



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” TO THE UNITED NATIONS HUMAN RIGHTS COUNCIL ON

“The role of local governments in the promotion and protection of human rights”

Intersessional Panel discussion

4 September 2017, Palais des Nations, Geneva

As the global organization representing local governments, United Cities and Local Governments (UCLG) welcomes the Council’s follow-up to the work that has been ongoing since 2013 on *“The role of local governments in the promotion and protection of human rights”*, a Report in which we contributed and monitored in the light of our experience.

We believe that the adoption of this report and the organization of this Panel mark an important step forward in the recognition of the central role of local governments **in the promotion, protection and coordination in the defence of human rights.**

As local governments, **we would like to reaffirm our will, determination and expertise** to realize Human Rights, hand by hand with civil society, as an **essential part of local democracy** in order to lay the foundations **for a peaceful and socially just society.**

In the same line, we are convinced that the recent adoption of the **Sustainable Development Goals (SDGs) and the New World Urban Agenda** will complement and strengthen human rights, and we thus commit to their achievement.

Despite the political and economic constraints that local authorities face in guaranteeing human rights, such as the lack of local autonomy or diminished public resources, we highlight how **many local authorities have been able to put in place mechanisms to protect human rights.**

Many cities have adopted local charters and action plans, which have made it possible to incorporate human rights on a cross-cutting basis into all pillars of municipal action, realizing internationally recognized human rights **in the everyday lives of their inhabitants.** These include the [Charter of Rights and Responsibilities of Montreal](#), the [Mexico City Charter for the Right to the City](#), the [Barcelona City of Rights Programme](#) or [the Strategic Plan for Human Rights of Madrid](#).

In collaboration with civil society, local governments have also adopted **mechanisms for monitoring and local enforcement**, such as the Human Rights Committee and Ombudsmen of the cities of Mexico and Seoul; mechanisms for the **promotion of and training** in human rights for citizens, as implemented in Utrecht or Bogotá, **and for local authorities and police forces**, in Barcelona; or mechanisms to **strengthen migrants’ access to rights**, as demonstrated by the *Sanctuary city network* in North America.

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Throughout this time, **the UCLG network** has contributed significantly to **defining a global normative framework for human rights**, by facilitating the joint initiative of local governments, giving them a voice and global representation through the adoption of the [European Charter for the Safeguarding of Human Rights in the City](#), the [Global Charter-Agenda for Human Rights in the City](#) and the [Gwangju Guiding Principles for a Human Rights City](#).

It is in the light of this experience that **we invite the Council to take these charters and actions into consideration as valuable foundations for the realization of Human Rights at the local level** and promote, with us, the **Global Charter-Agenda for Human Rights in the City**.

We would like to remind the Council, in line with the recommendations of the [Report of the Human Rights Council Advisory Committee](#) (A/HRC/30/49), that the following are necessary conditions for Local Governments to play our role in ensuring, protecting and promoting human rights.

- **Political, fiscal and administrative decentralization** is essential for the respect of democracy and human rights at local level (para. 10; paras 27-28).
- **States must facilitate local authorities' task to implement these human rights** (paras. 15-20).
- In accordance with Article 2 of the International Covenant on Economic, Social and Cultural Rights, which obliges States to **have the maximum of their available resources at their disposal with a view to achieving human rights progressively**, local authorities must have the **competencies and necessary means – particularly financial means – to fulfil their obligations on human rights** and, specifically, economic, social and cultural rights (para. 19). This requires **mechanisms for the transfer of resources from the national level; fair and transparent taxation with citizen participation** to ensure a fair **distribution of wealth** at the global, national and local levels; and **access to multilateral funds for local governments** to strengthen rights at the local level.
- **Integrating a favourable approach to rights in local public action must be promoted and encouraged** in order 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).
- **Local authorities** need to be supported **in order for them to carry out rights education and training to create a local awareness of human rights** (para. 25).
- **The partnership between local authorities and civil society** is crucial to planning and implementing strategies for the promotion and protection of human rights at the local level (paras. 48-51).
- Global networks of cities like **UCLG** play a key role in developing **guides**, promoting **research** and **mutual learning processes**, as well as in **creating communities of action on human rights** (para. 69). It is therefore necessary to support their work and establish institutional cooperation with UCLG on human rights.

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- **UN mechanisms for the monitoring and implementation of human rights should enter into dialogue with local authorities** (para. 72). Those mechanisms should be defined on the principles of efficiency, applicability and verifiability and enable a follow-up at state-level on the local situation of human rights.
- Given that **corruption has a negative impact on the exercise of human rights and that the promotion of transparency** cannot be effective if it is not accompanied by an effective strategy, UCLG is ready to participate in the definition of specific measures to ensure this work and protect the exercise of local democracy.

In light of these recommendations and conclusions:

UCLG recalls the important links between decentralisation, local democracy and human rights, and invites the Council to promote these links among its Member States, as well as within the United Nations

UCLG encourages Member States of the United Nations Human Rights Council to continue their work to promote, guarantee and coordinate the defence of human rights implementation at the local level, in permanent dialogue with local authorities and the organizations and networks that represent them, as well as with civil society.

UCLG invites the Council to promote decentralization policies and local institutional capacity-building with sound competences and financial means among its Member States, as well as within the United Nations

UCLG expresses its concern regarding the current widespread context of human rights violations at all levels. We reaffirm our commitment to the principles of indivisibility, interdependence and universality of human rights, as well as the respect of human rights and local democracy for local officials.

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 United Nations Human Rights Council to promote the Global Charter-Agenda for Human Rights in the City, so it serves as a reference point for implementing and monitoring human rights at the local level. It also states the need to establish independent, efficient and applicable mechanisms to monitor the situation of human rights at the local level.

UCLG invites the Council to recognize and promote **the right to the city**, as the right of all inhabitants, present and future, permanent and temporary, to use, occupy and produce just, inclusive and sustainable cities, defined as a common good essential to a full and decent life, recognising as in the European Charter for the Safeguarding of Human Rights in the City the *“city as a collective space belonging to all who live in it”*, allowing its inhabitants *“their own political, social and ecological development but at the same time accepting a commitment to solidarity”* (Part I, Art. 1)

UCLG commits to sharing the conclusions of this panel among its network of members and partner organizations, and to supporting them in the follow-up of the recommendations that arise from them.