UPR between ideal of universality, reality of 'reciprocal fault-finding'

Hossein Sharifi Tarazkouhi

Among various international mechanisms, Dr. Hossein Sharifi Tarazkouhi, university professor and human rights researcher, selected the Universal Periodic Review (UPR) mechanism of the Human Rights Council as a case study for examining existing tensions. He first emphasized the unparalleled authority of the Universal Declaration of Human Rights, even for states that have not acceded to the principal covenants, and demonstrated how its principles function as a stable framework underlying the development of more specific rules, such as regulations concerning artificial intelligence.

He then analyzed the UPR and enumerated its strengths and weaknesses. The principal strength of the UPR, from his perspective, is the "relative reduction of political selectivity" and the inclusion of all 193 United Nations member states. This procedure, in theory, could prevent the monopolization of criticism against particular countries. However, Tarazkouhi, with realism, warned that this arena is not entirely devoid of political games. The UPR can be transformed into a stage for "diplomatic action and reaction" and even "reciprocal fault-finding" among states. He cited Iran's Ministry of Foreign Affairs report on human rights violations in the United States as an example of such action within the UPR framework. This analysis demonstrated that even when an international mechanism enjoys a relatively more equitable design, its implementation, within the context of inter-state power relations, can divert it from its original objectives.

Paradigmatic crisis, future challenges

If the first part of the University of Tehran symposium was oriented toward critiquing the status quo and presenting corrective solutions within the system, the second part entered a broader, future-oriented, and at times radical domain. In this section, the current crisis was interpreted not as a temporary disruption, but as an indication of a perilous paradigm shift in the logic governing international relations. Simultaneously, the greatest future challenge, artificial intelligence, occupied the focal point of attention, and ultimately, through a multidimensional and transdisciplinary gaze, the possibility of rethinking the conceptual foundations of the human rights system was explored.

Roxana Niknami (R), assistant professor of regional studies and the panel moderator, addresses the audience at the International Human Rights Day Symposium at University of Tehran on December 10, 2025, as esteemed panelists listen.
● *IRAN DAILY*

Descent from 'law-centered' ideal to 'power-centered' reality

Saeed Khatibzadeh

The address by Dr. Saeed Khatibzadeh, deputy minister for Research at the Ministry of Foreign Affairs and president of the Institute for Political and International Studies of the Ministry, constituted one of the most pivotal macro-analyses presented at this symposium. He commenced his remarks with a striking sentence: "We are living history." In his belief, we are witnessing fundamental and rapid transformations in the international arena that previously were encountered only in history books: shifts in the geography of power, centers of knowledge, and definitions of power.

The core of Khatibzadeh's analysis, however, was the delineation of a regressive trajectory for the international order. He summarized this trajectory in three stages:
1. Law-based Order: this elevated ideal emerged after two world wars and was embodied in the United Nations Charter. In this order, war was the exception and peace the rule, and law constituted the framework constraining power.
2. Rule-based Order Defined by Powers: after the collapse of the strategic rival, the Soviet Union, the hegemonic power gradually distanced itself from the discourse of "law" and moved toward "rules" that it defined and imposed. These rules were not necessarily identical with universal international law.
3. Peace through Force: the current condition in which even those fabricated rules are abandoned. The concrete manifestation of this condition, from Khatibzadeh's perspective, is the "systematic, naked, and brazen violation of international law." To substantiate this claim, he referred to the following instances: the massacre of tens of thousands of civilians in Gaza without a deterrent international response (absolute impunity); the symbolic shredding of the United Nations Charter in the General Assembly by an Israeli diplomat; attacks on safeguarded nuclear facilities; and the assassination of commanders outside the battlefield. The alarming point, in his view, was that in the past, violators attempted to justify their actions, whereas today even this "shame and fear" has dissipated.

Twelve windows for comprehending a living system

In contrast to Khatibzadeh's historical-political analysis, Dr. Mohammad Reza Ziaei Bigdeli, retired professor of International Law at Shahid Beheshti University, with a holistic, philosophical, and transdisciplinary gaze, sought to examine the "international human rights system" itself as a complex phenomenon. He emphasized that for comprehending this system, the mere study of legal rules is insufficient, and that it must be viewed from multiple perspectives: history, philosophy (with emphasis on humanism), culture, religion, sociology, politics, diplomacy, and economics.

He then presented his analytical framework in the form of 12 questions or axes that, like 12 windows, illuminated various dimensions of this system:
1. Philosophical foundations and the influence of humanist philosophers.
2. Elevated values embodied therein, such as justice, inherent dignity, and peace.
3. The hierarchy of rights (or, the distinction of non-derogable fundamental rights, such as the right to life).
4. Positive rights versus negative rights, such as the right to life versus the prohibition of torture.
5. Generations of human rights, from the recognized first and second generations to the fourth generation (technology-related rights) and the fifth generation (intergenerational rights).
6. The interconnectedness of rights and their relationship with international humanitarian and criminal law.
7. Novel instances, such as the right to truth, the right to be forgotten, and the right to digital privacy.
8. The distinction between "human rights" (right-centered) and "international human rights law" (rule-centered).
9. The nature of obligations (peremptory, universal, customary) and the phenomenon of "normative inflation".
10. The enjoyment of human rights by legal persons (transnational corporations and NGOs).
11. The manifestation of human rights in all branches of international law (or, the humanization of the discipline).
12. Future challenges, from politicization and weak enforcement to the neglect of non-Western traditions.

Mohammad Reza Ziaei Bigdeli

This multidimensional perspective would transform human rights from a rigid collection of regulations into a living, dynamic phenomenon rooted in human lived experience, continuously evolving and confronting new challenges.

Power and human rights
A persistent tension in int'l system

By Roxana Niknami
Assistant professor of regional studies at UT

**O P I N I O N
E X C L U S I V E**

The relationship between power and human rights in the international system is the story of a tension that has persisted from the very inception of the global order (dating back to World War II) to the present. In 1948, the Universal Declaration of Human Rights was drafted with an elevated ideal: the creation of an order in which the inherent dignity of the human being would be respected beyond borders and political powers. Yet reality has demonstrated that human rights have always been shaped and implemented in the shadow of power.

At the structural level, the international system is founded upon the principle of state sovereignty. This principle, itself a product of the Peace of Westphalia, grants states exclusive authority over their territories and populations. This is precisely the point at which tension begins: how can the human rights of a country's citizens be defended when the very state that is obligated to protect those rights is itself their violator?

In practice, power affects human rights in three forms. First, hard military and economic power, which determines which human rights violations elicit an international response and which are ignored. The genocides in Rwanda and Bosnia, when comparing the differing reactions of the international community to other genocides, constitute salient examples of this selectivity. Second, soft cultural power, which shapes the universal definition of human rights. The debate between universalism and cultural relativism is, in reality, a debate about who possesses the power to define these rights. Third, institutional power, which is embodied in the structure of the United Nations Security Council and the veto right of the five great powers. Nevertheless, this narrative constitutes only half of reality. Human rights are themselves a form of power; normative power that can alter state behavior, mobilize social movements, and define political legitimacy. The growth of international courts, supervisory mechanisms, and the activities of non-governmental organizations all indicate the institutionalization of this normative power.

The principal challenge of today's international system is the creation of equilibrium between these two types of power. On the one hand, political power realities cannot be ignored; on the other hand, human rights must not be permitted to become merely an instrument in the hands of great powers for advancing their own interests. The solution lies in strengthening multilateral organizations, increasing the participation of global civil society, and most importantly, creating genuine state commitment to the universal principles of human rights.

Ultimately, the relationship between power and human rights is not a binary, zero-sum relationship, but a dynamic dialectic that shapes the future of the international system.

Double-edged blade of AI

Ghasem Zamani

Dr. Ghasem Zamani, professor of International Law at the Faculty of Law and Political Science of Allameh Tabataba'i University, devoted his address to one of the greatest challenges confronting human rights in the 21st century: artificial intelligence (AI). He unequivocally described this phenomenon as a "double-edged blade" and elaborated upon both of its facets.
1. The opportunity-generating facet: enhancement of work capacity and global communications, empowerment of marginalized individuals and groups, increased effectiveness and reduced cost of public services (education and health), and the realization of "intelligent justice" through the reduction of bureaucratic processes.
2. The threat-generating facet: this portion of Zamani's remarks was more admonitory:
• **Unprecedented violation of privacy:** the collection and processing of personal data on a scale previously impossible.
• **Reinforcement and institutionalization of discrimination:** unconscious, or conscious, algorithms can reproduce and intensify existing biases.
• **Destruction of employment and intensification of inequality:** automatization of occupations on a massive scale.
• **Threats to cybersecurity and democracy:** through deepfake technologies that can compromise the authenticity of information and electoral processes.
• **A profound digital divide:** Zamani emphasized, with statistics, that 80% of investment in artificial intelligence is monopolized by three countries, the United States, China, and the United Kingdom, while approximately one-third of the world's population lacks access to the internet. This inequality transforms artificial intelligence into an instrument for intensifying the North-South divide.

Containing normative inflation, returning to a single minimal treaty

The most audacious and radical proposal for exiting the structural human rights crisis was presented by Dr. Amir Saed Vakil, assistant professor of International Law at the Faculty of Law and Political Science of the University of Tehran. His analysis commenced with an explicit warning: "What you are about to hear may be unsettling for some unconditional devotees of the prevailing human rights discourse."
He described the crisis in terms of "two parallel worlds":
• **The digital world:** an arena with compounded threats to privacy, individual autonomy, and security.
• **The real world:** in which human rights have become a "globalizing project", yet in practice, we witness increasing catastrophes. The transitional period from a unipolar to a multipolar order is also accompanied by instability.
The principal causes of inefficacy, from Vakil's perspective, were two phenomena:
• Normative inflation, or the accumulation of hundreds of documents, treaties, resolutions, and new rights, sometimes designed for states with strong organizations.
• The deep chasm between "law in the books" and "law in action".
Under such conditions, many active yet low-impact supervisory organizations are likened to "zombies" that function ostensibly but exert minimal real influence. Vakil's radical solution was this: cessation of recognizing endless new rights

Amir Saed Vakil

and movement toward "a single international treaty". This treaty must be coherent, codified, binding, and simultaneously limited to the "essential and fundamental obligations enshrined in the Universal Declaration of Human Rights."