

Joe FitzPatrick MSP
Equalities, Human Rights and Civil Justice Committee
The Scottish Parliament
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17 October 2022

Dear Convener,

Universal Periodic Review of the United Kingdom: role of the Committee

On 10 November 2022 the UK will participate in the 4th cycle of Universal Periodic Review (UPR). The Commission urges the Committee to participate in the process through an evidence session exploring the Scottish human rights landscape considered and the opportunities for further human rights realisation and protection.

UPR is a mechanism of the United Nations Human Rights Council that entails a peer review between member states to assess the human rights situation in each country. UN member states report on how they are implementing human rights obligations set out in the UN Charter, the Universal Declaration of Human Rights and the international human rights treaties and voluntary commitments the state has accepted. States are reviewed every four to five years.

A report with recommendations made by other states to support further enhancement of the human rights situation in the UK will be adopted by the UN Working Group on UPR on 16 November.

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While the UPR is a peer-led process, stakeholders can submit information to support a robust, well-informed and useful analysis of the human rights situation in their country. The Commission published a report in March 2022 ahead of the UK review, and has worked over the past six months to highlight key areas where the international community can make recommendations to promote further compliance specifically relevant to Scotland. We also welcome the publication of the Scottish Government's position statement on 17 October, setting out the Scottish Government's approach to human rights implementation.

We will be encouraging the UK Government and Scottish Government to work together constructively to consider all recommendations before the UK formally responds to the UPR Report at the 52nd session of the Human Rights Council in March 2023.

The Scottish Parliament has a vital role to play in the accountability of Scottish Government for its human rights commitments and their implementation. The Equalities, Human Rights and Civil Justice Committee has a particular opportunity to maximise Scottish compliance with international human rights standards.

To this end, we strongly encourage the Committee to play an active role in supporting scrutiny of the Scottish Government's human rights record and commitments, and to support positive action in response to the UPR recommendations where Scotland has the competence to act.

The Committee's predecessor, the Equality and Human Rights Committee, took evidence on the Scottish Government's UPR response 18 January 2018, the first time a Parliamentary Committee considered Scottish Government action to fulfil its international human rights obligations. In its report ***Getting Rights Right: Human Rights and the Scottish Parliament, 2018***, the predecessor Committee strongly recommended that this exercise be repeated, a position we share.

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The Committee may also wish to explore hearing evidence from other stakeholders with an interest in the UPR to maximise its insight into the process and consider how Parliament can itself support further human rights protection.

I appreciate that the Committee has a broad remit and ambitious workload in this session. However, the UPR represents an invaluable opportunity to consider the human rights landscape in Scotland and engage directly with the international human rights system.

A copy of this letter has been shared with the Minister for Equalities and Older People.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Ian Duddy', with a long horizontal flourish extending to the right.

Ian Duddy
Chair