



## ASIA-PACIFIC RIGHTS AND JUSTICE INITIATIVE

Case Studies on Access to Justice by the Poor and Disadvantaged

# UNDP and Human Rights Education and Partnership Building in Iran

July 2003

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#### SUMMARY BOX

**Categorization of lesson:**

Mechanisms and partnerships for increased public awareness of human rights values, treaties and norms

**Critical lessons for the sub-practice:**

- ❖ Taking the national context into consideration, encompassing diverse viewpoints and raising public awareness is necessary before institutional arrangements can be put into place to bring human rights into the national discourse
- ❖ Creating a core group of knowledgeable people can help the culture of human rights to take root and sustain it through the institutional arrangements established
- ❖ By becoming associated with sensitive issues at an early stage, UNDP can be viewed as an important partner in human rights, but sustainability requires more structured consultations and resource mobilisation among partners

**Recommendations:**

- ❖ Get involved, even if success is not guaranteed.
- ❖ Expand the partnership base to the greatest extent possible.
- ❖ Look for opportunities that can advance the cause and take advantage of them

#### CATEGORISATION OF LESSON

Mechanisms and partnerships for increased public awareness of human rights values, treaties and norms.

#### BACKGROUND

The Constitution of the Islamic Republic of Iran contains human rights provisions and important and fundamental human rights principles, including elements such as participation, equality, due process, access to legal counsel, access to courts, freedom of expression and freedom of assembly. In addition, Iran has signed and ratified numerous international covenants and conventions. Of the six major international human rights instruments, Iran is a party to all except the Convention Against Torture and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). National debates are under way on whether the country also should join these two additional conventions.

However, challenges, impediments and obstacles exist in making the concepts enshrined in the Constitution and in international human rights instruments a reality. For instance, opinions and interpretations differ on implementation mechanisms for the rule of law. There are ambiguities on issues such as citizens' rights vis-à-vis the rights of the state, or ways in which citizens can protect their rights. In addition, ambiguities exist on the mandates of the three branches of Government and their relationships. This, according to the National Human Development Report 1999, has "reduced transparency and caused overlaps of responsibility, duplication in [the] decision making process, and some weaknesses in application of the law."

In order to address these issues, a wide awareness of human rights treaties, norms and values needed to be established. Without this awareness, it would have been unlikely for other human rights initiatives to have a chance of getting off the ground. In order to achieve the objective of raising awareness, it was essential that human rights education, training and advocacy be institutionalised. Hence, UNDP Iran entered into the following initiatives, which are intended not simply as a listing of projects but as indicators of the strategic niche that UNDP has been able to occupy in the sensitive area of human rights and access to justice:

*Human Rights Project with the Faculty of Law and Political Science of the University of Tehran*

In 1999 UNDP entered into a co-operation agreement with the Faculty of Law and Political Science of the University of Tehran to help the university establish MA and Ph.D. programmes in human rights. The MA programme started accepting students in the academic year 2003-2004. Major publications coming out of the project are used as human rights teaching material, not only at the university but also at other academic institutions. The project also has helped the University of Tehran establish the Centre for Human Rights Studies, which is serving as the focal point for human rights discourse in the country.

*Human Rights Project with Islamic Human Rights Commission of Iran*

UNDP signed a project with the Islamic Human Rights Commission of Iran in 2001, to help it enhance and strengthen its national network of human rights defenders and to provide for institutional strengthening of the Commission itself. The human rights defenders were a loose group of human rights activists with little institutional support from the Commission. They also lacked the proper training to make them effective to monitor the human rights situation in their respective cities or regions. By function, the defenders are to monitor human rights, report on cases of violations, and provide counselling and advice to victims and their families. Whether the defenders have actually been successful in raising human rights awareness at the community level cannot yet be fully evaluated.

*Women's Rights Project with the Centre for Women's Participation*

In 2002 UNDP signed a project with the Centre for Women's Participation, an organization under the Office of the President tasked as the main national institution to promote the role and position of women in Iranian society. In line with this mandate, the project aims to strengthen the human resources and structural capacities of the Centre.

*Project with the Judiciary on Greater Access to Justice*

In late 2002 UNDP also signed a project with the judiciary to provide assistance for judicial improvement through the strengthening of training and research for greater access to justice.

UNDP's involvement in these fields has attracted the interest of the donor and diplomatic community and also of other national and international institutions. However, this carries with it not only opportunities but also risks, as this involvement is now viewed as the platform for more integrated and larger programmes of co-operation in the coming years. If funding does not actually materialise and partnerships do not deepen and expand, then UNDP could find itself in the position of not being able to address adequately the raised expectations. This case study concentrates on establishment of the MA programme in human rights and on the establishment of the Centre for Human Rights Studies. It also looks into various issues related to partnership building.

## FINDINGS AND CONCLUSIONS

### *Lessons on output/outcome*

*Taking the national context into consideration, encompassing diverse viewpoints and raising public awareness is necessary before institutional arrangements can be put into place to bring human rights into the national discourse*

Although there had been a great deal of interest in human rights, no institutional arrangements were in place to bring the issue into the main national discourse and provide an intellectual foundation that could sustain it over time. To provide for these institutional arrangements, the project first had to raise public awareness, though limited, on the issue and try to desensitise and depoliticise it. This was not easy, as there are different interpretations in the country of what human rights is and what it entails, both from the philosophical and religious perspectives. Some view the modern notions of human rights as something totally alien to the national culture, while others believe the whole issue is politically motivated for unjustified gains. Other challenges included human rights' universality versus being a relative phenomenon. These challenges, coupled with the limited national experience in co-operation on this issue with international organisations, cast shadows in the early stages on the likelihood of success.

To overcome these challenges, the project took the national context into consideration and employed a calculated, cautious approach. Without this, it is unlikely that anything could have been achieved. The project brought into the picture not only university students and faculty, but also influential people from various political and ideological perspectives. This greatly facilitated the work of the project by reducing the resistance that might have come when human rights issues are brought openly into public discourse.

*Creating a core group of knowledgeable people can help the culture of human rights to take root and sustain it through the institutional arrangements established*

Establishment of the master's degree programme at the University of Tehran is directly related to the issue of greater access to justice in Iran. With the formation of a core group of knowledgeable people who practice what they have learned, the culture of human rights and its protection can take root in the society. It will make it more difficult in the long run for the holders of power to violate human rights or deny access to justice to people, especially the most vulnerable. It also could lead to change in the distribution of power, resulting from a change in the national discourse. After the master's programme in human rights began at the University of Tehran in the academic year 2003-2004, other universities have followed and started similar programmes. In addition, UNDP helped the University to gather the relevant and much-needed literature on human rights, and co-operated in establishing the Centre for Human Rights Studies as one of the institutional arrangements on the issue.

*By becoming associated with sensitive issues at an early stage, UNDP can be viewed as an important partner in human rights, but sustainability requires more structured consultations and resource mobilisation among partners*

The process of partnership building on human rights in Iran started from a negligible base. UNDP was originally not considered a major player in this field in the country. However, things started to change quickly: By becoming associated with these issues at an early stage, UNDP began to be viewed as an important partner by relevant national institutions, international organisations and the donor community alike.

This acquired advantage was used to expand the human rights and access to justice portfolio. A dialogue was established and still continues. Different actual and potential donors were brought in through one-to-

one meetings, though this approach has shown results, it will not be sufficient for the future. More structured ways for consultation and resource mobilisation will be put into place in order to sustain the momentum. What seems certain, however, is that most of the national partnerships already built will be maintained and that other national and international partners also will be brought in for a more challenging programme in the future.

## RECOMMENDATIONS

- ❖ Get involved, even if success is not guaranteed
- ❖ Expand the partnership base to the greatest extent possible
- ❖ Look for opportunities that can advance the cause and take advantage of them