

# Becoming a Human Rights City — Policy Brief

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# Becoming a Human Rights City — Policy Brief \*

## 1. Introduction

This Policy Brief is designed to provide the city of Turku with background information enabling it to assess whether it would benefit from becoming Finland's first human rights city. Turku has already strongly committed to sustainable development and made other human rights-related commitments, such as being a child-friendly city. This project aims to show what Turku would potentially stand to gain from additionally becoming a human rights city. It does so by analysing the examples of four European human rights cities, namely Lund (Sweden), Utrecht (the Netherlands), Vienna (Austria) and York (the UK). These cities have been chosen because they have approached the concept of human rights cities in slightly different ways, and therefore provide interesting insights into how the notion of a human rights city can be interpreted and realised.

The analysis is based on a review of literature and online materials on human rights cities, complemented by interviews with representatives of or experts closely involved with the selected cities. The study concludes with a summary and a set of recommendations on possible elements that Turku as well as other future human rights cities might want to adopt their own stand on.

### 1.1. The human rights city concept

The term human rights cities is generally used to denote cities that have committed to uphold international human rights standards in their policies and practice. There exists no formal definition nor any generally agreed criteria for human rights cities, enabling cities to adapt the concept to their local contexts. The very first human rights city was Rosario in Argentina (1997). By now, it has been estimated that there are some 100 such cities, some 10 of which are located in Europe.

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For cities contemplating becoming a human rights city, there are networks of human rights cities where local authorities and other stakeholders can exchange experiences. The World Forum for human rights cities adopted the Gwangju Declaration on Human Rights Cities in 2011.<sup>1</sup> To support cities in the European Union (EU), the EU Fundamental Rights Agency (FRA) has drafted a framework on human rights cities (FRA Framework) in 2020, followed by a Guide for local authorities on how to make human rights part of people's daily life.<sup>2</sup> The Framework was elaborated specifically for EU cities based on exchanges with human rights cities and local governments, practitioners, experts, civil society and European and international organisations, adding depth to its recommendations. It contains recommendations regarding the foundations, structures and tools to use in human rights cities. Additionally, the Council of Europe (CoE) and the United Nations (UN) have adopted several reports on local government and human rights.<sup>3</sup>

## **1.2. Do cities have human rights obligations?**

The traditional view in international law is that states are the main subjects of international law. Furthermore, the state is regarded as a single entity. Regardless of how it divides its administrative powers on a regional and local level, under general international law the state (as represented by the central government) is responsible for all acts of all its organs and agents.<sup>4</sup> This means that at the international level, the state is responsible for any human rights violations by local authorities, also in cases where such acts are contrary to national law, policies or procedures. According to this position, cities have international obligations only or primarily because they are to be considered organs of the state.<sup>5</sup>

In line with this thinking, the UN has pointed out that it is the central government, which has the primary responsibility for the promotion and protection of human rights. Meanwhile, local authorities are expected to comply with the international legal

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<sup>1</sup> 2011 World Human Rights Cities Forum, 16–17 May 2011, [Gwangju Declaration on Human Rights City](#).

<sup>2</sup> FRA, [Human rights cities in the EU: a Framework for reinforcing rights locally](#) (2021); FRA, [Human rights cities in the European Union — Practical guidance](#) (2022).

<sup>3</sup> Council of Europe, Congress of Local and Regional Authorities, [Human Rights at local and regional levels](#) and United Nations, Office of the High Commissioner for Human Rights, [Cities, local and regional governments and human rights](#), respectively.

<sup>4</sup> See Vienna Convention on the Law of Treaties, Art. 27.

<sup>5</sup> See Art. 4 of International Law Commission (ILC), Articles on the Responsibility of States for Internationally Wrongful Acts.

obligations of their state within the scope of their mandate and in accordance with national law.<sup>6</sup> However, in terms of non-binding instruments this view is becoming dated in some thematic areas. For example, the New Urban Agenda recognises that local authorities are responsible for protecting, respecting, fulfilling, and promoting the human rights of the inhabitants.<sup>7</sup> Furthermore, local authorities increasingly abide by non-binding international standards on good governance for cities.<sup>8</sup> A growing number of cities have issued declarations of commitment to international conventions, and some have participated in the drafting of non-binding international standards. However, cities cannot formally be held accountable at the international level if they fail to implement international human rights standards, including when they have committed to standards beyond those binding on the state. It will depend on national legislation if cities carry responsibility towards their own state for violation of human rights law that binds the state.<sup>9</sup>

In practice, local employees of cities and municipalities are in charge of a wide range of human rights issues in their daily work, but they rarely regard their work as being concerned with human rights. For this reason, human rights remain distant as a frame of reference or analysis in most policies and practical work at the local level.<sup>10</sup> This is so notwithstanding the fact that in numerous instances, different states have been found in breach of international human rights instruments due to the action of municipal authorities. These cases have concerned local decisions on issues such as transport of schoolchildren, enforcement of local noise regulation, urban waste disposal, or provision of basic infrastructure such as drinking water and sanitation for the inhabitants, all of which have had profound effects on the lives of the inhabitants.

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<sup>6</sup> Human Rights Council, [\*Role of local government in the promotion and protection of human rights – Final report of the Human Rights Council Advisory Committee\*](#), UN Doc. A/HRC/30/49 (2015), para. 21.

<sup>7</sup> The New Urban Agenda was adopted at the United Nations Conference on Housing and Sustainable Urban Development (Habitat III) in Quito, Ecuador, on 20 October 2016. It was endorsed by the UN General Assembly by Resolution 71/256 on 23 December 2016.

<sup>8</sup> Aust, Helmut, 'Cities as International Legal Authorities — Remarks on Recent Developments and Possible Future Trends of Research', *Journal of Comparative Urban Law and Policy* 4(1) (2020), 82–88, 85.

<sup>9</sup> This issue is further discussed in Grans, Lisa, *Applying International Human Rights Law at the Local Level: Implications for Cities* (forthcoming).

<sup>10</sup> Human Rights Council, *Role of local government in the promotion and protection of human rights* (2015), para. 26.

## **2. Human Rights Based Approach (HRBA) as a Method of Integrating Human Rights into Local Policies and Practices**

### **2.1. What is a human rights based approach?**

How then should human rights cities and municipalities go about integrating human rights into their policies and practices? The main method of doing this in a systematic way is by applying a human rights based approach (HRBA). This is also what the FRA Framework recommends.

The HRBA was originally developed in the framework of the UN to integrate human rights into development policies and programming and is widely used today also outside the development context, both nationally and internationally. The UN defines HRBA as ‘a conceptual framework for the process of human development that is normatively based on international human rights standards and operationally directed to promoting and protecting human rights’.<sup>11</sup> Under a HRBA, plans, policies and processes are anchored in a system of rights and corresponding obligations established by international law. This rights basis is combined with efforts to develop the capacities of duty-bearers (authorities) to meet their obligations and of rights-holders (inhabitants) to claim their rights. A particular focus is put on vulnerable and marginalised groups and on implementing cross-cutting human rights principles. A HRBA builds on the key principles of equality and non-discrimination, participation, accountability and transparency, but may cover other relevant principles as well. It is a useful tool not only for integrating and mainstreaming fundamental and human rights into policies and practice, but also for monitoring and assessing their implementation.

The benefits of a HRBA include its potential to address structural concerns, to enhance sustainability and continuity, and to empower people, especially vulnerable groups and individuals. It offers a systematic approach to observing human rights principles and can contribute to coherence between different frameworks that relate to same goals, for example Sustainable Development Goals (SDGs) and human rights.

### **2.2. Applying a HRBA in human rights cities**

One of the advantages of a HRBA is that it is a flexible and context-specific method and as such adaptable to most fundamental and human rights contexts. The FRA Framework suggests a HRBA that includes the key elements of the UN approach combined with

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<sup>11</sup> United Nations Sustainable Development Group (UNSDG), [Human Rights-Based Approach](#).

‘promotion of diversity, respect and a sense of belonging for everybody in the communities’.<sup>12</sup>

Among the existing human rights cities in Europe, Barcelona is noteworthy due to expressly including a HRBA as one of the four concepts on which its human rights city model is based.<sup>13</sup> It aims to mainstream human rights into its policies, plans, programmes and services and has developed specific HRBA indicators and methodological tools for this purpose. Out of the four cities analysed in this policy brief, all except Utrecht make references to a HRBA in their official documents and public materials. Vienna’s HRBA comprises the principles of equality and non-discrimination, participation, accountability, and transparency. Lund refers to a HRBA as one of the benefits of being a human rights city but has not yet defined the elements included in its approach.<sup>14</sup> Utrecht makes no express references to a HRBA, but in practice it places a strong emphasis on participation as a central element of cultivating a human rights culture. York implements a HRBA in the framework of the York Human Rights City Network, but its use by the city of York is not yet very developed.

Adapting and developing further the UN Agencies’ Common Understanding on the HRBA,<sup>15</sup> this study suggests that a HRBA for a Finnish city attempting to become a human rights city could include the following elements as a first step:

- a) The city tries to ensure that no municipal policies harm human and fundamental rights.
- b) The human rights principles of equality, non-discrimination and participation are mainstreamed into key municipal policies and strategies, including the processes of drafting these policies.
- c) Particular attention is paid to vulnerable groups, simultaneously bearing in mind that human rights belong to everyone.
- d) The city arranges basic human rights training for key city officials and makes information on fundamental and human rights easily accessible to all municipal inhabitants.

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<sup>12</sup> FRA, [Human rights cities in the EU: a Framework for reinforcing rights locally](#) (2021), 25.

<sup>13</sup> Barcelona City Council (2018), [City of human rights: the Barcelona model, Methodology guide](#).

<sup>14</sup> Lunds kommun, [LUND - a Human Rights City](#).

<sup>15</sup> UNSDG, [The Human Rights Based Approach to Development Cooperation Towards a Common Understanding Among UN Agencies](#), September 2003.

At the very minimum a HRBA may consist of applying a selected set of human rights principles, such as equality and participation. From a HRBA perspective, it is important to ensure that not only the policies but also the processes apply human rights principles. This also relates to the development of a city's own HRBA.

### **3. Selected European Human Rights Cities and Their Chosen Approaches**

The cities selected for this study are Lund, Vienna, Utrecht and York. The selected cities will be analysed in respect of five different dimensions: 1. existence of an official commitment to become a human rights city; 2. processes to become a human rights city; 3. human rights as legal standards versus human rights as values; 4. human rights structures and resources; and 5. human rights mainstreaming versus sectoral approach. These dimensions have been chosen to demonstrate the key issues on which cities contemplating becoming a human rights city have had to make a choice.

#### **3.1. Existence of official commitment to become a human rights city**

While there currently exists no accreditation process to become a human rights city or any list of criteria that need to be met, a formal declaration by a city to commit to upholding international human rights standards and legal obligations has been identified as an integral part of becoming a human rights city.<sup>16</sup> However, the absence of a formal declaration does not mean that a city may not be committed to promoting and ensuring human rights in its actions and policies. For example, the Swedish city of Gothenburg has acknowledged that human rights permeate all areas of society. It has undertaken extensive human rights work and developed various plans in order to ensure that the city meets international human rights obligations, even though it has not formally declared itself a human rights city.<sup>17</sup> Conversely, a mere declaration is no guarantee that human rights are duly considered in city policies. The cities selected for this study have chosen different manners of committing to becoming a human rights city.

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<sup>16</sup> FRA, [Human rights cities in the European Union — Practical guidance](#) (2022), 21.

<sup>17</sup> [A collection of plans by the city of Gothenburg on its development for the better realisation of human rights](#), available at the homepages of the city.

In **Lund**, a decision of the Municipal Council confirmed in 2018 that the municipality will initiate a systematic manner of working with human rights, making Lund the first human rights city in Sweden.<sup>18</sup>

Of the cities studied, **Vienna's** model as a human rights city is most similar to the one set out in the FRA Framework, including a formal declaration in December 2014 entitled 'Vienna — City of Human Rights'.<sup>19</sup>

By contrast, while **Utrecht** was referred to as the first human rights city of the Netherlands by the UN High Commissioner for Human Rights in 2012, the City of Utrecht did not initially make any such formal declaration. Only several years later, an explicit reference to being a human rights city was made in the City Council's Coalition agreement,<sup>20</sup> noting that the city 'wants to take the next steps as a human rights city'.<sup>21</sup>

In 2017, the **York** City Council declared York the UK's first human rights city with the consensus of all the four major political parties in the city.<sup>22</sup> However, in 2021 it found itself in a major disagreement with the local community and civil society after it had passed an executive decision limiting the accessibility of persons with disabilities to the city centre.<sup>23</sup> Nonetheless, civil society continues to support York as a human rights city since it finds that 'the declaration ... marked an intent and an important point on a journey, not a final destination'.<sup>24</sup>

### 3.2. Processes to become a human rights city

The processes to become a human rights city vary considerably. The idea may emerge from within the city (politicians or the administration), as a natural continuation to work already done, for example by child rights cities or on equality and non-discrimination. In other cases, the initiative may come from the outside and the process can be facilitated by for example academia or non-governmental organizations (NGOs). From a human

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<sup>18</sup> Lunds kommun, [Lunds kommun blir Sveriges första stad för mänskliga rättigheter](#), 30.8.2018.

<sup>19</sup> [Declaration: Vienna — City of Human Rights](#), December 2014.

<sup>20</sup> Sakkers, Hans and Bagchi, Barnita, *Social Dreaming between the Local and the Global – The Human Rights Coalition in Utrecht as an Urban Utopia* (2020), 97.

<sup>21</sup> Interview with Hans Sakkers, Head of department of European and International Affairs, City of Utrecht, 9.11.2022.

<sup>22</sup> [York Human Rights City Declaration](#).

<sup>23</sup> [York Human Rights City Network, YHRCN Statement on Blue Badge Access Exclusion 2nd December 2021](#).

<sup>24</sup> [York Human Rights City Network Indicator Report for 2021](#), 5.



rights point of view, it is important that the process is as participatory and transparent as possible.

The instigation for **Vienna** to become a human rights city came from within the city administration, yet an essential part of the process was also a broad participatory consultation process arranged in collaboration with civil society, NGOs, academia and the national government.<sup>25</sup> Accordingly, it can be described to cover both ‘bottom-up’ and ‘top-down’ elements that ‘have successfully met somewhere in between’. The four key principles in Vienna’s approach as a human rights city are non-discrimination, accountability, transparency and participation.<sup>26</sup> A unique feature in the approach is that in addition to the city itself making a declaration to become a human rights city, it has also encouraged the districts within the city to do so in order to improve participation. It was considered that by bringing the commitments a level down in the local administration, they would reach the inhabitants better. The City of Vienna has set up criteria for the districts to gain the status of Human Rights Districts.<sup>27</sup> Currently, 15 out of a total of 23 of districts within Vienna have become such districts.

In **Lund**, the process to become a human rights city was initially conducted in a rather top-down manner and did not involve civil society actors or the inhabitants. However, civil society organisations have now been involved in the human rights work and certain services of the city have been outsourced to them. The Raoul Wallenberg Institute of Human Rights and Humanitarian Law (RWI) also played an important role in the process and has provided support and suggestions to the city of Lund. The RWI and the municipality of Lund have cooperated since 2016 with the purpose of developing a systematic working method to address human rights-related issues.<sup>28</sup> Lund has not focused on raising the visibility of the human rights city status, meaning all inhabitants do not yet necessarily know that Lund is a human rights city.<sup>29</sup>

**Utrecht’s** path to becoming a human rights city began in 2009 when the city at the request of FRA chose to participate in the project ‘Joined-up Governance for Fundamental Rights’. As part of this project, Utrecht reviewed ten of its city policies,

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<sup>25</sup> Asadi, Shams, ‘From Vienna Charter for Neighbourly Relations to Vienna as a City of Human Rights’, in Eva Garcia-Chueca and Lorenzo Vidal (eds.), *Advancing urban rights: Equality and diversity in the city* (2019), 79.

<sup>26</sup> Interview with Shams Asadi, Human Rights Coordinator, City of Vienna, 4.11.2022.

<sup>27</sup> The criteria include an approved declaration by the District Parliament, a youth parliament, environmentally friendly policies, equality and anti-discrimination policies, and work with stakeholders, civil society and NGOs.

<sup>28</sup> Interview with Ulrika Dagård, Strategist Social Sustainability and Human Rights, City of Lund, 26.8.2022.

<sup>29</sup> Ibid.

with focus on the compatibility of these policies with human rights.<sup>30</sup> However, from the start it has been central to Utrecht's approach that it places the inspirational character of human rights more at the centre than their legal character.<sup>31</sup> Accordingly, in 2010 it sought to actively engage civil society and set up the Utrecht Human Rights Coalition. The Coalition 'tries to bring bottom-up creativity and top-down guidelines together' and in this forum, the municipality has consciously taken 'a loose steering role ... shaped by a bottom-up approach'.<sup>32</sup>

The model in **York** as a human rights city is strongly based on the activism of civil society and as such, it has the most pronounced bottom-up approach of the four cities studied. The ambition to make York the first human rights city in the UK largely originates from the Centre for Applied Human Rights at the University of York whose founding director was, and continues to be, instrumental in the formation of and the ongoing work of the York Human Rights City Network. This network took the initiative for the City of York to declare itself a human rights city in 2017. York is known for its participatory monitoring programme, which was launched by conducting a survey among the local inhabitants in order to establish the top five rights that they felt were a priority.<sup>33</sup> This monitoring programme forms a key element of York's human rights city profile.

### **3.3. Human rights legal standards v. human rights culture (human rights as values)**

The FRA Framework recommends that human rights cities anchor their policies and actions in international human rights standards, but there exists no formal requirement that a human rights city should explicitly do so. Consequently, cities have chosen different approaches on this point. The FRA Framework also foresees the simultaneous creation of a human rights culture in the city, for example through awareness-raising among local inhabitants. Existing human rights cities have taken different views on the importance of building a human rights culture. Common to all the cities studied is that they have taken a quite principled approach to how they want to work with human

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<sup>30</sup> Human Rights in Utrecht: How does Utrecht give effect to international Human Rights Treaties?, Municipality of Utrecht, Administration and Corporate Services, Department of Administrative, International and Subsidy Affairs (2011).

<sup>31</sup> Sakkers, Hans, 'Utrecht: Enhancing the quality of life by localizing universal human rights: Empowering a Local Network with Global Value', Application prepared for European Public Sector Award (2015), part G.

<sup>32</sup> Ibid., part E.

<sup>33</sup> Dragicevic, Nevena and Porter, Bruce, *Human Rights Cities: The Power and Potential of Local Government to Advance Economic and Social Rights* (Maytree, 2020), 36. The rights chosen in the survey were equality, health, adequate standard of living, housing and education.

rights, either stressing international human rights standards as legal standards, the creation of a human rights culture in the city or a combination of both.

**Lund** has during the initial stage of being a human rights city focused on internal work. It aims at mainstreaming human rights into existing processes and creating human rights awareness within the local administration by means of a systematic and structured manner of working with issues that concern human rights and by providing thematic human rights education for staff. There has so far been less work with external actors and with society at large to create a human rights culture.<sup>34</sup>

**Vienna** has combined a focus on legal standards with the promotion of a human rights culture. It has adopted a high profile as a human rights city and aims to make the city an international role model for human rights.<sup>35</sup> The City of Vienna uses human rights as guidelines for its decisions and actions, with a particular focus on equal rights and access to public services. Furthermore, it continuously develops measures to promote openness, diversity, political participation, a barrier-free environment and equal opportunities in all spheres of life, seeking to guarantee universal access to rights.<sup>36</sup> Complementing the focus on legal standards, Vienna actively promotes a human rights culture within the city, demonstrating how human rights work in practice. Vienna finds that the institutional elements alone are not effective enough without a human rights culture and consciousness. Examples of events organised to promote such a culture are speed dating for human rights, a 'human rights bench' with bright colours in a central place in the city and special events at City Hall on Human Rights Day, all aiming at creating positive associations to human rights.

**Utrecht** has focused on promoting a human rights culture. Its broad efforts to cultivate human rights within local culture led the UN High Commissioner for Human Rights to refer to Utrecht as the first human rights city of the Netherlands. The Human Rights Coalition organises a variety of cultural events such as human rights cafes, with a view of creating a sustainable local human rights culture.<sup>37</sup> The reasoning in Utrecht is that human rights are a cultural principle that bring people together to improve society. While the city at times refers to human rights as legal obligations, it has concluded that

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<sup>34</sup> Interview with Ulrika Dagård, Strategist Social Sustainability and Human Rights, City of Lund, 26.8.2022.

<sup>35</sup> European Institute of Public Administration, [Human Rights Go Local, Vienna, The City of Human Rights](#).

<sup>36</sup> Asadi, Shams, 'From Vienna Charter for Neighbourly Relations to Vienna as a City of Human Rights', in Eva Garcia-Chueca and Lorenzo Vidal (eds.), *Advancing urban rights: Equality and diversity in the city* (2019), 79.

<sup>37</sup> Sakkers, Hans, 'Utrecht: Enhancing the quality of life by localizing universal human rights: Empowering a Local Network with Global Value', Application prepared for European Public Sector Award (2015), parts D, E.

too much focus on the legal aspects of human rights risk losing their inspirational and aspirational dimensions.<sup>38</sup>

In **York**, particular focus has been placed on the practical benefits of human rights and their applicability in everyday issues that are common to all, such as social security or education. This was to contest and counter the local negativity on the topic. York's participatory monitoring approach has helped making rights relevant to everyday life in the city. A major positive outcome of York being a human rights city is indeed that local issues are nowadays more often framed in human rights terms in public debates.<sup>39</sup> The Indicator Reports in its monitoring programme are strongly based on the principle of human rights as legal standards.<sup>40</sup>

### 3.4. Structures and resources

An important question to take a stand on, preferably at the early stages of the process of introducing a stronger focus on human rights in a city, is whether the city needs specific structures to institutionalise its human rights work. If no such structures already exist (for example in the form of officers or offices with specific expertise on equality or participation issues), our interviewees recommended establishing a structure suitable to the city in question. Establishing such an office (however small) would give a face to human rights and help coordinate the activities both inside the city administration, with civil society and with inhabitants. Any such structures need to be appropriately resourced. However, any massive investment in human resources is not necessarily required. All the human rights cities studied have a relatively small number of staff dedicated to working specifically with human rights issues.

Subsequent to declaring itself a human rights city, **Vienna** established a Human Rights Office headed since the beginning by the same City of Vienna Human Rights Coordinator. The Office is responsible for the strategical aspects of Vienna's work as a human rights city, and it also plays a key role in coordinating the relevant work by all the different departments and city organs. In addition to the Human Rights Office, Vienna has a high-level Steering Board, which is a joint platform for the different departments within the city administration and consists of the Human Rights Coordinator, the Mayor, the

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<sup>38</sup> Interview with Hans Sakkers, Head of department of European and International Affairs, City of Utrecht, 9.11.2022.

<sup>39</sup> Interview with Prof. Paul Gready, Director, Centre for Applied Human Rights, University of York, 11.11.2022.

<sup>40</sup> [York's Human Rights Indicator Reports](#) are available at the York: Human Rights City website.

political heads of department and their nominated officers responsible for human rights issues. The board is consultative in nature and acts as a forum for reporting by the Human Rights Office to the executive of the city, and vice versa, on any ongoing human rights projects and issues.

In **Lund**, the Municipal Council has the primary responsibility for coordination and follow-up of the social sustainability programme, a key focus area of the city.<sup>41</sup> Prior to becoming a human rights city, Lund had a strong focus on children's rights and a special children's rights committee. This committee was transformed into a committee for social sustainability tasked with the systematic implementation of the social sustainability programme.<sup>42</sup> The committee consists of representatives of all areas of the municipality's administration.<sup>43</sup> The committee is tasked with initiating educational initiatives on human rights,<sup>44</sup> and has so far undertaken training of teachers, preschool teachers, politicians and strategists.<sup>45</sup>

The Human Rights Coalition in **Utrecht** is a tripartite public-community-private partnership.<sup>46</sup> It is a platform for a number of local NGOs to come together as contributors towards the work for human rights in Utrecht. The Coalition periodically chooses thematic focus points for Utrecht, organises a variety of cultural events and provides input into local policies. Furthermore, the current City Council has identified a need for a new human rights city strategy, which includes setting up a new monitoring programme and appointing a human rights ambassador.<sup>47</sup>

The human rights city architecture in **York** has two main elements: the York Human Rights City Network, a civil society organisation, and the Human Rights and Equalities Board. The city's human rights work largely evolves around the network, which is co-hosted by the University of York and the York Centre for Voluntary Service, an NGO umbrella organisation. The York City Council is represented in its Steering Group by a civil servant. The Human Rights and Equalities Board was established by the York City

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<sup>41</sup> [City of Lund Programme for sustainable development 2020–2030](#).

<sup>42</sup> Ibid., 19.

<sup>43</sup> Interview with Ulrika Dagård, Strategist Social Sustainability and Human Rights, City of Lund, 26.8.2022.

<sup>44</sup> City of Lund, press release, [Lunds kommun blir Sveriges första stad för mänskliga rättigheter](#), 30.8.2018.

<sup>45</sup> Interview with Ulrika Dagård, Strategist Social Sustainability and Human Rights, City of Lund, 26.8.2022.

<sup>46</sup> Sackers, Hans, 'Utrecht: Enhancing the quality of life by localizing universal human rights: Empowering a Local Network with Global Value', Application prepared for European Public Sector Award (2015), part D.

<sup>47</sup> Interview with Hans Sackers, Head of department of European and International Affairs, City of Utrecht, 9.11.2022.

Council and the network. It is chaired by an elected representative of the Council, the Executive Member for Culture, Leisure and Communities. It has had representatives from each of the three largest political parties, as well as from a variety of statutory bodies.<sup>48</sup> However, the structure of the board is currently under review following the above-mentioned disagreement between the Council and civil society. The board had two main tasks, to take up recommendations from the indicator reports and act on those, and to mainstream human rights into council policies and practices.<sup>49</sup>

### 3.5. Mainstreaming v. sectoral approach

While much of the work cities do relates to human rights, mainstreaming human rights systematically into all municipal activities from the outset might be rather demanding, in which case a sectoral or thematic approach that builds on the city's existing strategical focuses and priorities could be considered as a viable first step. This is the approach chosen by three of the cities studied. Several interviewees indeed recommended to 'start sectoral'.<sup>50</sup>

Among the cities studied, **Vienna** has made the most progress in mainstreaming human rights systematically into its municipal policies, practices and activities in general. In accordance with its declaration of 2014, the City of Vienna uses human rights as guidelines for its decisions and actions. The basis of all policies in Vienna is equal rights and access to services provided by the public administration. The city continuously develops measures to promote openness, diversity, political participation, a barrier-free environment and equal opportunities in all spheres of life, seeking to guaranteeing universal access to rights as a consequence.<sup>51</sup> A good example of the strong commitment to human rights and the desire to mainstream human rights into the city's practices is the human rights education programme for city employees. The induction programme for all new staff contains a module on human rights education, which is followed by a test that all new staff must pass in order to be able to proceed with their employment in the city. There are additional tests as part of the career development process, the

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<sup>48</sup> Homepages of City of York: [Council and Democracy — Outside body details](#).

<sup>49</sup> Interview with Prof. Paul Gready, Director, Centre for Applied Human Rights, University of York, 11.11.2022.

<sup>50</sup> Interviews with Shams Asadi, Hans Sakkers and prof. Paul Gready, 4.11.2022, 7.11.2022 and 9.11.2022, respectively.

<sup>51</sup> Asadi, Shams, 'From Vienna Charter for Neighbourly Relations to Vienna as a City of Human Rights', in Eva Garcia-Chueca and Lorenzo Vidal (eds.), *Advancing urban rights: Equality and diversity in the city* (2019), 79.

passing of which is a prerequisite for promotions. In addition, targeted courses are organised semi-regularly for lawyers and other professionals, and there are occasional voluntary workshops for employees who are interested in learning more about human rights.

Since 2018, the city of **Lund** has worked to gradually incorporate human rights aspects into the city's processes. The focus has so far mainly been on internal procedures in the municipal administration.<sup>52</sup> There is also training for new city employees. Lund has linked human rights to its work on social sustainability, notably its programme for social sustainability adopted in 2020.<sup>53</sup> At the same time as it has chosen distinct focus areas, Lund finds it important to anchor a HRBA in the procedures and the work of the administration in general. A HRBA will consequently be initiated in spring 2023.<sup>54</sup>

As already noted above, the process of becoming a human rights city in **Utrecht** began through its participation in the FRA Joined-up governance project, as part of which the city reviewed ten of its policies with a special focus on the ways in which the municipality policy gives effect to international human rights treaties. The selection of the policy areas for the review was made with special attention to ensuring political neutrality so that the review covered themes of interest to all political parties,<sup>55</sup> with the aim that human rights should be an inspiration for the whole political spectrum.<sup>56</sup> Proposals for new focus areas are made by the city's Human Rights Coalition.

In **York**, the work has focused on five key priority areas identified through the participatory monitoring programme as being the issues that matter most to local inhabitants. Local progress in these areas is monitored by indicators that are linked to the selected rights and in the development of which the local council was involved.<sup>57</sup> Progress (or lack therefore, as the case may be) is reported annually in the Human Rights Indicator Reports published by the York Human Rights City Network. The resulting

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<sup>52</sup> Interview with Ulrika Dagård, Strategist Social Sustainability and Human Rights, City of Lund, 26.8.2022.

<sup>53</sup> Lunds kommun, [Lunds kommuns program för social hållbarhet](#), 2020.

<sup>54</sup> Ulrika Dagård, Strategist Social Sustainability and Human Rights, City of Lund, e-mail of 25.11.2022.

<sup>55</sup> Oomen, Barbara and Baumgärtel, Moritz, 'Human Rights Cities', in Mihr, Anja and Gibney, Mark (eds.), *The SAGE Handbook of Human Rights* (2014), 709–732.

<sup>56</sup> Sackers, Hans and Bagchi, Barnita, 'Social Dreaming between the Local and the Global — The Human Rights Coalition in Utrecht as an Urban Utopia', in Bagchi, Barnita, *Urban Utopias: Memory, Rights, and Speculation* (Jadavpur University Press, 2020), 104; Sackers, Hans, 'Utrecht: Enhancing the quality of life by localizing universal human rights: Empowering a Local Network with Global Value', Application prepared for European Public Sector Award (2015), part G.

<sup>57</sup> Gready, Paul, 'Reflections on the Human Rights Decade, Near and Far', *Journal of Human Rights Practice* 11 (2019), 422–437, 430.

recommendations arising from this monitoring has quite effectively been followed up by the Human Rights and Equalities Board, including by allocating resources to those issues. However, the Board has not succeeded in instigating mainstreaming of human rights.

## 4. Conclusions and recommendations

### 4.1. Key conclusions

Our analysis of the above four human rights cities showcases the scope for diversity in respect of all the selected elements. It also found that the choices made were not necessarily always very clear-cut or conscious. The interviews undertaken to complement the literature studies further revealed that publicly available materials did not always fully reflect the reality as the cities had adapted in response to challenges and changed circumstances.

As regards **official commitments** to become a human rights city, all four cities have made such commitments, although their forms vary from a declaration (Vienna and York) and a city council's decision (Lund) to mere references in official documents (Utrecht). Utrecht was the least formal in this respect, with references emerging in official documents at a later stage in the process. The major benefit of making a declaration as a human rights city lies in that it demonstrates a commitment both internally and externally, and thereby provides a sustainable basis for the process. Furthermore, it has an important profiling and marketing value.

The review of the **processes** revealed a wide spectrum of approaches. In Lund, the initiative originated entirely from outside the city's own structures, with influential individuals and the Raoul Wallenberg Institute of Human Rights and Humanitarian Law playing a central role. Similarly, in Vienna an academic institution was strongly involved in the process from the beginning. Moreover, a public officer in a key position within the city administration was instrumental in creating support and momentum for the idea. While the process in Lund can be characterised as rather top-down, Vienna's approach was combined with strong participatory elements. In Utrecht, while a lot of the visionary work for the city to become a human rights city is contributable to a central public officer, the momentum for the continued will to act in accordance with the human rights values is largely attributable to civil society. In York, the process was completely bottom-up, as there was limited enthusiasm for the human rights city status from within the city itself. The initiative stemmed from an instrumental academic in the University of York, whose ideas were backed up strongly by civil society. From a human rights point of view,



the origins of the process are not relevant, but it is of fundamental importance that transparency and a participatory process are introduced as early as possible.

In terms of **structures**, none of the cities had any major administrative arrangements nor any notable dedicated resources in place, but at least a light structure (such as in Utrecht) would seem to be needed for the coordination of the work. Vienna, being most organised in this respect, has both a structure and a budget available. Providing 'a face' to the human rights city was considered important by one interviewee to ensure visibility and continuity. This also serves to facilitate accessibility, transparency and participation. A central feature of human rights cities is indeed the provision of an institutionalised basis for human rights in administration and politics. Furthermore, all the cities saw international networks with other human rights cities as valuable sources of information on experiences and best practices.

This study has also looked at whether the selected human rights cities have adopted a **mainstreaming or sectoral approach**. Mainstreaming human rights thoroughly into city policies and practices might be quite a demanding and time-consuming exercise, and therefore an initial sectoral approach was chosen by several cities. Building on existing practices would also be cost-effective. However, mainstreaming should be the ultimate goal in all human rights cities. In several cities, 'expanding' to human rights was seen as an important and natural continuation on previous work undertaken on equality, diversity and sustainable development. For example, in Vienna, making the city a safer and more accessible place for women has been on the agenda from the early 1990s, when it conducted a qualitative analysis on how women use the city. This led to the setting up of the City Women's Office responsible for promoting the empowerment of women in the city. The city has re-evaluated its long-term approach to urban planning, and a gender-differentiated analysis is now part of the planning of new infrastructure.<sup>58</sup> Another example is Utrecht that has a strong history of being a migrant-friendly city (for example, Utrecht challenged the Dutch government regarding accommodation facilities for irregular migrants). Currently, Utrecht acts in prevention and moderation of issues such as racism, discrimination and polarization.

Our analysis clearly shows that the aim in a human rights city should be to **understand human rights both as legal norms and values**. Although a purely legal approach might be easier for the city itself to apply in the administration, this is not necessarily the optimal choice from the point of view of the inhabitants. Without human rights culture

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<sup>58</sup> Apolitical-blog: [Case Study, How Vienna designed a city for women](#), 23.8.2017.

and consciousness in civil society, the efforts of the city risk failing to resonate with inhabitants. Awareness-raising is central for this purpose.

The review of the four selected human rights cities confirms that there are as many approaches as there are human rights cities; there is no one track. It is essential that a city contemplating becoming a human rights city considers the different alternatives and adopts a solution that best fits its local circumstances and contexts.

Existing materials on human rights cities emphasize several advantages of becoming a human rights city. Above all, it results in enhancing good governance and increasing the well-being of the city's inhabitants. Notably, service provision is not regarded as mere service delivery and inhabitants as passive recipients of those services, but the city includes the inhabitants in decisions that concern them. This increases the possibility to deliver good services and the perceived legitimacy of those decisions. Moreover, city employees are made aware that in their daily activities, they implement the human rights of the inhabitants, which can add meaningfulness to the work. Importantly, taking a HRBA to local government establishes certain basic principles which will bring consistency to the work of local authorities even as the political parties in power change.

#### **4.2. Key recommendations**

The overriding message of the interviewees was that a city does not have to be perfect to be a human rights city. Rather, being a human rights city is an ongoing process of striving to become a better place to live and work.

On the basis of the analysis and the interviews the following recommendations emerge:

- 1) A key conclusion is that whatever approaches are taken, it is important to implement them systematically. A HRBA would be the main tool to apply to achieve this.
- 2) The main benefit of a formal pledge as a human rights city lies in that it demonstrates a commitment both internally and externally, and thereby provides a sustainable basis for the process.
- 3) The involvement of key individuals can be instrumental in the beginning of the process, but in order to ensure the continuity of the process it is important to ensure as broad a support as possible.
- 4) It can be useful to combine a top-down and bottom-up approach in establishing a city as a human rights city (as demonstrated by the example of Vienna).

- 5) The aim in a human rights city should be to understand human rights both as legal norms and values.
- 6) A structure for coordinating human rights work is needed within the city. This also adds 'a face' to the human rights work.
- 7) Human rights should be integrated into already existing programmes and processes. This is also cost-effective.
- 8) Start with a sectoral approach, instead of trying to mainstream human rights into all activities already from the start.
- 9) Clear goals towards which the city strives should be identified and the progress towards achieving these should be measured
- 10) Network with other human rights cities both nationally and internationally. A national network for cities committed to working on human rights would be useful.