



## **Controversial adoption of UPR report on Iran**

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On the morning of February 17, 2010 the Working Group on the UPR met to adopt the draft report on Iran. The adoption followed a momentous UPR session, during which Iran received strong criticism from Western States. The report, which was prepared by Mexico, Pakistan and Senegal, includes a summary of the proceedings of the review process and a list of conclusions and recommendations.

The 53 delegations that participated in the UPR made a total of 189 recommendations; Iran expressed support for 123 of the recommendations (it considered 21 of these as already implemented or in the process of implementation), will review and respond to an additional 20 and rejected 45 recommendations. Of the rejected recommendations, Iran identified 28 as 'inconsistent with the institution-building text and/or not internationally recognized human rights, or not in conformity with its existing laws, pledges and commitments.' This statement, expressed in paragraph 92 of the report, provoked a series of comments.

The United Kingdom requested a clarification on Iran's position of recommendations as stated in paragraph 92, arguing that its recommendations on facilitating a visit by the Special Rapporteur on torture, ensuring that the penal code complies with the International Covenant on Civil and Political Rights and investigating allegations of abuse, were not inconsistent with international human rights law. France, the United States, Austria and Canada made similar objections regarding their recommendations, which were also rejected, and sought to clarify what they saw as an inconsistency before the report was adopted. Iran also rejected recommendations from Spain, Estonia, Chile, Israel, Australia, the Netherlands, Mexico and Luxembourg, among others.

It was notable that Iran accepted recommendations to 'continue to respect international humanitarian law and international law in general (Kuwait)' and to 'comply fully with the international human rights obligations to which it is bound (New Zealand)'. However, it rejected recommendations to amend or repeal laws that discriminate against women (Israel); to take measures to end discrimination against ethnic and religious minorities (Austria); to cease the practice of torture in detention facilities (US); to release political prisoners (Luxembourg); stop intimidation and harassment of human rights defenders, journalists, bloggers, media and artists; and to prosecute security officials involved in torture, rape or killings (Austria).

A small number of States, including Pakistan and Uzbekistan, have also argued that recommendations made to them did not reflect internationally recognised human

rights. This raises fundamental questions about the UPR process and its potential to be misused to undermine established human rights law.

In its closing remarks, Iran responded to accusations, holding that it refuses to support recommendations delivered by an 'organised clique' using 'poisonous language' and jeopardising the cooperative spirit of the UPR.

The report on Iran will be considered by the Human Rights Council at its 14th session in June.