
**Iran and the Convention on the Elimination of All Forms of Discrimination
Against Women: Persuasive Attempts at the United Nations**

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Introduction

In recent years, there has been an increasing interest in the concept of persuasion in the human rights field. Persuasion is widely studied in constructivist literature but for persuasion to be successful, an actor has to be persuaded. Therefore, most studies on persuasion focus on successful persuasion (Brysk, 1993; Checkel, 2001; Hawkins, 2004; Deitelhof, 2009), which means that an actor eventually changes its position on the subject. While most studies on the topic of persuasion examine situations where persuasion has successfully taken place, situations where persuasive attempts seem to have taken place but an actor did not change its position on the subject are widely understudied. This is the puzzle that this paper seeks to address. So this paper aims to contribute to the persuasion literature by studying a situation where persuasion seems to have failed. The case that will be used to study persuasion is Iran which has yet to ratify the Convention on the Elimination of All Forms of Discrimination against Women. Thereby, the theoretical contribution of this study is that the analysis of a situation where persuasion seems have been unsuccessful can lead to new insights on the theory of persuasion. The social contribution of this study is that examining persuasion in different light will provide more insight on solving diplomatic conflicts without force.

In December of 1979, the United Nations General Assembly adopted the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). When states ratify the Convention, they are expected to “*pursue by all appropriate means and without delay a policy of eliminating discrimination against women*” and take “*all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men*” (UNHR Office of the High Commissioner). In the years thereafter, hundreds of countries joined the Convention thereby agreeing to legally treat women the same as men. Countries that have ratified CEDAW also have to regularly submit reports to the Committee on the Elimination of All Forms of Discrimination against Women showing that they are taking measures to implement the content of CEDAW.

Although a lot of countries have already ratified the Convention, eight countries still have not taken any action on ratifying CEDAW. As the amount of states that has ratified the Convention increased, it is likely that pressure to ratify CEDAW on the eight remaining countries also increased. One of the eight countries that has not yet ratified CEDAW is the Islamic Republic of Iran. In Iran, a women’s testimony is only worth half as much as a man’s testimony and women cannot become judges. In private spheres, men are allowed to decide

whether their wives can get a job, procure a passport or travel abroad (Alikarami, 2014). So in Iran, as in other places around the world, women's rights are not fully respected and equality amongst men and women is not yet a reality. While Iran has ratified other human rights treaties, it still has not committed to ratifying CEDAW. Since Iran is one of the eight countries that has yet to ratify CEDAW, it is expected that other states have tried to persuade Iran to ratify the Convention. In the case of Iran, persuasion seems to have failed because Iran has not taken any action on ratifying CEDAW.

The goal of this paper is to establish whether states have attempted to persuade Iran to ratify CEDAW and, if states have made these attempts, why Iran has not taken action to ratify the Convention. Therefore, the main research question of this paper is: In what ways have other states tried to persuade Iran to commit to CEDAW during the years 2010-2015? This paper seeks to answer this question. First, the rationalist and constructivist explanations to norm commitment are outlined and the concept of persuasion is further explained. After that, the methodology of this research is discussed and the results are presented. Finally, a conclusion is drawn and the results are discussed. This study finds that states have made attempts to try and convince Iran to ratify CEDAW during the years of 2010 to 2015 but that these attempts were not persuasive since they failed to draw on widespread taken-for-granted norms.

Theoretical framework

Why do states commit to human rights treaties?

Why do states commit to human rights treaties? This is a central question in the human rights literature. States are sovereign entities that do not want other states meddling in their domestic affairs so why do they decide to ratify a human rights treaty? There are two competing approaches that have found answers to this question of commitment. One is rationalist which emphasizes coercion, cost-benefit calculations and material incentives and the other one is constructivist which emphasizes social learning, socialization, social norms and persuasion (Checkel, 2001).

Rational choice and commitment

The rationalist perspective on treaty ratification is that actors make a cost-benefit analysis upon ratifying a human rights treaty. According to this perspective, states believe that by ratifying a human rights treaty, they will receive certain material rewards. When states ratify a treaty, they expect that other states, corporations and NGOs will reward them with positive investments, trade and aid (Nielsen & Simmons, 2015). They expect these material benefits even when they fail to comply with the norms of the treaty since most human rights regimes have weak

enforcement mechanisms so states will face no punishment for non-compliance (Hathaway, 2002). States see the ratification of these treaties as a low-cost action. Therefore, states will ratify human rights treaties because they calculate more rewards than drawbacks. States only expect to predominantly receive benefits by ratifying a human rights treaty.

International agreements emerge through interaction between states. Rationalists see interaction as a strategic exchange between self-interested actors who try to maximize or satisfy their own interests and preferences (Deitelhoff, 2009), this is called the logic of consequentialism. The preferences and interests of actors are fixed and persuasion can be used to change the cost-benefit calculation of an actor but it cannot change their underlying preferences and interests. (Johnston, 2001). While rationalists focus on material incentives and cost-benefit calculations, they also put an emphasize on coercion. The realist notion of norm change is that powerful states are more likely to change norms because they are more likely to be heard since they participate on numerous forums and because they have the means to promote new norms. Powerful states can also coerce weak states to accept new norms. Thus, powerful actors drive the process of norm change (De Nevers, 2007).

However, studies have found that the content of arguments prevails over the interests of powerful states (Hawkins, 2004; Deitelhoff, 2009) so powerful actors are not necessarily at the core of norm creation or change. These studies show that constructivist explanations on international cooperation triumph over more prevalent rationalist explanations on norm commitment and international cooperation such as powerful actors, coercion and cost-benefit analyses. Negotiations about international treaties are not inevitably driven by powerful states and small states also play a role since actors can be persuaded by arguments that are normatively superior (Hawkins, 2004; Deitelhoff, 2009).

Constructivism and commitment

Constructivists have also developed theories about treaty ratification. According to constructivist theory, countries value the opinions other states have of them. Therefore, states ratify treaties because they want to receive social approval, they have a desire to belong to the international community and want to avoid public criticism (Nielsen & Simmons, 2015).

Constructivists define norms as “shared expectations about appropriate behavior held by a community of actors” (Finnemore, 2002, p. 22). International institutions and thus, international norms are developed through communicative processes. State interests and preferences are also developed through communication and interests and preferences are indefinite instead of fixed (Hawkins, 2004). Communicative action takes place through acts of

understanding among participating actors rather than actors chasing self-interested goals. According to the discourse theory of Habermas (as cited in Deitelhoff, 2009), during a public discussion superior normative arguments cause actors to change their interests and preferences. Although the interests and preferences of actors can change, constructivists believe that actors can internalize norms to the extent that their pro-norm behavior is unquestioned and taken-for-granted, which is called the logics of appropriateness (Johnston, 2001). The goal of actors is to arrive at a shared understanding about which preferences fit and which norms apply to the situation and to achieve argumentative consensus among actors where no one pushes their own views or morals (Risse, 2000). Essentially, with this kind of rule-guided behavior actors try to “do the right thing” instead of maximizing their preferences.

Constructivist scholars identify two processes through which actors commit to norms: mobilization and social learning (Checkel, 2001). An example of mobilization is the “spiral model” developed by Risse & Sikkink (1999) which shows the process of socialization and the way in which states eventually internalize human rights norms. Risse & Sikkink (1999) describe how a human rights norm-violating state institutionalizes human rights norms and starts to respect human rights. The process of norm commitment heavily relies on transnational advocacy networks who put norm-violating states on the international agenda, mobilize domestic opposition and essentially create opposition that challenges the repressive state on both international and domestic level. The socialization process starts when actors adapt some of their behavior to the norm for instrumental reasons which will lead to increasing concessions in line with human rights norms and eventually rule-consistent behavior (Risse & Sikkink, 1999).

Social learning is a process where actors adopt new positions when they become convinced that a position is logically or normatively superior through arguments and debate. It assumes that actors are open to new views and preferences since they have inadequate interests of their own (Hawkins, 2004). A concept related to social learning is rhetorical action which assumes that actors use arguments to convince other actors to change their views, preferences, normative beliefs and identities. Rhetorical action expects that when the disparity between professed values and actual behavior of self-interested actors is pointed out, actors are shamed into changing their behavior (Hawkins, 2004). Social learning and rhetorical action are both related to the concept of argumentative rationality which is a communicative process in which actors share their common assumptions and values, how these apply to their behavior and if these behaviors comply with international standards (Risse, 2000). Argumentative rationality indicates that actors are open to being persuaded by the ‘better argument’ and that power

relationships are of little influence (Risse, 2000). Argumentative rationality prevails when participants share a common lifeworld and are relatively equal. A common lifeworld exists when actors share culture, a system of norms perceived as legitimate and a social identity of actors that are capable of communicating. Although large cultural differences between countries exist, the experts drafting agreements often share similarities such as educational and professional backgrounds, motivation to achieve international cooperation and recognition of procedural rules (Risse, 2000). So in a setting where argumentative rationality is present, actors can be persuaded by a superior argument. Persuasion is a micro mechanism driving both social learning and rhetorical action (Checkel, 2001).

According to Payne (2001), persuasion takes place when an actor changes its behavior significantly and only when an actor is convinced in a non-coercive manner can this process be called persuasion. Perloff defines persuasion as "an activity or process in which a communicator attempts to induce a change in the belief, attitude, or behavior of another person through the transmission of a message in a context in which the persuadee has some degree of free choice" (as cited in Checkel, 2001). Thus, persuasion is a process of convincing someone through an argument and debate instead of through coercion. This is the definition of persuasion that will be used in this paper. It is very hard to prove whether persuasion has taken place. Persuasion can be observed when the persuadee adopts claims or arguments that were used by the persuader or when a persuadee changes its position. Even if these things happen, it is hard to prove that the persuadee has actually changed their beliefs or if they just pretend that they have changed their beliefs to look favorable. It is also hard to prove whether the process is completely free from manipulation and coercion (Steffek, 2005).

For constructivists the content of an argument is very important as this can persuade an actor to abide to new norms, yet constructivism has received criticism on what exactly entails a persuasive argument as constructivist scholars do not describe such an argument (Johnston, 2001). What makes an argument a 'better argument' that prevails over lesser arguments? In line with constructivist thinking an argument is convincing and persuasive when it rests on widespread preexisting understandings. So when the content of an argument is in line with taken-for-granted norms, actors are likely to be persuaded by them since they resonate with these preexisting understandings (Hawkins, 2004). Then, the question becomes: what are these taken-for-granted norms that are likely to be persuasive?

Hawkins (2004) identifies three widespread taken-for-granted understandings: the prevention of bodily harm, significance of precedents in decision-making, and international cooperation as a fundamental element to resolving social problems. These widespread norms

are embedded in literature on sociology of organizations and transnational networks. The first widespread taken-for-granted norm that Hawkins (2004) identifies is that on the international stage there is a common understanding that civilized states do not intentionally harm individual citizens and that states work towards a goal of easing the pain of their citizens. Even if states do not agree with this understanding, they keep their views to themselves as states understand that other actors will not accept such beliefs. Second, there is a widespread understanding among states that international decisions should draw on precedents. States generally adopt new practices when these rest on precedents, even though there is no functional need for the practice. Third, there exists an agreement among states that international cooperation is an important and appropriate approach to resolving domestic social problems. However, this does not mean that states approve all international action but that there exists a widespread understanding that for the most identifiable domestic social problems international cooperation is a part of the solution (Hawkins, 2004). So persuasive arguments are in accordance with widespread, taken-for-granted understandings in the international arena.

Persuasion is a central concept in constructivism and it is also a concept that has been widely studied by constructivist scholars. Studies have been conducted to address criticisms that scholars have made about persuasion. For example, the article wherein Hawkins (2004) identifies what exactly entails widespread taken-for-granted understandings addresses the criticism about persuasive arguments. In most cases, scholars study situations where persuasion has successfully taken place to test certain hypotheses or theories (Brysk, 1993; Checkel, 2001; Hawkins, 2004; Deitelhoff, 2009). While situations of successful persuasion have been studied extensively, situations where persuasion seems to have failed have been widely understudied. This does not mean that these situations are less interesting to explore so this study wants to address this gap in the persuasion literature by studying a situation where persuasion seems to have been unsuccessful. Examining such a situation would be very interesting since it could lead to new theoretical insights about persuasion and norm commitment. It may even slightly debunk the theory of persuasion if persuasive arguments were used but an actor was unconvinced by them. Persuasion fails when an actor tries to convince someone through argument and principled debate but the belief, attitude or behavior of the persuadee does not change. Can there have been persuasive attempts in a situation where argumentative rationality prevails in which the targeted actor did not change its preferences? This is the question that this paper seeks to answer by studying a case where persuasion seems to have been unsuccessful.

Methodology

The case of Iran and CEDAW has been chosen to study a situation where persuasion seems to have failed. Iran is one of the six countries that has not taken any action on signing or ratifying the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), so there must be international pressure on Iran to sign the Convention. It is likely that there have been persuasive attempts to convince Iran to ratify CEDAW but since Iran has not yet ratified the Convention, it has not yet changed its position on the subject. The amount of pressure that is on Iran to sign CEDAW and its lack of action towards ratifying the Convention makes Iran a good case to study a situation where persuasion seems to have unsuccessful. A case study has been chosen because it is almost impossible to quantitatively measure the concept of persuasion and a case study allows for the consideration of context which is important while studying persuasion. To establish whether persuasion has been unsuccessful in the case of Iran, persuasion attempts made by other actors need to be identified. Therefore, the main research question of this paper is: In what ways have other states tried to persuade Iran to commit to CEDAW during the years 2010-2015? The period of 2010 to 2015 has been chosen because it is recent so there is probably pressure on Iran to ratify the Convention, a five year period is achievable to examine and there is adequate data during this period.

To establish whether other states have made attempts to persuade Iran, multiple questions need to be answered. Which states have made attempts to persuade Iran? What kind of arguments did they use to try to convince Iran to commit to CEDAW? In which way did these arguments draw on widespread taken-for-granted norms? And what was Iran's reaction to the attempts of persuasion? To answer these questions, the process of persuasion has to be operationalized. Persuasion takes place when states use persuasive arguments and when the persuadee changes its position on the subject because they have been persuaded. In the previous section, the content of persuasive arguments has been discussed. It was established that an argument is persuasive when it draws on widespread taken-for-granted understandings. Hawkins (2004) identifies three beliefs that are taken-for-granted on the international stage. With Hawkins' conception of a persuasive argument in mind, the process of persuasion can be operationalized as a situation where at least one state uses an argument based on widespread taken-for-granted norms, which are the prevention of bodily harm, significance of precedents in decision making and international cooperation as a fundamental element to resolving social problems, to convince Iran to ratify CEDAW and after this interaction, Iran is in favor of ratifying CEDAW.

To decide whether arguments made by states draw on widespread taken-for-granted norms, the three taken-for-granted norms of the prevention of bodily harm, significance of precedents in decision-making and international cooperation as a fundamental element to resolving social problems also have to be operationalized. Hawkins (2004) does not explicitly state how the three arguments can be recognized but implicitly some characteristics are presented. Based on Hawkins characteristics, I operationalize the arguments in the following way. Arguments based on the prevention of bodily harm are recognized when states say that the suffering of women is bad and should be prevented and that Iran should ratify CEDAW to protect Iranian women and prevent them from bodily harm. Arguments are based on precedents in decision making when states mention previous human rights bodies or conventions related to women's rights that Iran has committed to, to convince Iran ratify CEDAW. Arguments are based on international cooperation as a fundamental element to resolving social problems, when states call Iran out on their women's rights practices and ask them to sign CEDAW to ameliorate human rights abuses against women and improve women's rights practices because states believe that international cooperation will improve human rights practices.

With the afore mentioned criteria of the three widespread taken-for-granted understandings, every argument that states have made to persuade Iran to ratify CEDAW was linked to one of the three norms. If an arguments fits neither of the understandings, it can be classified as an isolated statement or categorized as 'other'. Every attempt that states or UN bodies made to convince Iran to ratify CEDAW was codified. In total there are five categories that the arguments were grouped in: prevention of bodily harm, precedents in decision-making, international cooperation as a fundamental element to resolving domestic social problems, isolated statement and other. If an argument falls into one of the first three categories, it is persuasive as it rests on a widespread norm. When an argument is an isolated statement, it means that an actor only recommended to Iran that it should ratify CEDAW but did not support its claim. Since an isolated statement does not rest on widespread taken-for-granted norms, it is not a persuasive argument. The category 'other' contains arguments that are supported but do not rest on one of the three norms outlined above. Whether an argument in the category 'other' is persuasive depends on the argument.

To find persuasive attempts, data from multiple UN forums has been used. For the period of 2010-2015, United Nations General Assembly (UNGA) meetings and documents were analyzed. The Official Document System of the UN was used to find mentions of Iran and CEDAW during UNGA meetings and documents. To conduct the search, the phrases 'Iran AND Convention on the Elimination of All Forms of Discrimination against Women' were

filled into the full-text search and the corresponding document symbols (A/65, A/66 etc.) were also filled in. Another source of data that was used were the UN human rights treaty bodies. Every human rights committee of treaty bodies that Iran has ratified, reviews the situation in Iran every couple of years. The committee reports were also analyzed for persuasive attempts. Finally, the Universal Periodic Review of Iran conducted in 2010 and 2014 was analyzed for persuasive attempts. During the UPR, Iran submits a national report on their current efforts to advance human rights. Subsequent to the report, there is a review session with the UN member states whereby member states make statements and recommendations on Iran's human rights practices and efforts. The final sub-question about Iran's reaction to the attempts of persuasion was answered by analyzing UNGA documents, human rights treaty body reports and UPR meetings where Iranian officials respond to the persuasive attempts of other states. The reaction of Iranian officials to the persuasion attempts may explain why Iran's position on CEDAW did not change.

This research only focuses on UN forums so this means that the findings of this research are incomplete because it does not entail every persuasion attempt towards Iran during the studied years. Although persuasion attempts may also take place outside of UN bodies, the forums of the UN have been established so countries from all over the world can engage in debate about important international issues such as human rights. On the UN forums that have been analyzed, every country is equal so countries are unafraid to call other states out. The human rights treaty bodies have essentially also been established for that purpose so focusing on UN forums is a good solution since a lot of debate between UN members states takes place on those forums. So if states make persuasive attempts, it is likely to happen there. Another reason for focusing on UN data is that the data of the sessions is widely available.

Persuasion is a very difficult concept to measure since it is sometimes unclear whether persuasion has taken place or not. Persuasion takes place in the absence of manipulation or coercion but it can be hard to establish whether manipulation or coercion was absent in the process since discussions and negotiations often happen in private. The UN meetings that were used as data are public so it can be established whether manipulation and coercion were absent in the process of persuasion since persuasion attempts happened during public meetings. Although the research question only focuses on states, data from UN bodies was also used since they represent the values that states hold. The human rights treaty body committees consist of 18 experts from different countries and while they might not explicitly represent their own national states, they still represent the values that their national states hold. The same goes for the Secretary-General as he represents values that the majority of the UN member states hold.

The ideal data to measure persuasion is to conduct interviews with Iranian state officials and ask them questions about the processes of persuasion related to CEDAW. The interviews would consist of questions about what attempts were made to persuade them to ratify CEDAW and whether these attempts were absent of manipulation or coercion. The Iranian state officials would also be asked whether they were persuaded by these attempts and why they were persuaded or not. Unfortunately, this kind of data is not available as I would have to conduct these interviews myself which is impossible for this research. But even if these interviews could be conducted, the answers of the Iranian officials might not be candid. That is because all state officials want to present the best version of themselves and to do this, they might not always be honest in interviews. So even if the state officials were not persuaded by the arguments of other states, they might say that they were persuaded just to look good. Thus, even the most ideal data cannot perfectly measure the process of persuasion. Although the data used in this study is not ideal, it still is very useful for the reasons that were mentioned earlier.

The method that is used to measure persuasion is also not ideal because the way in which the concept of persuasion is studied is very delimited since it only rests on the content of the arguments and the three widespread norms that were established by Hawkins (2004). But since the method is based on existing literature, it is a reliable method to use. Although it may be a simplistic method to measure persuasion it is effective since persuasive arguments can be uncovered. Using this method, it can be clearly established whether persuasion attempts to convince Iran to ratify CEDAW have taken place or not.

Results

In this section, the results that have been found will be presented. First, these sub-questions will be answered: Which states have made attempts to persuade Iran? What kind of arguments did they use to try to convince Iran to commit to CEDAW? In which way did these arguments draw on widespread taken-for-granted norms? Lastly, the question what was Iran's reaction to the attempts of persuasion will be answered.

Analysis of the 65th to the 69th sessions of the United Nations General Assembly (UNGA) shows that no member state made an attempt to convince Iran to ratify CEDAW during UNGA sessions. States also did not mention Iran's lack of commitment towards CEDAW during UNGA sessions, which shows that states generally refrain from confronting other states on their human rights practices and commitments in the UNGA. Analysis of UNGA documents found that the Secretary-General did make statements about Iran's lack of

commitment to CEDAW. Annually, the United Nations Secretary-General wrote a report on the human rights situation in Iran and every year the Secretary-General called upon Iran to ratify CEDAW (Secretary-General, 2010; 2011; 2012; 2013; 2014; 2015). So while there was no confrontation on the subject during UNGA sessions, the Secretary-General did urge Iran to ratify CEDAW in UNGA documents. Further confrontation on and denunciation of human rights was reserved for other UN bodies, such as human rights treaty bodies.

Three human rights treaty bodies reviewed the Islamic Republic of Iran during the years 2010 to 2015 and two of them mentioned CEDAW. The Committee on Economic, Social and Cultural Rights (2013) encouraged Iran *”to sign and ratify the Convention on the Elimination of All Forms of Discrimination against Women”* (p. 9) while the Committee on the Elimination of Racial Discrimination (2010) encouraged Iran *”to consider ratifying those international human rights treaties that it has not yet ratified, in particular treaties whose the provisions have a direct bearing on the subject of racial discrimination, such as the Convention on the Elimination of All Forms of Discrimination against Women”* (p. 5). This shows that there have been attempts by UN representatives and bodies to convince Iran to sign and ratify CEDAW.

Further analysis of the persuasive attempts by the Secretary-General and the human rights treaty bodies, shows that none of the attempts draw on any widespread taken-for-granted norms since they are all simply statements. In none of the cases does a UN human rights committee or the Secretary-General give an argument as to why Iran should ratify CEDAW, in fact no arguments are given at all. An example of an isolated statement made by the Secretary-General is:

The Secretary-General welcomes the recent efforts made by the Islamic Republic of Iran to report to human rights treaty bodies. He encourages the country to implement the concluding observations of the Human Rights Committee. The Secretary-General calls upon the Government to ratify the Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Secretary-General, 2012, p. 19).

In this statement, the Secretary-General calls upon Iran to ratify CEDAW but no arguments are given as to why the Secretary-General wants Iran to ratify the convention. The statements made by the Secretary-General and the human rights committees do not draw on widespread taken-for-granted norms so the arguments are not persuasive, if they can even be called arguments since they are more isolated statements.

During the years 2010 to 2015 two Universal Periodic Reviews (UPR) of the Islamic

Republic of Iran took place, the First Cycle in 2010 and the Second Cycle in 2014. During the First Cycle of the UPR, representatives of six countries made recommendations to Iran that it should take action on ratifying CEDAW (Human Rights Council, 2010). It was hard to establish whether the arguments of the six countries (Japan, Belgium, Spain, Luxembourg, Estonia, The Netherlands and Chile) were based on one of the three widespread taken-for-granted norms or if they were isolated statements since the transcripts of the statements were unavailable and only summaries of them existed. Consequently, the content of the arguments these states made during the First UPR Cycle could not be analyzed. Fortunately, videos from the Second Cycle of the UPR were available so these arguments could be codified. More countries made statements to Iran about CEDAW during the Second UPR Cycle but this could simply be because more member states were allowed to make statements during the review. In total representatives of sixteen countries made recommendations to Iran that it should ratify CEDAW (Human Rights Council, 2014).

According to table 1, the majority of states did not make any arguments that were based on the three widespread taken-for-granted norms instead they made isolated statements. Poland was amongst the UN member states that made an isolated statement during the UPR. The Polish representative made this statement:

Poland encourages Iran to engage further into meaningful dialogue with international human rights mechanisms. In order to advance the human rights situation and respond to the concerns raised by the international community. We are also concerned with....unequal and discriminatory treatment of women. We recommend to ensure respect in law and in practice of the freedom of religion and belief and we recommend to ratify CEDAW (UN Web TV, 2014, 03:00:20).

As this quotation shows, Poland does not draw on any of the three taken-for-granted norms. Nothing is said on the subject of violence against Iranian women and how bodily harm should be prevented by signing the Convention and precedents in decision-making are also not mentioned. Poland does say it shares concern about ‘unequal and discriminatory treatment of women’ but does not explicitly say that signing CEDAW may ameliorate the unequal and discriminatory treatment of women so Poland also does not draw on the norm of international cooperation as a fundamental element to resolving domestic social problems. Poland says that they ‘recommend to ratify CEDAW’ but does not explain why Iran should sign the Convention. This means that the recommendation that Poland makes is an isolated statement and is not supported by an argument. Greece, Indonesia and Thailand gave an argument categorized as

‘other’ which means that their recommendations to ratify CEDAW were supported by an argument but that the arguments did not draw on any widespread taken-for-granted norms. An example of an argument categorized as ‘other’ is the statement made by Greece that “*women’s and girl’s rights remain an area of concern and we recommend that Iran takes adequate measures, such as ratification of CEDAW, to enhance the equal role of women in society, in particular, in political, economic, social and cultural life, including sports*” (UN Web TV, 2014, 02:18:25). Although Greece gives an argument as to why Iran should sign CEDAW, which is ‘to enhance the equal role of women in society’, their argument still does not rest on a widespread taken-for-granted norm. It might seem that Greece relies on the norm of international cooperation as a fundamental element to resolving domestic social problems since it seems that Greece believes that signing CEDAW will improve women’s rights. But there is no guarantee that Iran signing CEDAW will improve the rights for Iranian women and Greece also does not explicitly state that they believe international cooperation will help ameliorate women’s rights abuses. Therefore, Greece’s statement is a supported argument that does not rely on any widespread taken-for-granted norms. Because the arguments categorized as ‘other’ and isolated statements failed to mention widespread taken-for-granted norms, they are not persuasive. Since every state made isolated statements or an argument that did not rest on a widespread taken-for-granted norm, none of the attempts to convince Iran to ratify CEDAW were persuasive.

Table 1. Coding of arguments made by states during the Second Cycle of the Universal Periodic Review

Type of argument	Country
Prevention of bodily harm	None
Precedents in decision making	None
International cooperation as a fundamental element to resolving social problems	None
Isolated statement	Burkina Faso, Czech Republic, Estonia, Ghana, Iceland, Latvia, Niger, Paraguay, Peru, Poland, Sierra Leone, The former Yugoslav Republic of Macedonia, Uruguay

Source: Appendix table 2

Finally, Iran's reaction to the attempts of persuasion will be discussed. After each UPR session Iran decides which recommendations it supports and which it does not accept. Iran did not support any of the recommendations from member states that said Iran should ratify CEDAW during the First UPR Cycle (Human Rights Council, 2010). Iran provided no explanation as to why it did not accept these recommendations but the rejection of the recommendations related to CEDAW is contradictory because in its national report Iran stated that it was considering acceding to CEDAW (Human Rights Council. Working Group on the Universal Periodic Review, 2010). It is clear that Iran did not consider accession to CEDAW since it rejected all the recommendations that stated that Iran should ratify the Convention. Some recommendations about CEDAW during the Second UPR Cycle enjoyed partial support while others enjoyed no support at all. The recommendations that called on Iran to ratify CEDAW and mentioned no other human rights treaty were all rejected (Human Rights Council, 2015).

Iran made a special statement on the situation of women in their country and responded to the recommendations that were made by UN member states during the Second UPR Cycle. In their statement Iran explains all the things that it has already done to advance women's rights and this makes it clear that Iran believes it is promoting women's rights successfully and that ratifying CEDAW is not a part of this process. Iran also stated that it did not support some recommendations since they "*were made without due regard to the fundamental values and Islamic teachings governing our society*" and "*contravene substantively the Constitution and basic laws of the Country*" (Human Rights Council, 2015, p. 3). The fact that Iran believes CEDAW is in conflict with Islamic values is also supported by a statement from the Secretary-General that "*The Government has declared that it has not ratified [CEDAW]...as a result of differences with Islamic doctrines and values*" (Secretary-General, 2014, p. 15).

Conclusion

In what ways have UN member states tried to persuade Iran to commit to CEDAW during the years 2010-2015? This study found that states have made attempts to try and convince Iran to ratify CEDAW but that these attempts were not persuasive since they failed to draw on widespread taken-for-granted understandings. Thus, persuasion has been unsuccessful. It was found that multiple actors on UN forums made the recommendation to Iran that it should ratify the Convention on the Elimination of All Forms of Discrimination against Women during the

years of 2010-2015. In their concluding remarks of their review of Iran, two human rights treaty body committees recommended to Iran that it should ratify CEDAW. The Secretary-General also annually submitted a report about the human rights situation in Iran where he also recommended Iran to ratify CEDAW. And multiple states also recommended to Iran that it should ratify CEDAW, during the Universal Periodic Review of Iran. Although the Secretary-General, human rights treaty body committees and UN member states recommended to Iran that it should ratify the Convention, often these statements were not supported by arguments which means that there were isolated statements. When the statements were supported by an argument, those arguments did not draw on any widespread taken-for-granted norms. As only isolated statements or arguments that failed to draw on norms were made, these attempts to convince Iran to ratify CEDAW were not persuasive. Iran rejected all of the recommendations that were made related to CEDAW during the UPR and stated that the Convention contravenes with fundamental Islamic values and doctrines that Iran's society is built on.

In conclusion, UN member states have made attempts to try to convince Iran to ratify the Convention on the Elimination of All Forms of Discrimination against Women during the years 2010-2015. The attempts were not persuasive because the states failed to use widespread taken-for-granted norms in their argument. Most of the states only used isolated statements to convince Iran to ratify CEDAW. Iran rejected the recommendations about ratification of the Convention and remained opposed to ratifying CEDAW. Persuasion was unsuccessful because Iran did not change its position on CEDAW and because states failed to use persuasive arguments. Not only was persuasion unsuccessful, the process of persuasion did not actually take place since states failed to use persuasive arguments in the first place. Thus, the process of persuasion did not take place on UN forums during the years of 2010 to 2015. Iran was unsuccessfully persuaded to ratify the Convention on the Elimination of Discrimination against Women.

Discussion

This study found that persuasion on UN forums was unsuccessful because states made no persuasive attempts. This reaffirms the theory of persuasion since it shows that states did not use persuasive arguments and Iran was not convinced to ratify CEDAW. It reaffirms the theory that persuasive arguments are needed to persuade an actor. This does not mean that this study has found a causal relationship between the use of persuasive arguments and the persuasion of Iran since it cannot be proven that Iran's position on CEDAW remained unchanged only because UN member states failed to use persuasive arguments. Other factors, like Iran's deep-

seated Islamic beliefs on the subject of women's rights, also played a role in Iran's unchanged position on ratifying CEDAW. But while this study cannot prove a causal relationship, it still contributes to the existing persuasion literature since it does not disprove the theory of persuasion because states did not make persuasive arguments. Therefore, this study reinforces the theory of persuasion.

As said before, persuasion is a very difficult concept to measure since it is not always clear if or when it has taken place. It is clear that states failed to use persuasive arguments to convince Iran to ratify CEDAW but it still can be established that during the dialogue between states there was no sign of UN member states trying to coerce or manipulate Iran into ratifying CEDAW. This study has failed to answer the question whether it is possible that persuasive arguments were present in a situation where argumentative rationality prevails in which the targeted actor did not change its preferences because no persuasive arguments were made in the case of Iran. The conditions for argumentative rationality were present and the 'better' argument could prevail over power relationships since states were engaged in a constructive debate where all member states were equal, especially during the UPR sessions. States just did not use these so-called 'better' arguments and it was established that persuasion did not take place on the UN forums. This means that this research is valid since the method that has been used has successfully proved that persuasive arguments were not present. Due to the criteria of persuasive arguments that have been presented in the methodology section, it can be established that if this research is repeated, the results would be the same since the arguments would be classified in the same way. The expectation was that since Iran is one of the few countries that has not yet ratified CEDAW, there would be pressure on Iran to take action on ratifying the Convention. This expectation proved to be true as this paper found that UN member states have made attempts to convince Iran to ratify CEDAW so there is indeed pressure on Iran to sign the Convention. However, even though there is pressure on Iran to ratify CEDAW, states failed to use persuasive arguments to convince Iran.

An important finding is that Iran has yet to ratify the Convention on the Elimination of All Forms of Discrimination against Women because the content of CEDAW clashes with Iranian Islamic doctrines and values. In his article, Checkel (2001) identifies five scope conditions for when persuasion is likely to happen. Two of these conditions are that persuasion is likely to happen when the persuadee is in a new and unfamiliar environment that is caused by a new issue or crisis and that persuasion is likely to take place when the persuadee has no or only a few deep-seated beliefs that are at odds with the beliefs of the persuaders message. These conditions can also be adapted to situations where persuasion is unlikely to happen which means

that persuasion is unlikely to happen when the persuadee is in a familiar and predictable environment dealing with a standard issue and persuasion is also unlikely to happen when the persuadee has many deep-seated beliefs that are incompatible with message of the persuader. In the case of Iran, the issue of ratifying CEDAW is not a novel one as the Convention has been a human rights treaty body since 1981 so it is not a new subject to Iran. As discussed earlier, Iran also has deep-seated Islamic values that are incompatible with the content of CEDAW. According to Checkel (2001) these conditions make persuasion unlikely to happen. So because ratifying CEDAW is a familiar issue to Iran and Iran has deep-seated beliefs that are incompatible with the persuader's message, these conditions may also explain why Iran has not been persuaded to ratify the Convention. The reader should also bear in mind that the reason that this study gives for Iran's lack of commitment to ratifying CEDAW is based on the information of the UN documents that were analyzed. This does not mean that the conflict between CEDAW and Islamic values is the only reason that Iran has not ratified the Convention. The fact that ratifying CEDAW is not in the interest of the current male-dominated political elite may also be a reason and there are probably other factors that have also played a role (Alikarami, 2014).

A drawback of this research was that the videos and transcripts of the UPR session in 2010 were unavailable so the full statements that states made were not analyzed. There were summaries available of the statements that the states had made during the session but these were not sufficient to establish whether the states used persuasive arguments since they did not provide sufficient context. As a result, the arguments that states made to persuade Iran to ratify CEDAW could not be codified. Fortunately, only six states made statements related to CEDAW in 2010 so it was not a significant number of arguments that could not be classified. The video of the Second Cycle in 2014, where more states made statement about CEDAW, was available so there was still data to work with. The unavailability of the videos of the UPR session in 2010 also led to the fact that the two UPR sessions could not be compared to each other. There may have been a difference in arguments that the UN member states used between the two sessions but that cannot be established since the arguments made during the UPR session in 2010 could not be classified. During the UPR session in 2010, UN member states could have made arguments that drew on widespread taken-for-granted understandings which would mean that persuasive attempts to convince Iran to ratify CEDAW did take place during the years of 2010-2015. The fact that the absence of persuasive attempts during the UPR in 2010 cannot be confirmed makes this study incomplete.

The expectation of this study was that it would be likely that there have been persuasive

attempts to convince Iran to ratify CEDAW since it is one of the few countries that has not taken any action on ratifying CEDAW. This expectation did not prove to be true since states had made no persuasive arguments but this study shows that studying situations where persuasion seems to be unsuccessful is interesting. Future research might further explore persuasive arguments on UN forums. Do states even use persuasive arguments on such forums or is there too little time to be persuasive as during UPR sessions states only have a couple of minutes to make a statement? As Iran has deep-seated beliefs about women's rights, this plays a role in its non-ratification of CEDAW. According to Checkel's criteria on situation where persuasion is likely to happen, persuasion is unlikely to happen when the persuadee has many deep-seated beliefs that are incompatible with message of the persuader. So Iran's deep-seated norms about women's rights form an obstacle to being persuaded. For future research, this same study can be repeated but on a different case. This case would be a country that does not have many deep-seated beliefs about a subject but still has not ratified a treaty on that particular subject, the treaty does not have to be CEDAW. So as these actors have none or little deep-seated beliefs, there is less of an obstacle to being persuaded and it would be interesting to study why persuasion seems to not have been successful in that case. Future research should study the same situation where persuasion seems to have been unsuccessful but in different context.

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Appendix

Table 2. Coding of arguments made during UPR Second Cycle 2014

Country	Statement	Coding argument (1=prevention of bodily harm, 2=precedents in decision-making, 3=international cooperation as a fundamental element to resolving social problems, 4=isolated statement, 5=other)
Burkina Faso	... We therefore congratulate the delegation of Iran, however we invite it to step up its efforts on the matter of the rights of women and children and on justice and improve cooperation with the United Nations human rights mechanisms. My delegation would like to make the following recommendations to Iran: to consider ratifying the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol...	4
Czech Republic	We would like to recommend that the government of Iran... accede to the Convention on the Elimination of All Forms of Discrimination against Women	4
Estonia	While we welcome Iran's efforts to help increase presence of women in political, social and cultural life, Iran continues to permit discrimination and violence towards women... finally, we also reiterate our previous recommendation to Iran to ratify the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol	4
Ghana	Ghana shares the concerns raised by the Secretary-General and the human rights committee concerning the rights of women and girls. Ghana would like to make the following recommendations that Iran ratifies...the	4

	Convention on the Elimination of All Forms of Discrimination against Women...	
GreeceWomen's and girl's rights remain an area of concern and we recommend that Iran takes adequate measures, such as ratification of CEDAW, to enhance the equal role of women in society, in particular, in political, economic, social and cultural life, including sports....	5
Iceland	Iceland... respectfully makes the following recommendations: on gender equality we recommend that Iran ratifies CEDAW and repeal all laws that permit gender discrimination	4
Indonesia	Notwithstanding with efforts made, we believe that further progress still can be pursued. In the spirit of constructive dialogue we would like to offer some recommendations. First to continue efforts to strengthen the legal framework, including by realizing its commitment to ratify CEDAW and CAT	5
Latvia	In addition, we would like to make the following recommendations to the Islamic Republic of Iranensure equal treatment of women in law and practice in line with the relevant recommendations of the human rights committee. Ratify core international human rights conventions, in particular CAT and CEDAW...	4
NigerWe encourage Iran to pursue its efforts to promote and protect human rights and strengthen cooperation with United Nations human rights mechanisms. We recommend ratifying the conventions to which it is not yet a party...	4
Paraguay	...we would urge Iran to ratify other international human rights instruments too.. Promoting human rights for all and putting an end to violence and discrimination of women ought to be priorities. We trust that the government of Iran will work to eliminate, in law and in practice, all forms of discrimination against women	4

Peru	...Peru respectfully recommends the following... that the country consider ratification or accession to CEDAW, ICRMW, CAT and ICPED...	4
Poland	Poland encourages Iran to engage further into meaningful dialogue with international human rights mechanisms. In order to advance the human rights situation and respond to the concerns raised by the international community. We are also concerned with...unequal and discriminatory treatment of women. We recommend to ensure respect in law and in practice of the freedom of religion and belief and we recommend to ratify CEDAW	4
Sierra Leone	...Other achievements include actions of the protection of children and women and families and the passing of new laws. However, Sierra Leone believes that Iran should further advance human rights and fundamental freedoms... Consider ratifying CEDAW, CAT, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW), ICCPR-OP2 and the International Convention for the Protection of All Persons from Enforced Disappearance	4
Thailand	Step up its efforts to ensure equal treatment of women and girls, particularly by ratifying the Convention to Eliminate All Forms of Discrimination against Women	5
The former Yugoslav Republic of Macedonia	...The authorities are filled with violence against women and girls which remains endemic....Ratify CEDAW and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment	4
Uruguay	When it comes to international human rights instruments Uruguay respectfully recommends that Iran ratify the Convention on the Elimination of All Forms of Discrimination against Women....Uruguay also respectfully recommends the following, that efforts be stepped up to ensure that women and girls are treated in the same way as men and boys, that national legislation	4

	be amended when it discriminates on the grounds of gender, religion, political views and sexual orientation...	
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Source: Human Rights Council (2014), UN Web TV (2014).

Table 3. Coding of arguments made by human rights treaty bodies and Secretary General

Actor	Statement	Coding argument (1=prevention of bodily harm, 2=precedents in decision-making, 3=international cooperation as a fundamental element to resolving social problems, 4=isolated statement, 5=other)
Secretary-General (2010)	The Secretary-General welcomes the recent ratification by the Islamic Republic of Iran of the Convention on the Rights of Persons with Disabilities, and calls on the Government to also ratify other international human rights treaties, in particular the Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and to withdraw the reservations it has made upon signing and ratifying various human rights treaties, as recommended by the respective treaty bodies. The Secretary-General also welcomes the Government's submission of its long-outstanding periodic reports under the human rights treaties, in particular to the Human Rights Committee and the Committee on Economic, Social and Cultural Rights	4

Secretary-General (2011)	The Secretary-General welcomes the recent signing of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, and calls upon the Government to ratify other international human rights treaties, in particular the Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, which remains pending. He also urges the Islamic Republic of Iran to withdraw the reservations it made upon the signature and ratification of various human rights treaties, as recommended by the respective treaty bodies.	4
Secretary-General (2012)	The Secretary-General welcomes the recent efforts made by the Islamic Republic of Iran to report to human rights treaty bodies. He encourages the country to implement the concluding observations of the Human Rights Committee. The Secretary-General calls upon the Government to ratify the Convention on the Elimination of All Forms of Discrimination against Women and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.	4
Secretary-General (2013)	Engage with the United Nations in capacity-building to address core human rights challenges, including issues relating to gender inequality, and accede to the Convention on the Elimination of All Forms	4

	of Discrimination against Women and the protocols thereto	
Secretary-General (2014)	The Secretary-General welcomes the engagement of the Islamic Republic of Iran with United Nations human rights treaty bodies, and urges the country to follow up on the concluding observations of all treaty bodies, and to ratify the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention for the Protection of All Persons from Enforced Disappearance, and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.	4
Secretary-General (2015)	The Secretary-General welcomes the Government's engagement with the human rights treaty bodies and urges it to follow up on the concluding observations of all treaty bodies and to ratify the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture, the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty, the International Convention for the Protection of All Persons from Enforced Disappearance and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.	4

Committee on the Elimination of Racial Discrimination	Bearing in mind the indivisibility of all human rights, the Committee encourages the State party to consider ratifying those international human rights treaties that it has not yet ratified, in particular treaties whose provisions have a direct bearing on the subject of racial discrimination, such as the Convention on the Elimination of All Forms of Discrimination against Women, and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	4
Committee on Economic, Social and Cultural Rights	The Committee encourages the State party to sign and ratify the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, and the International Convention for the Protection of All Persons from Enforced Disappearance, and withdraw its reservation to the Convention on the Rights of Persons with Disabilities.	4

Source: Secretary-General (2010; 2011; 2012; 2013; 2014; 2015), Committee on Economic, Social and Cultural Rights (2013), Committee on the Elimination of Racial Discrimination (2010).