

# HUMAN RIGHTS MONITORING MECHANISMS: EXPLORING HOW THE LEGITIMACY AND AUTHORITY OF THE UNIVERSAL PERIODIC REVIEW IMPACT WOMEN'S RIGHTS ON THE GROUND

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**Research Question:** The Universal Periodic Review (UPR) is a unique peer-review mechanism created by the Human Rights Council to assess the human rights situation in all 193 UN member states. Peer reviews are soft governance instruments: they do not offer rewards for good performance or sanctions for noncompliance. Despite norms and conventions in International Law, we have witnessed (and continue to witness) human rights violations across the globe. Some scholars in the field question the UPR's potential to bring about genuine reform. Therefore, my research question is - to what extent does the UPR have the perceived authority and legitimacy to generate reform concerning human rights at the domestic level?

**Purpose:** The main goal of my research is to explore the impact that the Universal Periodic Review has on fostering (or hindering) human rights improvements on the ground.

**Method:** The research is in its early stages. The researcher intends to use a mixed methods approach, with qualitative (mostly) and quantitative methods. Case study selection will be the main qualitative approach (focusing on Latin America), with online surveys and elite and expert semi-structured interviews conducted alongside secondary sources research. The theoretical approaches include Global Governance Theory, Theories of Compliance, Legitimacy, and Authority.

**Results:** There are no findings/results yet as the research is still in its early stages.

**Organization:** The research seeks to shed light on the opportunities and challenges brought about by the Universal Periodic Review. With the findings, I hope that further research can be performed so we can have a better understanding of the effectiveness of the UPR and particularly its peer-review nature and non-binding recommendations. Ultimately, I aspire for the dissemination of collective results to lead to change (if and when needed) in the way the UPR is structured, coordinated, and executed.

**Society:** In the context of our ever-changing and globalized world, the safeguarding of human rights has become increasingly important in the realms of international affairs, international law, and cross-cutting policymaking at home and abroad. Despite a wide array of international treaties available to guarantee the safeguarding of human rights, there are still widespread violations of these rights – at times, at the hands of governments and those who are mandated to protect the victims. The findings of this research will provide a better appreciation of whether the UPR is being effective in advancing human rights protection (and prevention).

**Originality:** The first cycle of the UPR occurred between 2008-2012, and the third (and latest) took place from 2017 until 2022. This mechanism is relatively new, having been created in 2006 and put into action in 2008. While there are scholarly works that have covered the UPR, few focus on how the perceived legitimacy and authority of the UPR fosters or hinders its function on the ground. More interestingly, there is very limited research on the impact that it has had in the Latin American region, not only in terms of perception but in actually improving the human rights situation through effective and long-lasting policymaking, legislation, and strategies. The UPR and its role in the region continue to be an understudied topic, which makes the research all the more current and relevant.

**Limitations / further research:** Some limitations of the research may include a lack of access to certain key actors or stakeholders involved in the UPR process (due to their positions and busy agendas), as well as the sample size. While the final number of people to be interviewed is yet to be confirmed, a limited sample may not be enough to generalize a “widespread” perception. However, it can inspire other researchers to work on similar research questions and methods, and disseminate the results.

**Keywords:** universal periodic review, human rights, legitimacy, authority, compliance.

## ABOUT THE AUTHOR

Daniela Ibañez is a Ph.D. student in the International and Security Studies Program at Corvinus University of Budapest. She holds a Master’s degree in International Relations and Diplomacy from Corvinus University. She has been working in the field of international education for seven years, currently working remotely as Coordinator of International Partnerships at Universidad Casa Grande in her home country, Ecuador. Her research interests include human rights protection, gender studies, and populism in Latin America.