

Mike Freer MP, Parliamentary Undersecretary of State  
Ministry of Justice

cc:

Christina McKelvie MSP, Scottish Government Minister for Equalities  
and Older People

Joe Fitzpatrick MSP, Convenor, Scottish Parliament Equalities, Human  
Rights and Civil Justice Committee

Via email.

9 December 2022

Dear Minister Freer,

## **Universal Periodic Review: response to recommendations**

I write following your presentation of the UK state response at the Interactive Dialogue with the UN Human Rights Council on 10 November as part of the UK's current participation in the 4<sup>th</sup> cycle of Universal Periodic Review. As you will be aware, UN member states raised a wide array of issues, including areas of possible retrogression under international human rights law, including the UK Bill of Rights, violence against women, tackling workplace discrimination, structural racism and hate crime, environmental rights and the rights of LGBTI+ persons.

The Commission appreciates the opportunities for open dialogue that have been created by both the UK Ministry of Justice and the Scottish Government around the UPR process. We look forward to continue to

Bridgeside House, 99 McDonald Road, Edinburgh, EH7 4NS  
0131 297 5750

[hello@scottishhumanrights.com](mailto:hello@scottishhumanrights.com)  
[www.scottishhumanrights.com](http://www.scottishhumanrights.com)

work with both governments as responses to the 302 recommendations are being considered.

In that vein, the Commission encourages the UK Government to respond positively to as many of the recommendations as possible. While we recognise that the UK holds primary responsibility for the response to the UN and implementation of accepted recommendations, many fall within areas of devolved competence in Scotland. Where there is policy divergence between the two jurisdictions, or different institutional vehicles for delivery, we ask both governments to consider how this can be accurately recorded. The UK Government and the Scottish Government should work closely and collaboratively in developing a UK response in advance of the Human Rights Council session in March 2023.

Furthermore, we are urging the Scottish Government to continue to show its commitment to best practice and to consider how it might be possible to advance recommendations within the limits of powers and available resources. We warmly welcomed the Scottish Government's comprehensive and open position statement, published in advance of the Interactive Dialogue. While we have rightly outlined our concerns and areas where further progress is needed to fully realise rights in Scotland, the demonstrable effort to set out the scope of human rights activity provides a shared basis for collaboration between government, the National Human Rights Institutions and civil society.

The Scottish Human Rights Commission intends to support fully the UPR process through our own analysis of the recommendations and the Scottish policy context. We will continue to seek opportunities to highlight avenues for progress through our discussions with you and ministerial colleagues, through direct support for officials where available and through our relationships with the Scottish parliament and civil society, who have important roles in scrutinising implementation.

Bridgeside House, 99 McDonald Road, Edinburgh, EH7 4NS  
0131 297 5750

[hello@scottishhumanrights.com](mailto:hello@scottishhumanrights.com)  
[www.scottishhumanrights.com](http://www.scottishhumanrights.com)

A copy of this letter has been shared with Christina McKelvie, the Scottish Government Minister responsible for human rights, and the Scottish Parliament's Equalities, Human Rights and Civil Justice (EHRCJ) Committee. The Commission continues to call for the EHRCJ Committee and Scottish Parliament to play an active role in monitoring Scotland's human rights record.

Yours sincerely,

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

Ian Duddy  
**Chair of Commission**

Bridgeside House, 99 McDonald Road, Edinburgh, EH7 4NS  
0131 297 5750

[hello@scottishhumanrights.com](mailto:hello@scottishhumanrights.com)  
[www.scottishhumanrights.com](http://www.scottishhumanrights.com)

Bridgeside House, 99 McDonald Road, Edinburgh, EH7 4NS

0131 297 5750

[hello@scottishhumanrights.com](mailto:hello@scottishhumanrights.com)

[www.scottishhumanrights.com](http://www.scottishhumanrights.com)