

## Minutes

*Side event "Envisioning the UN Guiding Principles for Local government and Human Rights: Learning from Human Rights cities"*

---

### **Introduction and presentations**

**Magali Fricaudet**, coordinator of the [UCLG Committee on Social Inclusion, Participatory Democracy and Human Rights](#), welcomes participants as moderator of the session. Today is a great day for those who have been working on human rights cities since the nineties: the Human Rights Council is starting to discuss local government role in protecting and guaranteeing human rights. This side-event has been co-organised with INFID, ADN and the Raoul Wallenberg Institute to bring the voice of cities and territories for human rights to the Council, as well as to contribute to a forthcoming, eventual United Nations Guiding Principles for Human Rights cities. We will continue this work in an expert meeting during the next World Human Rights Cities Forum of Gwangju.

### **An advance in the recognition of human rights cities**

#### **Opening remarks by states' delegates**

**Mr. Michael Tene**, Deputy Permanent Representative of the Permanent Mission of the Republic of Indonesia, opens the session highlighting how human rights programmes have been extended all over his country:

- In the framework of a national regulatory law, 248 local agencies develop action plans and monitoring mechanisms altogether in order to bring forward the human rights and local development agenda.
- The localization of human rights in Indonesia also relies on National legislation establishing a framework for Human Rights-Friendly Cities and monitoring mechanisms to assess their performance in the light of human rights.
- In Indonesia, a strong collaboration between local governments and civil society also enables the establishment of strong monitoring mechanisms.
- Mr. Tene also notes how several incentives are useful in bringing forward the localisation of human rights: the annual celebration of human rights day, education programmes, promoting gender equality or efforts in fulfilling the right to adequate housing.
- The regency of Wonosobo is among the leading human rights-friendly cities.
- One of Indonesia's main priorities is to work for the human rights of migrant workers in the framework of the International Convention on the Protection of the Rights of Migrants Workers. At the local level, there is a special work to protect migrant workers' rights with all stakeholders.

**Mr. Walter Schuldt**, expert at the Permanent Mission of Ecuador, links the localization of human rights with other global agendas, such as the 2030 agenda or the New Urban Agenda (Habitat III). Strengthening the role of local administrations should thus be complementary to states responsibilities, aiming towards the creation of an adequate enabling environment for human rights localization. He raises an open question whether if local governments have to fulfil human rights gaps left by states.

- Mr. Schuldt calls for further recognition of social and ecological rights, specifically calling for the recognition of the social and ecological function of land.
- Mr. Schuldt notes how Ecuador has brought forward the human rights approach in the framework of Habitat III negotiations, based on the recognition of the Right to the City in its constitution. Ecuador's Government [took the initiative in the HRC Resolution 33/8](#) to enshrine the human rights-based approach of sustainable urban development laid by 2016's New Urban Agenda.

## **Towards UN Guiding Principles on Human Rights Cities**

### ***The vision of the Council's Advisory Committee***

**Mrs. Katharina Pabel**, member of the UN Human Rights Council Advisory Committee, points out to the main elements of the 2015 Report on the [Role of Local government in the promotion and the protection of Human Rights](#). She notes how this report sets the ground for recognising the need for major cooperation between stakeholders in order to fulfil human rights from the local level. Mrs. Pabel recalls several recommendations:

- To acknowledge civil society role in making human rights effective at the level of cities and territories.
- To establish a better coordination in the Universal Periodic Review by including local governments in the monitoring mechanism
- To improve communications between the local level and the global one.
- To develop human rights guiding principles and roadmaps for local administrations, advancing in the development of concrete strategies.
- To recognize the key role of adequate finances to fulfil human rights and to enhance democratic participation at the level of cities.

## **The voice and experience of human rights cities**

### ***Local governments bring their proposals to the table***

**Mauricio Valiente**, Madrid Deputy Mayor on Human Rights and Historical Memory and President of the Madrid City Assembly, brings to the session the vision of cities committed to protect, guarantee and fulfil human rights. Madrid works so that citizens become rights holders instead of policy recipients. Human Rights are not only rhetoric, but a clear responsibility that encompasses us all as public administrations.

- Mr. Valiente emphasises the need for public administrations to coordinate their strategies instead of competing to advance the human rights agenda together.
- Mr. Valiente recalls how advancing the human rights agenda necessarily leads to the creation of cities and stakeholders networks.
- Two conditions are still necessary so that local government can better protect, guarantee and fulfil human rights: 1) local democracy and autonomy; 2) decentralisation with enough competences and means.
- Mr. Valiente mentions the case of migrants and asylum seekers as an example of how cities are at the forefront in guaranteeing human rights universality. Border control is in the hands of states, but the social needs of migrants and asylum seekers are especially solved at the level of cities and territories. Local governments thus protect and fulfil their human rights without the necessary resources or the capacity to take part in policy solutions at the state level.
- The city of Madrid has developed its [Strategic Plan](#) to better protect and guarantee human rights by first checking what are the city responsibilities in terms of human rights according to international treaties. The role of civil society participation has been essential to develop and monitor this plan.

- It must be noted that the Plan still meets several challenges in its development: 1) the lack of a “Rights culture” in policy-making and local administration; 2) the difficulties to cross-cut the work of different areas when establishing priorities; 3) to effectively bring forward an intersectional approach to better tackle discriminations; 4) having more resources to fulfil the Right to Housing.

**David Payot**, Lausanne’s Councillor on Children, Youth and Neighbourhoods, welcomes the session, arguing that human rights are a global agenda that especially takes sense when localised. Cities and territories feel the need for human rights in their own local realities, thus they can give concrete solution on the matter.

- Mr. Payot shares the work of his City Council to work on social cohesion and democratic participation through its 1998 Sustainable Development Plan.
- One of its high-level priorities is to enhance direct democratic participation. In this regard, Mr. Payot notes how working with children and youth can contribute to migrants’ inclusion in terms of democratic participation.
- This plan is also focused on enhancing the levels of inclusion and participation of people with disabilities and handicaps.
- Another priority for the city council is social housing. In this regard, Mr. Payot notes that human rights have not only to be protected or guaranteed, but also fulfilled. Given that private investment controls the major part of the housing market, Mr. Payot states that local administrations should engage in protecting the common good.
- Lausanne works to ensure the right to housing through diverse mechanisms: 1) subsidies and negotiating housing prices with property developers; 2) establishing control mechanisms over private sector when negotiating the use of city ground and new rights to build properties; 3) promoting public housing units (up to 7000 public housing units); 4) creating a non-profit real estate agency tackling homeless people specific needs (more than 400 apartments for homeless people)
- Mr. Payot concludes by stating that an active political engagement at the local level can make the right to housing effective.

## Human Rights, democracy and outreach

### ***The voice of civil society and human rights advocates***

**Mugiyanto**, representing [INFID – International NGO Forum on Indonesian Development](#) and [ADN21 – Asia Democracy Network](#), recalls the direct relationship between human rights and democracy, sharing the strong commitment by Indonesian authorities at all levels to bring forward this agenda.

- As previously noted, a national regulatory framework to guide the establishment of human rights friendly cities has been developed by Indonesian authorities.
- Mugiyanto shares Indonesia cities priority areas in regards to human rights: woman, children, disabilities, migrant workers and governance.
- He also raises the question on how to establish efficient accountability mechanisms, recalling the need to count on a multi-stakeholder network thanks to a strong collaboration between local and central authorities and civil society.
- Mugiyanto specifically mentions the need for business accountability mechanisms to monitor human rights commitments by private companies.
- The case of Wonosobo as a human rights friendly district is again mentioned as a positive case of mainstreaming human rights in local administration.

**Morten Kjærum**, head of the [Raoul Wallenberg Institute of Human Rights and Humanitarian Law](#), considers Local government and human rights as one of the most exciting agendas to be explored in the forthcoming years. Mr. Kjærum describes the work of his organisation between research and

outreach, with a wide representation all over the world. The RWI is also launching a platform with the Swedish Association of Municipalities and Regions where to share successful human rights localization policies.

- Mr. Kjærum recalls the need to embrace a bottom-up approach on human rights, raising awareness both between rights holders and duty bearers.
- Political advocacy efforts to bring forward the human rights agenda in local governments may result in a trickle-down effect. In this regard, the links between local officers and local research institutes effectively contributes to advance the position of human rights in local administrations, as the experience of European cities such as Graz, Vienna, Lund or Utrecht has proved.
- Local governments, sates Mr. Kjærum, play a crucial role in mainstreaming human rights: they are service and local infrastructure providers, they employ a wide variety of workers and they are at the centre of local democracy.
- Mr. Kjærum believes that human rights are a great window of opportunity to engage people and regain their trust. In this regard, oftentimes we talk about respect, protect and fulfil human rights but we should also make an effort in engaging people and local leaders.
- This momentum should be focused on tackling corruption effectively, which alongside populism and authoritarianism is one of the most worrying threats to conviviality and democracy. Nowadays, we have the possibility to take advantage of human rights to rebuild welfare states, turning citizens into right-holders and developing more inclusive approaches in policymaking to tackle exclusion.
- Mr. Kjærum believes there is a need for human rights guiding principles and renewed outreach policies, given that there is a general lack of knowledge in this regard. Guiding principles might also be useful in order to provide a shared vision, something to live up to, as well as to improve policy outputs.

### ***Final remarks by the audience***

In the final remarks, a representative of the Permanent Mission of the Republic of Korea to the Human Rights Council recalls the need to establish effective guiding principles for local governments in terms of human rights. It is important, however, to accurately define its timing and roadmap. The Republic of Korea is bringing forward this agenda both at the global level as well as in its national framework.

A representative from Indonesia questions the actual enforcement capacity of local leaders in regards to human rights, given that states still have a major role to play in terms of human rights.

An officer of the Council's Advisory Committee stresses the need to advance in the recognition of small cities and rural areas in the agenda of human rights cities, given that they have specific needs in these terms; and asks the specific ways by which the conclusions of this event will be delivered among the audience.