consider, envisage envision, examine, explore, reflect upon, revise, review, study
4 - General action	accelerate, address, encourage, engage with, ensure, guarantee, intensify, promote, speed up, strengthen, take action, take measures or steps towards
5 - Specific action	conduct, develop, eliminate, establish, investigate, undertake as well as legal verbs: abolish, accede, adopt, amend. implement, enforce, ratify

According to this scale, **70 percent** of Iran’s partially accepted recommendations are more action-oriented (Category 3, 4 and 5). While Iran did accept a large percentage (**87 percent**) of Category 4 (general action) recommendations, the majority (**70 percent**) of recommendations it did not accept fell into the highest action category, Category 5 (specific action). It should be noted, however, that by accepting a large percentage of Category 4 recommendations (**66 percent**), Iran has committed to general, or comprehensive action covering many areas of concern, including civil and political rights issues. Recommending states, and the international community at large, should seize upon this opportunity and push Iran to follow through on these promises.

ACTION CATEGORY - IRAN'S RESPONSE IN THE SECOND CYCLE

ACTION CATEGORY RANK	TOTAL # OF RECS.	ACCEPTED	PARTIALLY ACCEPTED	NOT ACCEPTED
1 - Minimal action	0	0%	0%	0%
2 - Continuing action	64	95%	5%	0%
3 - Considering action	16	13%	31%	56%
4 - General action	170	66%	21%	13%
5 - Specific action	100	11%	18%	71%

In its review of recommendations made during Iran’s second UPR, the head of the Iranian delegation declared that recommendations using “accusatory allegations in ambiguous and inappropriate language with the aim to suggest unacceptable presumptions and claims” were not accepted by Iran.¹⁸ In other words, Iran rejected any recommendation that contained an implied assertion that the state is actively violating a human right. For example, recommendations that use the words “cease,” “end,” or “stop.” This posture effectively signals that the state is not willing to acknowledge that these violations are occurring. As such, Iran has indicated it will not commit to taking action to address some of its core human rights challenges, even in cases where recommendations solely restate what has been documented by UN treaty bodies, or reports by the Secretary-General and the UN Special Rapporteur.

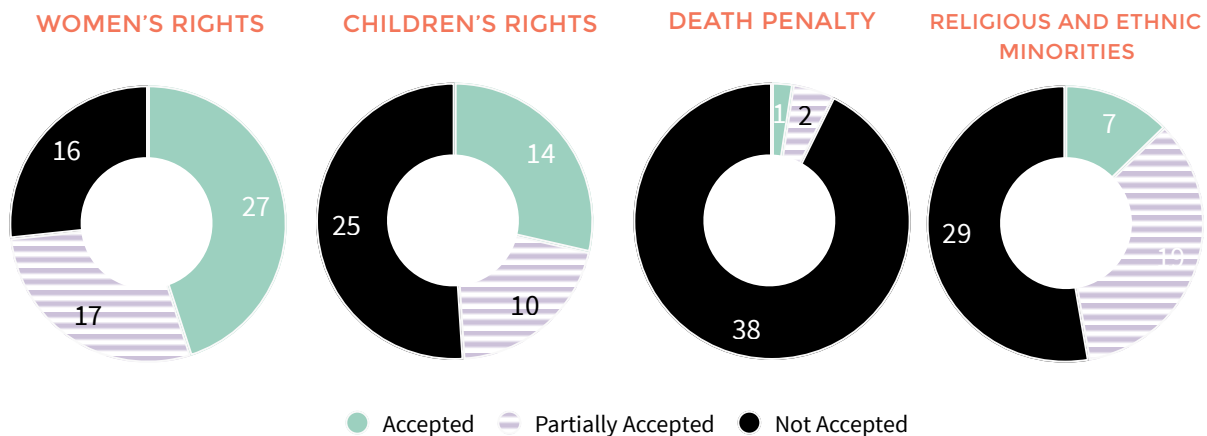
EXAMPLES OF NOT ACCEPTED RECOMMENDATIONS WITH 'ACCUSATORY LANGUAGE'

SECOND CYCLE ACCEPTED	SECOND CYCLE NOT ACCEPTED
<p>138.27: Consider introducing specific provisions in the Islamic Penal Code about investigation, prosecution and punishment of perpetrators of domestic violence (Portugal)</p>	<p>138.200: Revise the Islamic Penal Code provisions that are discriminatory against women and girls; take urgent legislative steps to specifically criminalize domestic violence, including marital rape (Lithuania)</p>

SUBJECT MATTER

As noted in the discussion on civil and political rights and ESC rights, Iran continues to reject the majority of civil and political rights recommendations. This is despite the fact that states made the highest number of recommendations in areas falling under civil and political rights. In terms of thematic issues, the highest number of recommendations made to Iran were in the area of women's rights, followed by children's rights, freedom of religion or belief, death penalty, and the rights of minorities. Certain subject matters seem to trigger automatic rejections to almost all recommendations, including: torture and other ill-treatment, death penalty, LGBTQ rights, and the rights of minorities or members of the Baha'i Faith. Refer to Annex A for more information on Iran's response to various issues.

RECOMMENDATIONS RECEIVED: ISSUES OF CONCERN



Though it is not unusual for states to reject recommendations requiring the ratification of certain treaties or conventions, Iran's almost-sweeping rejection of these recommendations demonstrates its resistance to increasing its participation in human rights mechanisms and voluntary international legal obligations. Through its response, it is apparent that Iran responded to recommendations more favorably if they were general, recognized their current efforts, and/or did not call on them to take a concrete action.

RELATIONSHIP WITH RECOMMENDING STATE

Iran is more prone to accepting recommendations from like-minded states, such as some fellow members of the Non-Aligned Movement and the Organization of Islamic Cooperation. The Islamic Republic accepted fewer recommendations in both cycles from states that it is considered to have a hostile relationship with, including Israel. In the second cycle, it did not accept any recommendations

from the United States or Canada, despite accepting some of their recommendations in the first cycle. Iran also rejected all recommendations received from **Cyprus, Estonia, Ghana, Ireland, Israel, Luxembourg, Montenegro, Spain, Sweden** and **Switzerland**. During the first cycle, Iran rejected all recommendations from the United Kingdom, however, in the second cycle, Iran partially accepted one and rejected the other. One of the factors influencing reception of recommendations from these states is that they tended to hit on core civil and political rights issues and to make specific action-oriented recommendations, whereas like-minded states tended to focus more on ESC Rights and to recommend either general action or for Iran to continue action it is already undertaking.