



UCLG Committee
on Social Inclusion,
Participatory Democracy
and Human Rights

Commission Inclusion
Sociale, Démocratie
Participative et Droits
Humains de CGLU

Comisión de Inclusión
Social, Democracia
Participativa y Derechos
Humanos de CGLU

**UCLG "STATEMENT" ON THE REPORT OF THE UNITED NATIONS HUMAN RIGHTS COUNCIL ADVISORY COMMITTEE ON
"The role of local governments in the promotion and protection of human rights"**

**30th Session of the United Nations Human Rights Council,
22 September 2015, Palais des Nations, Geneva**

As a global organization representing local governments, UCLG welcomes the final version of the report on "*The role of local governments in the promotion and protection of human rights*" prepared by the United Nations Human Rights Council Advisory Committee, with the support of the UCLG Committee on Social Inclusion, Participatory Democracy and Human Rights, among others.

The adoption of this report by the United Nations Human Rights Council marks an important step forward in the recognition of the central role of local authorities in the **promotion, protection and concrete implementation of human rights** (para. 24).

UCLG endorses the main conclusions and recommendations of this report:

- **Political, fiscal and administrative decentralization** is essential for the implementation of democracy and human rights at local level (para. 10, paras. 27-28).
- **States and local authorities have a shared responsibility in the implementation of human rights.** Although international law recognizes national governments as being primarily responsible for the execution of treaties on the protection of human rights, this also concerns local authorities, as devolved and decentralized bodies of the State. Local authorities are therefore bound by States' international obligations on human rights (para. 16).

Further, it is often local authorities that translate these rights into concrete actions. **States must therefore facilitate local authorities' task to implement these rights**, particularly by establishing procedures and mechanisms for the control and monitoring of the respect for human rights at the local level, as well as by involving local authorities more systematically in the **development of national strategies and policies on human rights** (paras. 15-20).

- **Local authorities must possess the competencies and necessary means, particularly financial means, to fulfil their obligations on human rights**, notably economic, social and cultural rights (para. 19).
- **Local authorities are closest to citizens and address their daily needs. They are therefore key actors at the forefront of the implementation of human rights of their inhabitants, particularly in the areas of education, housing, health, the environment and law enforcement.** In addition, local authorities are key actors in preventing discrimination and acting when faced with discrimination against minorities, vulnerable groups and foreigners. (paras. 23, para. 26). **Local authorities therefore have an interest in integrating a favourable approach to rights in local public action** to strengthen the citizenship of inhabitants and to address human rights violations through measures to encourage citizen participation; for example by conducting audits on public action based on rights, tackling local issues from a rights perspective, and ensuring compatibility between public policies and treaties to protect human rights, shaping the administration's approach to rights (para. 27).
- Further, **local authorities have an important role to play in education and training linked to rights, in order to create a local awareness on human rights** among their inhabitants, elected officials and within the administration responsible for the respect of rights (para. 25).
- **Despite the political, economic and financial constraints that local authorities face in guaranteeing human rights** (lack of autonomy and difficulty of maintaining links with other levels of government, decline of public resources and impact of structural changes on local policies, difficulty in establishing local and independent mechanisms for the enforcement of citizens' rights, local authorities' lack of awareness about their obligations on human rights, lack of collaboration with civil society, etc.) **many local authorities were able to put in place mechanisms to protect human rights at local levels, which can be established as models** (paras. 28-34, paras. 52-66).
- By facilitating the joint initiative of local governments, giving them a voice and global representation, **UCLG** has contributed significantly to **defining a global normative framework for human rights** through the adoption of the [Global Charter-Agenda for Human Rights in the City](#) (para. 46).
- The [European Charter for the Safeguarding of Human Rights in the City](#) (2000 Saint-Denis, France) and the [Gwangju Guiding Principles for a Human Rights City](#) (Gwangju, South Korea), promoted by the Committee on Social Inclusion, Participatory Democracy and Human Rights, are recognized as key tools in the promotion of human rights at the local level (para. 35, paras. 39-41, para. 46).
- The **right to the city** is the equitable use of cities within the framework of the principles of sustainability, democracy and social justice. It is interdependent of other civil, political, economic, social, cultural and environmental rights defined by the treaties. Tools have been developed for its implementation, including

[Brazil's City Statue](#) (2001), the [World Charter for the Right to the City](#) (2005) and the [Mexico City Charter for the Right to the City](#) (2010) (para. 43).

- **The right of cities** assumes the administrative, political and economic rights of local authorities vis-à-vis national and federal authorities and the role of local authorities in dealing with international and multilateral institutions (para. 45, page 13)
- **The partnership between local authorities and civil society** is crucial to planning and implementing the promotion and protection of human rights at the local level (paras. 48-51).
- Global networks of cities like **UCLG** can play a key role in developing **guides**, promoting **research** and **mutual learning processes**, as well as by creating **communities of action on human rights** (para. 69).
- **UN mechanisms for monitoring the implementation of human rights should enter into dialogue with local authorities.** In addition, States are invited to involve local authorities in the preparation of periodic universal reports for monitoring the implementation of treaties on human rights (para. 72).
- Given that **corruption has a negative impact on the exercise of human rights** and that the promotion of rights cannot be effective if it is not accompanied by an effective strategy to fight corruption, UCLG is ready to participate in the definition of specific measures to ensure transparency and local democracy.

In light of these recommendations and conclusions:

UCLG encourages Member States of the UN Human Rights Council to continue their work to promote and monitor the implementation of human rights at the local level, in permanent dialogue with local authorities and the organizations and networks that represent them.

UCLG invites the Council to promote the policies of decentralization and local institutional capacity building among its Member States as well as within the United Nations, given that the text recognizes that greater decentralization would be beneficial to the local implementation of the human rights.

Given that the localization of human rights is an issue that has taken on a very important dimension since the late 1990s as a result of increased global urbanization, **UCLG is at the disposal of the Human Rights Council** to continue widening and promoting the role of local governments in the implementation of human rights.

UCLG invites the Member States of the UN Human Rights Council to promote the Global Charter-Agenda for Human Rights in the City alongside local governments and civil society and to use this charter as a reference for the implementation and monitoring of local public policies and to establish independent mechanisms for monitoring the implementation of human rights at the local level.

UCLG invites Member States of the UN Human Rights Council and UN-Habitat to integrate the recommendations of this report, in particular on the right to the city, into the definition of the Habitat New Global Agenda at the Habitat III Summit in Quito in 2016, in order to build fair and sustainable human settlements that are

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based on solidarity, where the exercise of rights is a responsibility shared by States, local authorities and citizens.

UCLG commits to disseminating the report among its network of members and partner organizations and to support them in the implementation of the recommendations established in this report.

UCLG recalls the movement of local governments for fair and sustainable cities based on solidarity that emerged during the First World Summit of Local Governments for the Right to the City (Plaine Commune, December 2012) and during the International Seminar of Local Governments for the Right to the City (Mexico City, April 2015). The [Statements of Saint-Denis](#) and [Mexico](#) are important contributions to the Habitat Global Agenda.

UCLG reaffirms its commitment to strengthen existing partnerships with civil society organizations and further develop collaboration between municipal authorities and all stakeholders at local level.