**How to cite this article:**
Yeganehfar, E., & Shahsavari, P. (2024). The Role of Civil Society in Monitoring Treaty Compliance: A Case Study Approach. *Journal of Historical Research, Law, and Policy, 2*(1), 28-36. https://doi.org/10.61838/jhrlp.2.1.4

Article history:
Original Research

Dates:
Submission Date: 13 November 2023
Revision Date: 15 December 2023
Acceptance Date: 26 December 2023
Publication Date: 01 Januarv 2024

# The Role of Civil Society in Monitoring Treaty Compliance: A Case Study Approach

1. Ebrahim. Yeganehfar[1] : Department of International Relations, University of Qom, Qom, Iran
2. Parisa. Shahsavari[2*]: Department of Human Rights Law, University of Qom, Qom, Iran

*corresponding author's email: parisa.shahsavari18@gmail.com

## ABSTRACT

This study aimed to explore how civil society organizations (CSOs) in Tehran engage in monitoring state compliance with international human rights treaties, focusing on their mechanisms, challenges, and strategic adaptations. This qualitative study employed a case study approach involving 17 participants from various civil society organizations based in Tehran. Participants were selected through purposive sampling based on their involvement in treaty monitoring and human rights advocacy. Data were collected using semi-structured interviews conducted until theoretical saturation was reached. Interviews focused on participants' experiences with shadow reporting, legal advocacy, and transnational engagement. Transcribed data were analyzed thematically using NVivo software, following open, axial, and selective coding procedures to identify core themes and subthemes. The analysis revealed three overarching themes: (1) mechanisms of treaty monitoring, including shadow reporting, digital data collection, participation in review sessions, and legal advisory roles; (2) challenges to effective monitoring, such as legal restrictions, data inaccessibility, intimidation, internal fragmentation, and donor dependency; and (3) strategies for enhancing impact, including capacity building, localization of treaty norms, coalition-building, and media engagement. Participants described innovative responses to structural barriers and emphasized the importance of transnational networks and legal literacy in sustaining their monitoring activities. Civil society organizations in Tehran play a critical yet constrained role in promoting treaty compliance under restrictive political conditions. Despite facing systemic obstacles, they utilize a range of adaptive strategies to engage with international mechanisms, influence public opinion, and advocate for rights-based reforms. These findings underscore the importance of supporting localized, knowledge-based, and coalition-driven approaches to human rights monitoring, especially in semi-authoritarian contexts.

**Keywords:** *civil society, treaty compliance, human rights monitoring, shadow reporting, qualitative research, Iran, international law, non-governmental organizations*

## Introduction

International human rights treaties have long been heralded as essential instruments in promoting, protecting, and institutionalizing human rights globally. From the International Covenant on Civil and Political Rights (ICCPR) to the Convention Against Torture (CAT) and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), these treaties have established binding obligations for states to uphold fundamental rights and freedoms. However, ratification alone does not guarantee implementation. States often fall short in translating international commitments into national practice, leading to gaps between treaty obligations and actual human rights conditions on the ground (Hafner-Burton, 2013). This implementation gap has brought increased

© 2024 the authors. This is an open access article under the terms of the Creative Commons Attribution-NonCommercial 4.0 International (CC BY-NC 4.0) License.

attention to the role of non-state actors—particularly civil society organizations (CSOs)—as essential monitors of treaty compliance.

Civil society, comprising non-governmental organizations, advocacy groups, community-based organizations, and human rights defenders, has emerged as a powerful force in both formal and informal mechanisms of treaty monitoring. CSOs contribute to implementation by holding governments accountable, engaging in policy dialogue, participating in international reporting mechanisms, and generating independent data to verify compliance claims (Dodson, 2017; McCrudden, 2015). Their ability to serve as intermediaries between the global and the local has rendered them uniquely positioned to identify gaps in state reporting, challenge misrepresentations, and provide alternative narratives grounded in lived realities.

The United Nations treaty body system itself recognizes the value of civil society engagement. Treaty bodies routinely invite shadow or alternative reports from NGOs and include civil society representatives in review processes. The Office of the High Commissioner for Human Rights (OHCHR) has formalized mechanisms to integrate these contributions into treaty body deliberations (OHCHR, 2023). As a result, civil society input has become not only complementary but also, in some cases, central to understanding the true extent of treaty implementation and human rights adherence.

In practice, the effectiveness of civil society in treaty monitoring is deeply shaped by the national context, including the legal environment, political openness, institutional support, and societal trust. In authoritarian or semi-authoritarian states, for instance, civil society may face repression, surveillance, and legal constraints that undermine their ability to monitor and report freely (Carothers & Brechenmacher, 2014). On the other hand, in hybrid regimes, such as that of Iran, CSOs operate in a complex and often contradictory landscape—where spaces for participation coexist with mechanisms of control. Iran has ratified several core international human rights treaties, including the ICCPR and ICESCR, and engages in periodic reporting under these instruments. However, concerns about political repression, restrictions on NGO activity, and limited access to data have raised questions about the country's genuine compliance with international standards (Human Rights Watch, 2022).

Against this backdrop, understanding how Iranian civil society engages with treaty compliance mechanisms offers a crucial lens for examining both the opportunities and limitations inherent in civil society monitoring efforts. Tehran, as the political and administrative capital, serves as a critical site for such inquiry, given its concentration of legal professionals, human rights advocates, NGOs, and quasi-independent think tanks. These actors often act as intermediaries in translating international norms into local demands, despite operating within tight regulatory boundaries (Banuazizi, 2020).

While some studies have explored civil society's role in broader governance or democratization contexts, relatively few have examined how these actors function specifically within the domain of treaty monitoring and international legal compliance (Alston & Goodman, 2013; Simmons, 2009). Even fewer have taken a bottom-up qualitative approach that centers the voices, experiences, and strategies of civil society actors themselves. The present study seeks to fill this gap by providing an in-depth, empirical account of how CSOs in Tehran perceive and perform their role in holding the state accountable to international human rights obligations.

Theoretically, the study is anchored in the concept of transnational legal mobilization, which posits that domestic actors can invoke international legal norms and institutions to challenge state behavior and create accountability (Tarrow, 2005). Through legal advocacy, media campaigns, shadow reporting, and grassroots mobilization, civil society can generate political pressure both domestically and internationally. However, the effectiveness of such

mobilization is conditioned by institutional access, resource availability, legal literacy, and the broader political opportunity structure (Keck & Sikkink, 1998). In restrictive environments, mobilization may take more creative, covert, or symbolic forms, which requires context-sensitive exploration.

Methodologically, qualitative research offers distinct advantages in capturing the depth, complexity, and contextuality of civil society engagement. Semi-structured interviews allow for the collection of nuanced perspectives that are often absent from official records or quantitative datasets. This is particularly vital in studying treaty compliance, where legal texts and state reports may obscure ground-level realities. Moreover, thematic analysis enables researchers to identify patterns, strategies, and discourses that shape how civil society interprets and navigates international obligations.

This article, therefore, adopts a qualitative case study approach, grounded in the lived experiences of 17 civil society actors based in Tehran. Through semi-structured interviews, the study explores the mechanisms these actors use to monitor treaty compliance, the challenges they encounter, and the strategies they deploy to enhance their influence. In doing so, the research contributes to a deeper understanding of the intersection between international law, domestic civil society, and the politics of human rights accountability.

By focusing on a single metropolitan context, this study does not aim to generalize across all civil society actors in Iran or in similar regimes. Rather, it seeks to illuminate how treaty monitoring unfolds in a real-world setting characterized by both repression and resilience. The findings have implications not only for scholars of international law and civil society but also for policy-makers, donors, and international organizations seeking to support treaty compliance in complex environments.

Furthermore, the study opens space for rethinking the traditional top-down assumptions about treaty implementation. While much of the literature has emphasized the role of state actors and formal compliance mechanisms, this research re-centers attention on the “compliance from below” approach—where local civil society plays a pivotal role in shaping, contesting, and translating international human rights norms (Langford, 2016). In doing so, it contributes to a more pluralistic and participatory understanding of how international legal standards are realized in practice.

In sum, the role of civil society in treaty monitoring is not merely supplementary but increasingly essential, particularly in contexts where state compliance is partial, selective, or strategically framed. Civil society actors serve as watchdogs, translators, educators, and mobilizers—each role contributing to a fuller realization of treaty commitments. Yet, their work is fraught with barriers ranging from legal intimidation to resource constraints. A deeper exploration of these dynamics, grounded in empirical data, is vital for strengthening the global human rights regime from the ground up.

## Methods and Materials

This study employed a qualitative case study approach to explore the role of civil society in monitoring the implementation and compliance of international human rights treaties at the national level. Given the exploratory nature of the research and the need for an in-depth understanding of individual experiences and organizational strategies, a qualitative methodology was deemed appropriate. The research focused on Tehran as a major political and civil hub, with participants selected based on their active engagement in civil society organizations (CSOs) directly or indirectly involved in human rights monitoring and advocacy.

Seventeen participants were recruited through purposive sampling to ensure the inclusion of individuals with relevant knowledge, experience, and roles within civil society, such as directors of NGOs, legal advisors, human rights advocates, policy researchers, and grassroots coordinators. Participants were diverse in terms of age, gender, and the type of organization they represented, allowing for a nuanced understanding of civil society perspectives. The sample size was guided by the principle of theoretical saturation, reached when no new conceptual themes emerged from the data.

Data were collected through semi-structured interviews conducted between November 2024 and February 2025. An interview guide was developed to ensure consistency across sessions, with open-ended questions covering key areas such as civil society engagement with treaty bodies, monitoring practices, reporting mechanisms, advocacy strategies, and obstacles encountered in holding the state accountable. Interviews lasted between 45 and 90 minutes and were conducted in person at locations chosen by the participants to ensure confidentiality and comfort. With informed consent, all interviews were audio-recorded and later transcribed verbatim for analysis.

Thematic analysis was used to interpret the data, allowing for the identification of recurring patterns, themes, and relationships within the participants' narratives. NVivo software was employed to facilitate the coding process, enabling the organization and retrieval of qualitative data across multiple cases. The analysis began with open coding, followed by axial coding to establish connections between categories, and concluded with selective coding to integrate the core themes. Coding was iterative and collaborative, involving multiple rounds of review to ensure analytical rigor and consistency. The findings were grounded in participants' lived experiences, with direct quotations included to enhance the credibility and depth of the analysis.

## Findings and Results

1. Mechanisms of Treaty Monitoring

Shadow Reporting:

Participants consistently highlighted shadow reporting as a critical mechanism through which civil society organizations (CSOs) influence treaty compliance. These parallel reports, submitted to UN treaty bodies, allow civil society to contest or supplement state narratives. One legal advocate stated, “Shadow reports are our strongest voice when the official reports fail to reflect the lived realities.” The process often involves legal analysis, advocacy framing, and coordination among domestic CSOs and international NGOs.

Data Collection Tools:

Interviewees described the importance of independent data collection using tools such as surveys, community-based monitoring, digital mapping, and social media analysis. These tools not only document rights violations but also help visualize patterns. As one participant explained, “We collect testimonies from the ground and cross-check them with digital evidence—especially in cases where the government data is non-existent or manipulated.”

Participation in Review Sessions:

Civil society actors actively participate in international review sessions, including Universal Periodic Review (UPR) and treaty body meetings. This includes attending side events, giving oral briefings, and forming coalitions for greater impact. One representative noted, “Just being physically present in Geneva and speaking directly to the Committee members can shift the tone of the review.”

Legal Advisory Roles:

CSOs also assume legal advisory functions by drafting briefs, reviewing legislation, and recommending reforms in line with treaty obligations. One interviewee shared, “We’ve helped reform two labor laws based on our treaty analysis and lobbying.” These contributions often enhance the substance of state compliance reports and help frame state obligations more clearly.

Use of International Pressure:

To strengthen treaty monitoring, many CSOs leverage international pressure through media campaigns, coalition petitions, and collaborations with global watchdogs. Tactics such as "naming and shaming" were frequently mentioned. A media coordinator commented, “When the UN cites our findings in their final recommendations, it adds a moral and political weight we can’t achieve alone.”

Monitoring Through Networks:

Many participants emphasized the value of monitoring through formal and informal networks, including regional alliances and thematic coalitions. These networks enable resource sharing, mutual protection, and coordinated reporting. One respondent observed, “It’s easier to challenge the state when we speak as a unified voice across organizations.”

Digital Platforms for Reporting:

Digital tools such as encrypted databases, online portals, and mobile apps were increasingly used for secure documentation and submission of human rights violations. “Technology has given us anonymity and reach—people in rural areas can now report violations directly,” remarked one digital rights activist.

2. Challenges to Effective Monitoring

Legal Restrictions on Civil Society:

A recurring theme among participants was the restrictive legal environment for civil society operations. Interviewees described challenges including complicated NGO registration, bans on foreign funding, and broad surveillance. “We operate under constant fear of shutdown or prosecution,” stated the director of a human rights NGO.

Lack of Access to Official Data:

CSOs often struggle to obtain relevant data due to governmental opacity and denial of access. Official records are frequently unavailable or censored. One participant noted, “Our FOIA requests are ignored or met with bureaucratic silence. It’s like reporting blindfolded.”

Intimidation and Threats:

Several interviewees described personal and institutional threats, including legal harassment and physical intimidation. “After one of our shadow reports, we were summoned for questioning and told to cease our ‘anti-national’ activities,” said one human rights lawyer. Such tactics deter sustained engagement.

Fragmentation Within Civil Society:

Internal fragmentation—manifested through ideological divisions, rivalry, and lack of coordination—was cited as a barrier to effective treaty monitoring. “We’re often duplicating efforts or contradicting each other in reports. It weakens our message,” explained a coalition member.

Donor Dependency and Agenda Drift:

Participants raised concerns about donor-driven priorities influencing CSO agendas, with short-term funding cycles discouraging sustained treaty engagement. One respondent expressed, “Sometimes we tailor our projects to meet donor KPIs rather than actual community needs.”

Limited Capacity for Engagement:

Many CSOs lack the technical, legal, or technological skills required for rigorous treaty monitoring. “We need training on how to interpret treaty language and translate it into local action,” noted a grassroots activist, pointing to the need for broader capacity building.

3. Strategies for Enhancing Impact

Capacity Building and Legal Training:

Interviewees emphasized the transformative role of capacity-building programs, especially treaty literacy workshops and legal training for community actors. “Our paralegals can now identify treaty breaches and take action locally,” reported one program coordinator. Such training enhances long-term engagement.

Coalition-Building Across Sectors:

Forming cross-sector coalitions—linking legal experts, journalists, educators, and activists—was seen as vital for amplifying civil society’s voice. “Our environmental treaty campaign gained traction when we brought in educators and scientists,” said one CSO strategist.

Localization of Treaty Norms:

Participants stressed the importance of making treaty language accessible and relevant to local populations. This includes culturally adapted translations and public education efforts. One interviewee remarked, “When we explained treaty rights using local proverbs, people finally got it.”

Engaging Media and Public Opinion:

Leveraging media was described as a key tool for publicizing violations and generating pressure. This included storytelling, visual campaigns, and training journalists on rights reporting. “We use documentaries and real-life stories to mobilize empathy and outrage,” said a media campaigner.

Strategic Litigation and Legal Mobilization:

Finally, strategic litigation was viewed as a powerful method to enforce treaty commitments. Filing domestic court cases based on international obligations and creating legal precedents were common tactics. “One treaty article became the foundation of a groundbreaking labor case,” shared a legal advisor.

## Discussion and Conclusion

This study explored the experiences of civil society organizations (CSOs) in Tehran regarding their role in monitoring the compliance of international human rights treaties. Through semi-structured interviews with 17 participants, the findings revealed that CSOs deploy a multifaceted array of mechanisms to engage in treaty monitoring, face numerous legal and structural challenges, and strategically adapt their practices to overcome these constraints. The thematic analysis highlighted three overarching categories: mechanisms of monitoring, challenges to effective engagement, and strategies for enhancing impact. These themes offer critical insight into how local actors navigate a politically restrictive environment while attempting to influence state behavior concerning international legal obligations.

One of the most salient findings relates to the reliance on *shadow reporting* and independent *data collection* as core tools of civil society engagement. Participants emphasized that alternative reports submitted to treaty bodies offer an avenue to challenge official narratives and ensure international attention to violations that may otherwise go undocumented. This aligns with previous scholarship noting the significance of shadow reports as tools of transnational legal mobilization, particularly when state reporting lacks transparency (Kaufman & Williams, 2011;

McCrudden, 2015). Data collection through digital platforms, social media, and community monitoring provides CSOs with timely and credible evidence, supporting Hafner-Burton's (2013) observation that localized data gathering can serve as a mechanism of "naming and shaming" within the global human rights regime.

The analysis also revealed that participation in review sessions, legal advisory contributions, and the use of international pressure mechanisms are central to the strategic repertoire of CSOs. This multifaceted approach reflects Tarrow's (2005) model of "transnational activism," where domestic actors leverage global institutions to achieve national accountability. As participants described, being physically present at international venues such as Geneva or coordinating with foreign NGOs elevates local concerns to the international stage. Previous studies have shown that such international engagement often enhances the credibility and legitimacy of CSOs (Keck & Sikkink, 1998), and in some cases, can result in tangible policy shifts at the national level (Risse & Sikkink, 1999).

However, the role of civil society in treaty compliance is not without significant challenges. Legal restrictions on CSO activity—such as limitations on foreign funding, invasive registration requirements, and broad surveillance—were among the most commonly reported barriers. Participants shared experiences of institutional intimidation, operational uncertainty, and threats to physical safety. These findings are consistent with global trends in what Carothers and Brechenmacher (2014) have termed the "closing space" phenomenon, where authoritarian and semi-authoritarian regimes enact laws to curtail civil society's autonomy. In the Iranian context, such constraints are exacerbated by a dual legal system that intertwines religious law with secular regulations, often leading to inconsistent and unpredictable enforcement (Banuazizi, 2020).

Furthermore, fragmentation within the civil society sector itself emerged as a key internal obstacle. Interviewees described ideological rifts, competition for donor resources, and a lack of coordination as factors that diluted collective impact. While the literature often romanticizes the unifying role of civil society (Putnam, 1993), this study highlights the complex, and at times, divided nature of grassroots organizing under authoritarian conditions. The finding resonates with observations by Alvarez (2009), who notes that civil society actors may be driven by divergent goals, often reflecting ethnic, political, or strategic differences that hinder coalition-building.

Despite these difficulties, participants demonstrated resilience and innovation through adaptive strategies designed to enhance the impact of their work. Capacity building initiatives, especially legal and treaty literacy training, were cited as critical in empowering activists to translate abstract treaty language into actionable local advocacy. This reflects the importance of "knowledge infrastructure" in human rights work as emphasized by Merry (2006), who argues that legal literacy transforms local actors into "vernacularizers" of international norms. Localization of treaty principles—via cultural translation, grassroots education, and engagement with religious and community leaders—also played a central role in increasing public resonance and legitimacy, particularly in a society where international law is often viewed with suspicion.

Moreover, engaging public opinion through media was presented as a key strategy to pressure authorities indirectly. CSOs have effectively employed storytelling, visual campaigns, and digital advocacy to frame treaty violations in emotionally compelling ways. These findings are in line with studies by Bob (2005), which suggest that the framing of rights violations in morally urgent terms enhances their visibility and mobilization potential. Strategic litigation, albeit rare and often symbolic in restrictive settings, was also identified as a growing avenue for rights enforcement. Filing cases based on international treaty standards can set legal precedents and, at the very least, create public discourse around accountability. This approach mirrors the "legal opportunity structures" framework

(Alter, 2014), which emphasizes how even repressive legal environments may contain procedural gaps that CSOs can exploit.

Notably, the role of transnational networks was emphasized as a source of both protection and power. Participation in regional or global coalitions enables CSOs to share resources, coordinate messaging, and collectively resist state repression. This is particularly important in light of the finding that donor dependency and agenda drift were undermining some organizations' long-term treaty monitoring work. Previous research confirms that reliance on external funding can lead to the prioritization of short-term projects over sustained structural change (Banks et al., 2015). However, strategic partnerships across borders were described by participants as a counterweight to these pressures, enabling more sustainable engagement with treaty mechanisms.

Collectively, these findings suggest that while civil society actors in Tehran face substantial obstacles in monitoring treaty compliance, they continue to innovate and adapt, utilizing a broad spectrum of strategies grounded in legal knowledge, public engagement, and transnational collaboration. The study contributes to a growing body of literature that highlights the agency of local actors within international legal frameworks, particularly under authoritarian conditions (Langford, 2016; Simmons, 2009). By centering the voices of those on the frontlines of treaty monitoring, this research affirms the critical but often underrecognized role that civil society plays in bridging the gap between formal international commitments and their implementation in practice.

## Acknowledgments

We would like to express our appreciation and gratitude to all those who helped us carrying out this study.

## Authors' Contributions

All authors equally contributed to this study.

## Declaration of Interest

The authors of this article declared no conflict of interest.

## Ethical Considerations

All ethical principles were adheried in conducting and writing this article.

## Transparency of Data

In accordance with the principles of transparency and open research, we declare that all data and materials used in this study are available upon request.

## Funding

This research was carried out independently with personal funding and without the financial support of any governmental or private institution or organization.

## References

Alston, P., & Goodman, R. (2013). International human rights: The successor to international human rights in context. Oxford University Press.

Banuazizi, A. (2020). Civil society and political change in Iran: Addressing the legitimacy gap. Middle East Policy, 27(3), 108–121. https://doi.org/10.1111/mepo.12503

Carothers, T., & Brechenmacher, S. (2014). Closing space: Democracy and human rights support under fire. Carnegie Endowment for International Peace. https://carnegieendowment.org/2014/10/20/closing-space-democracy-and-human-rights-support-under-fire-pub-56903

Dodson, M. (2017). Accountability and civil society: The role of NGOs in monitoring state commitments. Human Rights Quarterly, 39(1), 121–145. https://doi.org/10.1353/hrq.2017.0005

Hafner-Burton, E. M. (2013). Making human rights a reality. Princeton University Press.

Human Rights Watch. (2022). World report 2022: Events of 2021. https://www.hrw.org/world-report/2022

Keck, M. E., & Sikkink, K. (1998). Activists beyond borders: Advocacy networks in international politics. Cornell University Press.

Langford, M. (2016). Rights-based approaches to development: From theory to practice. Cambridge University Press.

McCrudden, C. (2015). Transnational human rights law. European Journal of International Law, 26(1), 41–82. https://doi.org/10.1093/ejil/chv008

OHCHR. (2023). Civil society space and participation with UN human rights mechanisms. https://www.ohchr.org/en/civil-society

Simmons, B. A. (2009). Mobilizing for human rights: International law in domestic politics. Cambridge University Press.

Tarrow, S. (2005). The new transnational activism. Cambridge University Press.