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Human Rights Centre

Human Rights & Local Government

Lessons from Human Rights Cities in Europe

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Table of Contents

The authors	4
Human Rights Local	5
1. Introduction	6
2. Cities and Human Rights	9
3. What is a Human Rights City?	12
Grounded in human rights	12
Participation and Inclusion	13
Empowerment	14
Non-discrimination and Equality	15
Accountability	16
4. Why Become a Human Rights City?	18
Annex: Case Studies	20
Graz, Austria: Europe's first Human Rights City	20
Barcelona, Spain	24
Lund, Sweden	26
Nuremberg, Germany	28
Utrecht, Netherlands	30
Vienna, Austria	32
York: The UK's first Human Rights City	34
Brighton & Hove, UK	37
Newcastle, UK	39

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Human Rights Local

Connecting, driving change locally and building human rights bridges to equality, freedom, dignity and respect.

Human Rights Local is a project of the Human Rights Centre of the University of Essex to make human rights locally relevant.

Human Rights Local brings human rights closer to the ground, adapting international standards and principles to the local context. By identifying local priorities and needs, Human Rights Local supports local communities to translate their concerns into rights-based demands for change. Under the project, the Human Rights Centre supports community activists to use human rights in their advocacy, and local authorities to develop human rights-based local policies.

In 2020/21, the Human Rights Centre worked with Just Fair, Amnesty International UK, ATD Fourth World and several local groups around the UK to build bridges between people with lived and learnt experiences of poverty. For months, they met and worked together online, learning from each other, gaining and developing research and advocacy skills, building networks, and improving their general understanding of social rights challenges and opportunities in the UK.

Localising human rights also means celebrating tall figures of our shared history, like John Ball, born in Colchester and executed for his leadership in the Peasants' Revolt of the 14th century. With music recordings in 2020 and outdoor performances in 2021, the Human Rights Centre honoured the legacy of John Ball alongside Mercury Youth Theatre, Packing Shed Theatre Company, the John Ball Society and other local partners.

To find out more: <https://www.essex.ac.uk/research-projects/human-rights-local>

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1. Introduction

“Where, after all, do universal human rights begin? In small places, close to home – so close and so small that they cannot be seen on any maps of the world. Yet they are the world of the individual person; the neighborhood he lives in; the school or college he attends; the factory, farm or office where he works. Such are the places of where every man, women, and child seeks equal justice, equal opportunity, equal dignity without discrimination. Unless these rights have meaning there, they have little meaning anywhere. Without concerted citizen action to uphold them close to home, we shall look in vain for progress in the larger world.” Eleanor Roosevelt, March 1953.¹

Drawing on the experience of several European cities that have declared themselves as human rights cities, this report aims to identify some of the common characteristics among them and the potential benefits of becoming one. The report first provides historical background on the development of the concept ‘human rights city’. Based on literature review and the case studies of seven self-declared human rights cities, the report identifies certain common characteristics of ‘human rights cities’. This section is then followed by a chapter that identifies some of the potential benefits of becoming a human rights city. To reflect on the significance of the ‘human rights city’ label, the conclusion also draws from the experiences in two cities in the UK; Brighton & Hove and Newcastle. These cities have not declared themselves as human rights cities, but they have adopted certain human rights principles in specific initiatives.

The annex presents the case studies of nine cities in Europe, including three in England. The first seven cities declared themselves as human rights cities (Barcelona, Graz, Lund, Nuremberg, Utrecht, Vienna and York). These case studies provide a background on the city and how it became a human rights city, present some of the structures and initiatives employed in the city to implement a human rights framework, and list some of the key takes identified by the interviewees or in literature review. The last two cities are from England (Brighton & Hove and Newcastle); while they have not yet declared themselves human rights cities, both of them have implemented interesting local initiatives in the domain of housing and homelessness that resonate with human rights principles.

Methodology

The research for this report was carried out between June and August 2021. It consisted of desk-based review of literature on human rights cities and online interviews with representatives from the nine cities presented in this report. Interviewees were either from the local authority or from local civil society.

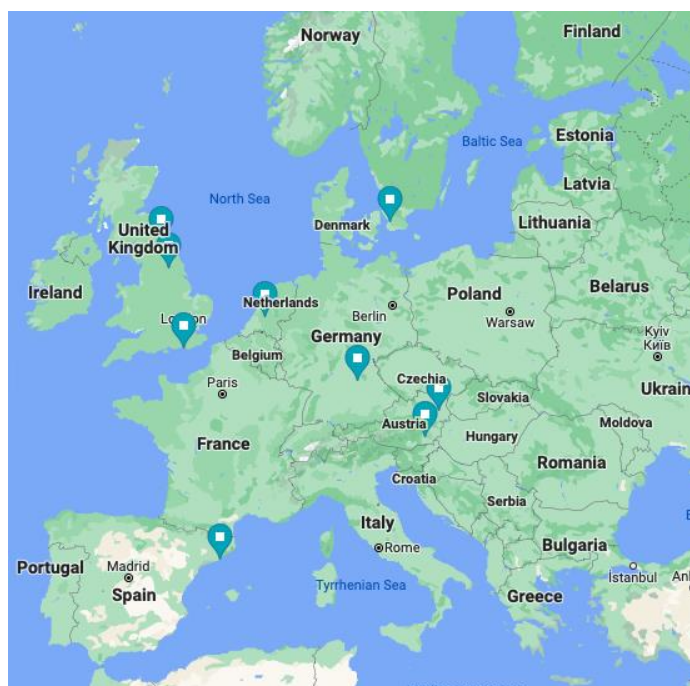
¹ Eleanor Roosevelt, ‘Where do Human Rights Begin?’ in Allida M black (ed), *Courage in a Dangerous World* (Columbia University Press 1999) 190

The research included a review of publicly available information on the various activities of 17 cities in Europe, which have declared themselves as a human rights city or have used a human rights framework in relation to certain activities. Seven self-declared human rights cities were selected for the analysis: Barcelona, Graz, Lund, Nuremberg, Utrecht, Vienna and York. Additionally, human rights framed initiatives in two cities in England are also presented as case studies: Brighton & Hove and Newcastle.

The selection was not based on any form of ranking between the cities explored but was limited by two criteria. The cities presented are the ones for which there was substantive amount of information available online in English, French, German or Spanish, the languages the authors of this report were able to read. Only cities where interviews could be arranged are presented in the report.

Ten interviews lasting approximately one hour long were held online. All interviewees kindly offered their time to review and comment on the case studies concerning their cities included in this report. We are grateful for their time and all the information they have shared with us for this research.

The report does not claim to have identified best practices in the use of a human rights framework in local governance, but aims to offer some examples of different structures set up and activities carried out by cities, which aspire to incorporate human rights in their work. More in-depth research would be useful to assess the impact and effectiveness of the presented structures and activities as well as the impact of declaring a city as a human rights city.



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2. Cities and Human Rights

Cities are central to the delivery of basic human rights to their residents and those visiting their city, whether they frame their services as such or not. These include, for example, access to water, public transportation, or a healthy environment through services such as garbage disposal and sanitation.

However, the relevance of human rights to cities only began to be acknowledged in the 1990s. Cities' important role in the realisation of human rights became apparent once the codification of major human rights treaties was completed, or significantly advanced, and the human rights community moved on to looking into ways in which codified human rights can be implemented.²

The Vienna Declaration and Programme of Action adopted at the World Conference on Human Rights in 1993 reaffirmed the duty of States to promote and protect all human rights regardless of political, economic and cultural differences.³ While central governments were still seen as the main actors responsible for human rights, the role of local governments started to be recognised if human rights were to become a reality on the ground.

In 1997, Rosario in Argentina became the first human rights city,⁴ when more than thirty-five organisations and institutions signed a declaration committing themselves to an initiative to make Rosario a human rights city.⁵ Since then, international, national and local actors have facilitated the development of human rights cities around the world.

In 2011, United Cities and Local Governments (UCLG), the umbrella network of 'cities and local, regional, and metropolitan governments and their associations,'⁶ adopted the Global Charter Agenda for Human Rights in the City, which 'aims to promote and strengthen the human rights of all the inhabitants of all cities in the world.'⁷ The Charter includes twelve rights, such as right to participatory democracy and right to clean water and food, with each right accompanied by an action plan.

² Barbara Oomen, 'Introduction: The Promise and Challenges of Human Rights Cities' in Barbara Oomen, Martha F Davis and Michele Grigolo (eds), *Global Urban Justice: The Rise of Human Rights Cities* (Cambridge University Press 2016) 6

³ Jane Connors, 'United Nations' in Daniel Moeckli, Sangeeta Shah and Sandesh Sivakumaran (eds), *International Human Rights Law* (Oxford University Press 2017) 369

⁴ Ibid, 364

⁵ Stephen P Marks and others, *Human Rights Cities: Civic Engagement for Societal Development* (UN-HABITAT: PDHRE 2008) 113

⁶ Website of United Cities and Local Governments (UCLG): <https://www.uclg.org/en/organisation/about>

⁷ UCLG, 'Global Charter – Agenda for Human Rights in the City' September 2016, available at: https://www.uclg-cisdp.org/sites/default/files/CISDP%20Carta-Agenda_ENG_0.pdf

Also in 2011, the first World Human Rights Cities Forum was held in Gwangju, South Korea, with more than 100 participants, including mayors, city representatives, and UN human rights experts as well as civic and human rights NGOs.⁸

The United Nations recognises the role of local governments in localising the Sustainable Development Goals and the New Urban Agenda, as well as the intersection of these agendas with human rights.⁹ In accordance with international law, human rights duties extend to all branches, all public authorities and all levels of government, central, devolved, national and local.¹⁰ As pointed out by the UN Committee on the Rights of the Child, central governments must ensure that local authorities 'have the necessary financial, human and other resources effectively to discharge responsibilities for the implementation' of human rights obligations.¹¹ Similarly, the UN Special Rapporteur on Adequate Housing urged States to 'ensure that local or regional housing strategies are adequately resourced and that local governments have the capacity to implement them.'¹²

Following the First European Conference of Cities for Human Rights in Barcelona in 1998, the European Charter for Safeguarding Human Rights in the City was adopted in 2000, and is currently endorsed by around 400 European municipalities.¹³ Inter-governmental initiatives under the Council of Europe and the European Union also contributed to the role of local governments in upholding human rights and local democracy.

Council of Europe's Congress of Local and Regional Authorities has been promoting the role of local governments as key actors in guaranteeing human rights through 'developing indicators to raise awareness of human rights at local and regional level,'¹⁴ 'identifying best practices of implementation of

⁸ Gwangju Declaration on Human Rights City, 2011, available at: https://www.uclg-cisd.org/sites/default/files/Gwangju_Declaration_on_HR_City_final_edited_version_110524.pdf

⁹ UN Human Rights Council 'Report of the UN High Commissioner for Human Rights: Local Government and Human Rights' (2 July 2019) UN doc. A/HRC/42/22

¹⁰ Article 28 ICESCR; Article 50 of the 1966 International Covenant on Civil and Political Rights; UN CESCR, *General Comment No. 9: The domestic application of ICESCR*, UN doc. E/C.12/1998/24 (1998), para 9; UN Human Rights Committee, *General Comment No. 31: The nature of the general legal obligation imposed on State Parties to ICCPR*, UN doc. CCPR/C/21/Rev.1/Add.13 (2004), para 4

¹¹ UN Committee on the Rights of the Child, *General Comment No. 5: General measures of implementation of CRC*, UN doc. CRC/GC/2003/5 (2003), para 41

¹² UN Special Rapporteur on Adequate Housing, *Guidelines for the Implementation of the Right to Adequate Housing*, UN doc. A/HRC/43/43 (2019), para 63(b)

¹³ Eva García Chueca, 'Human Rights in the City and the Right to the City: Two Different Paradigms Confronting Urbanisation' in Barbara Oomen, Martha F Davis and Michele Grigolo (eds), *Global Urban Justice* (Cambridge University Press 2016) 105

¹⁴ The Congress/Resolution 334(2011) Developing indicators to raise awareness of human rights at local and regional level, 20 October 2011, 21st Session CG (21)10, Rapporteur: Lars O MOLIN, Sweden: <https://rm.coe.int/developing-indicators-to-raise-awareness-of-human-rights-at-local-and-r/168071933b>

human rights at local and regional level in member States of the Council of Europe and other States,¹⁵ and preparing human rights handbooks for local and regional authorities,¹⁶ amongst other activities.

The Fundamental Rights Agency (FRA) of the European Union has also been engaging with local communities and authorities.¹⁷ At the time of this writing, the FRA is finalising a framework on human rights cities in cooperation with cities and city networks, representatives of international and European organisations and academia. Furthermore, the EU Commission's 2020 strategy to strengthen the application of the EU Charter of Fundamental Rights also highlights the role of local authorities in the protection and promotion of the rights under the EU Charter.¹⁸

¹⁵ The Congress/Resolution 365(2014), Best practices of implementation of human rights at local and regional level in member states of the Council of Europe and other countries, 25 March 2014, 26th Session CG(26)5, Rapporteur: Lars O MOLIN, Sweden: <https://rm.coe.int/best-practices-of-implementation-of-human-rights-at-local-and-regional/168071aeed>

¹⁶ Human Rights Handbook for Local and Regional Authorities Volume 1: Fighting Against Discrimination (<https://rm.coe.int/the-congress-human-rights-handbook-vol-1-en/168098b094>) and Volume 2: Social Rights (<https://rm.coe.int/human-rights-handbook-for-local-and-regional-authorities-vol-2-social-/1680a1950a>)

¹⁷ See, for example, 'Community cohesion at local level: Addressing the needs of Muslim communities' (2008), 'Making rights real: A guide for local and regional authorities' (2014) and 'Joining up for fundamental rights' amongst FRA's earlier work in relation to human rights at local level.

¹⁸ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 'Strategy to strengthen the application of the Charter of Fundamental Rights in the EU' COM/2020/711 final

3. What is a Human Rights City?

A human rights city can be defined as ‘a city or a community where people of good will, in government, in organisations and in institutions, try and let a human rights framework guide the development of the life of the community,’ holding ‘equality and non-discrimination [as] basic values.’¹⁹

The Gwangju Declaration of 2011 defines a human rights city as ‘both a local community and a social-political process in a local context,’²⁰ ‘where local government, local parliament, civil society, private sector organisations and other stakeholders work together to improve quality of life for all inhabitants in a spirit of partnership based on human rights standards and norms.’²¹

For Starl, ‘a city is a human rights city if its governing bodies explicitly decide to shape and actually implement its policies towards maximum achievable human rights fulfilment in any way that a culture of human rights within the municipality and within the society as a whole evolves and becomes a reality in the perception and in the living conditions of its citizens.’²²

Under this section, some of the common features of self-declared human rights cities will be presented. These are introduced as principles human rights cities aspire to uphold, alongside examples of human rights structures and initiatives from human rights cities studied for this report without making any judgement as to whether they achieve these aspirations.

While not all human rights cities explicitly refer to employing a human rights-based approach, various individual or joint declarations by cities, city network charters as well as the case studies in this report show that self-declared human rights cities aspire to uphold principles that are key features of human rights, in particular, grounding their policies in human rights, participation and inclusion, empowerment, non-discrimination and equality, and accountability and transparency.²³

Grounded in human rights

First and foremost, human rights cities commit to ground their policy decisions and practices on human rights standards proclaimed in international law. This commitment is usually laid down in their human rights city declarations, which may be the outcome of a participatory process and signed by various actors

¹⁹ PDHRE International Office and the three Regional PDHRE offices in Latin America, West Africa and Anglo Africa, ‘Human Rights Learning and Human Rights Cities. Achievements Reports’ (PDHRE, March 2007) 3

²⁰ Gwangju Declaration on Human Rights City para 3: https://www.uclg-cisd.org/sites/default/files/Gwangju_Declaration_on_HR_City_final_edited_version_110524.pdf

²¹ Ibid para 4

²² Klaus Starl ‘Human rights and the city: obligations, commitments and opportunities’ in Barbara Oomen, Martha F Davis and Michele Grigolo (eds), *Global Urban Justice: The Rise of Human Rights Cities* (Cambridge University Press 2016) 203

²³ See for example, Maxi Ussar, ‘The Human Rights-based Approach: A More Effective Framework for International Development Policies in New EU Member States’ (MRG, 2011) 8

within the city. This was, for example, the case for York's 2017 declaration as a human rights city, which is a symbolic declaration committing York's citizens, City Council, North Yorkshire Police and civil society organisations to a vision of the city 'built on the foundations of universal human rights.'²⁴ Declarations may also be more formal municipal resolutions or measures such as the municipal resolution declaring Graz as a human rights city in 2001,²⁵ Barcelona City Council's 2016 measure titled 'Barcelona, City of Rights',²⁶ City of Nuremberg's mission statement of 2001,²⁷ and Vienna's 2014 declaration as a human rights city,²⁸ which specifically commit the local authority to ground its work in human rights.

The declaration of a city as a human rights city is neither the end nor the beginning of the process. Interviewees identified the declaration as an important stage in the ongoing process of becoming a human rights city, on paper and in practice.

Participation and Inclusion

Another aspiration human rights cities share is a willingness to allow participation of all those concerned in various stages of governance. This includes the identification of key concerns for residents of the city and their causes, as well as determining context-appropriate and effective responses.

Human rights cities try to involve citizens in decision-making processes by setting up various structures. Even though they take different forms, all human rights cities covered in this report had at least one platform bringing together various civil society groups, academia, representatives from local administration and local political fractions in ways that allowed exchange of different views over human rights related issues in the daily life of the city. Some of these platforms take the form of an advisory board such as the Human Rights Council in Graz, which advises the mayor and the municipal council on human rights issues. The Council's 30 members include politicians and administrative officers, as well as representatives from the judiciary, police, media and civil society.²⁹

In York, the Human Rights and Equalities Board was set up by the City of York Council following the city's declaration as a human rights city in order to institutionalise this commitment.³⁰ The City of York Council brings together the city's key institutions with representation from elected councillors, police,

²⁴ York's Human Rights City Declaration, available at: <https://www.yorkhumanrights.org/human-rights-city-declaration/>

²⁵ Graz Human Rights City brochure, available at: https://www.graz.at/cms/dokumente/10284058_7771447/2975d1a7/HRC-Folder-eng-web.pdf

²⁶ Barcelona City Council 'Methodology Guide: City of Human Rights, the Barcelona Model' (December 2018) page 5, available at: https://ajuntament.barcelona.cat/dretsidiversitat/sites/default/files/WEB_Manual_DDHH_A5_ENG.pdf

²⁷ Mission Statement of the City of Nuremberg, available at: https://www.nuernberg.de/imperia/md/menschenrechte/dokumente/menschenrechte/leitbild_stadt_nuernberg.pdf

²⁸ Vienna – City of Human Rights Declaration, available at: <https://www.wien.gv.at/english/social/integration/pdf/human-rights-declaration.pdf>

²⁹ Graz Human Rights City brochure, available at: https://www.graz.at/cms/dokumente/10284058_7771447/2975d1a7/HRC-Folder-eng-web.pdf

³⁰ Paul Gready, 'Reflections on a Human Rights Decade, Near and Far' (2019) 11 *Journal of Human Rights Practice* 422, 433

health, education and business sectors. The steering committee of the York Human Rights City Network, an umbrella organisation set up with the initiative of the civil society and academia, is also represented on the Human Rights and Equalities Board, ensuring that each body informs and is informed by the work of the other.

A local human rights coalition established in 2013 in Utrecht brings together local civil society organisations, politicians, city's administrative officers, academics and businesses.³¹

In Nuremberg and Vienna, human rights offices of the local authority engage with civil society, academics and administrative units through regular meetings to elicit their views, coordinate related activities and foster cooperation. In Lund, such functions are performed by the Department of Sustainable Growth.

Empowerment

Human rights cities also undertake many activities to raise awareness of human rights that aim at empowering citizens as right-holders. These involve events, awards, art installations or trainings or other educational activities.

In Graz, for example, the project 'Kenne Deine Rechte' (Know Your Rights) aims at raising young people's interest in human rights through an online platform edited by a team of youngsters aged between 15 and 25, where they can find information on human rights as well as publish articles, interviews, videos and photo-series on human rights and socio-political issues.³² The Office of Peace and Development, gives a human rights award bi-annually to local initiatives nominated by individuals or organisations on the basis of 'values such as tolerance, dialogue and reconciliation and their impact in communal life.'³³

In Barcelona, the City Council subsidised primary and secondary schools to change attitudes to diversity focusing on sexual orientation, gender, culture, religion and disability based on principles of equality and non-discrimination.³⁴ The activities targeted children, teachers and families, and according to an evaluation by Barcelona University, the project resulted in the development of positive attitudes towards diversity.³⁵

In Nuremberg, a Street of Children's Rights was designed with children in 2017, introducing child rights in an accessible manner. Since 2007, the City also ran a project for various civil society organisations to plant a tree dedicated to a particular human right. Every July, the parent organisations hold activities

³¹ Information on Utrecht on the Human Rights Cities Network Website, available at: <https://humanrightscities.net/humanrightscity/utrecht/>

³² Website of the project 'Kenne Deine Rechte': <https://www.kennedeinerechte.at/das-projekt/projektinformationen/>

³³ City of Graz website: https://www.graz.at/cms/beitrag/10341690/8106610/Engagement_das_vom_Herzen_kommt.html

³⁴ Information on the project 'Schools for Equality and Diversity' on the website of Barcelona City Council: <https://ajuntament.barcelona.cat/feminismes-lgtbi/es/escuelas-por-la-igualdad-y-la-diversidad>

³⁵ Brochure of the project 'Schools for Equality and Diversity': https://ajuntament.barcelona.cat/feminismes-lgtbi/sites/default/files/documents/v0101_escoles_per_la_igualtat_descriptiva.pdf

around 'their' tree providing information to passers-by on their work and the human right their tree represents. Nuremberg's Human Rights Office also organises training sessions in schools as well as for those working with children or the elderly, the police, armed forces and the administration. Every trainee joining the city administration must take one day of human rights and one day of anti-discrimination training. These training opportunities are also open to all administrative staff of the city on a voluntary basis.

Human Rights Cafés, which Utrecht's human rights coalition organises four times a year, allow residents of Utrecht to listen to experts on selected human rights topics and participate in discussions.³⁶ In Vienna, the Human Rights Office offers training courses to administrative officers and has integrated human rights as a cross-cutting subject in seminars open to legal officers working in the city administration.³⁷

In York, under an initiative called Community Voices, the YHRC Network is supporting various particularly disadvantaged groups to self-organise and advocate about human rights issues in the City. In 2021, the Network is working with people with disabilities to help identify their priorities and bring them before the local authority. The Community Voices project is funded by the City Council, currently for three years.

Additionally, some of the structures described under the "participation" heading above, can also contribute to citizens' empowerment by enabling them to participate in decision making processes.

Non-discrimination and Equality

Another commonality between human rights cities is their focus on the principles of equality and non-discrimination as a key principle of international human rights.³⁸ Adopting a human rights-based approach to local government does not only mean that non-discrimination informs the processes in which the policies and programmes are designed, but also that equality becomes one of the objectives of interventions. This is because the human rights-based approach 'seeks to bring laws, policies and social practices into line with international standards, addressing structural inequalities and patterns of

³⁶ Hans Sakkers and Barnita Bagchi, 'Social Dreaming between the Local and the Global: The Human Rights Coalition in Utrecht as an Urban Utopia' in Barnita Bagchi (ed), *Urban Utopias: Memory, Rights and Speculation* (Jadavpur University Press 2020) 110

³⁷ Information submitted to the OHCHR by the Human Rights Office of the City of Vienna on 12 February 2019, page 4: <https://www.ohchr.org/Documents/Issues/LocalGvt/Local/20190212Vienna.pdf>

³⁸ Non-discrimination principle is enshrined in all human rights treaties. See, for example, Articles 2, 3 and 26 of the International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171 (ICCPR) and Article 2 of the ICESCR. There are also three human rights treaties that specifically deal with non-discrimination: International Convention on the Elimination of All Forms of Racial Discrimination (adopted 7 March 1966, entered into force 4 January 1969) 660 UNTS 195 (ICERD), Convention on the Elimination of All Forms of Discrimination against Women (adopted 18 December 1979, entered into force 3 September 1981) 1249 UNTS 13 (CEDAW) and Convention on the Rights of Persons with Disabilities (adopted 13 December 2006, entered into force 3 May 2008) 2515 UNTS 3 (CRPD).

discrimination'.³⁹ Many human rights city declarations involve a commitment to these principles and an aspiration to ensure equal access to rights for all inhabitants of the city without discrimination.

Human rights cities usually have a specific structure within the administration to address discrimination. The Department of Integration set up in Graz in 2005 aims at ensuring 'political, legal and social equality' between all residents of the city, nationals and non-nationals alike.⁴⁰ A regional Anti-discrimination Office financed by the Styrian regional government that is also catering to residents of Graz, an Office for Non-Discrimination within the Barcelona city administration, and an anti-discrimination officer in the Human Rights Office in Nuremberg, all receive complaints by people who feel discriminated against, provide advice and assistance, and monitor the overall discrimination situation in their respective cities.

Human rights cities also participate in international networks of cities united to combat discrimination and inequality to share experiences, and exchange best practices and tools on these challenges. For example, among the cities covered in this report, Barcelona, Graz, Lund, Newcastle, Nuremberg and Vienna are all members of the European Coalition of Cities against Racism (ECCAR), while Brighton & Hove, Utrecht and Vienna participate in the Rainbow Cities Network that focuses on discrimination faced by LGBTI+ individuals.⁴¹

Accountability

Human rights cities aspire to be accountable. While various administrative structures attempt to help residents access remedies when rights violations take place, transparency, and monitoring and evaluation of human rights progress seem to be seen as components of accountability within the remit of the local administration. Despite aspiring to such accountability, not all human rights cities have a strong monitoring system in place to assess the human rights situation, goals and specific objectives, and indicators of progress or to carry out regular evaluation and readjustment of priorities and goals if they were determined to be necessary.

In Graz, the Human Rights Council annually prepares a human rights report,⁴² which aims at providing a picture of the human rights situation in the city, making recommendations for improvement and 'assessing the progress/improvement and efficiency of the implemented measures.'⁴³ When the issues assessed concern areas where the city has not been given the powers to act upon, relevant recommendations are

³⁹ UNDG, 'Guidance Note on Human Rights for Resident Coordinators and UN Country Teams' (January 2017) para 32

⁴⁰ Graz Human Rights City brochure, available at: https://www.graz.at/cms/dokumente/10284058_7771447/2975d1a7/HRC-Folder-eng-web.pdf

⁴¹ Rainbow Cities Network 'One Pagers on Local LGBT Policies' (2015), available at: https://www.rainbowcities.com/wp-content/uploads/2020/11/2015_one_pagers_rainbow_cities_network.pdf

⁴² Gregor Fischer and Gerd Oberleitner, 'Localizing International Law, Internationalizing the City - The Human Rights City of Graz' (ILA 2020) 3

⁴³ Presentation by the Human Rights Council of Graz at the ECCAR Conference in 2008 in Bologna, power point slide 4, available at: http://www.comune.bologna.it/ECCAR/images/documenti/materiali/Stoker_Graz.pdf

taken up with regional or federal state authorities, which has the competence over them.⁴⁴ Graz' human rights reports are prepared using a participatory approach involving submissions by a wide variety of actors as well as interviews conducted by the working group preparing the reports.⁴⁵

After Lund self-declared as a human rights city, a working group within the local authority assessed the human rights situation in the city in cooperation with civil society organisations, Lund University and Raoul Wallenberg Institute. Drawing from this information, a Social Sustainability Programme for 2020-2030 was devised and adopted by the City Council in August 2020.⁴⁶ The Programme lists the human rights objectives of the city divided by sub-goals and identifies municipal committees or boards responsible from each sub-goal. The municipality's Department of Sustainable Growth will annually assess the social sustainability situation in Lund with two full evaluations of the programme in 2023 and 2027, following which the programme will be updated according to new needs.

Every year since 2016, the York Human Rights City Network publishes an annual indicator report, which monitors the developments in five human rights areas identified as local priorities. These five rights were prioritised through a participatory approach involving street and online surveys as well as discussions with people living, working, or studying in York. Interviews were held with NGOs representing minority or disadvantaged groups.⁴⁷ Through five focus groups made up largely of civil society representatives as well as representatives from the relevant units of the local administrations, the Network identified indicators and determined the baseline data for them in year 2016. Every year, progress is measured against those indicators.⁴⁸ York's human rights indicator reports use only a small number of indicators for each priority area. They provide data in an easily comprehensible manner involving both statistics and qualitative information based on people's experiences and perceptions. The choice of non-complex indicators was deliberate as the YHRC Network viewed accessibility as a priority. This was because the Network aspired that the indicator reports would become living documents in the city, used by residents and local organisations for constructive debate around issues they view as important and to support their advocacy.⁴⁹

⁴⁴ Gregor Fischer and Gerd Oberleitner, 'Localizing International Law, Internationalizing the City - The Human Rights City of Graz' (ILA 2020) 5

⁴⁵ Ibid 5

⁴⁶ RWI 'Covid 19: The City of Lund – Two Years as a Human Rights City' (26 June 2020), available at: <https://rwi.lu.se/blog/covid-19-the-city-of-lund-two-years-as-a-human-rights-city/>

⁴⁷ York Human Rights City Network 'York Human Rights Indicator Baseline Report: Human Rights: Reclaiming the Positive' (2016) 4

⁴⁸ Raul Wallenberg, Human Rights Cities 2017, Paul Gready, Emily Graham, Eric Hoddy and Rachel Pennington *Re-imagining Human Rights Practice Through the City: A Case Study of York (UK)* in Martha F Davis and others (eds) 'Human Rights Cities and Regions: Swedish and International Perspectives' (Raul Wallenberg Institute 2017) 74

⁴⁹ Paul Gready, 'Reflections on a Human Rights Decade, Near and Far' (2019) 11 *Journal of Human Rights Practice* 422, 430

4. Why Become a Human Rights City?

This research does not assess the impact of becoming a human rights city for the city administration or the inhabitants of the city. However, a review of existing research as well as interviews held during the preparation of this report show that there are potential benefits of becoming a human rights city.

Although in some contexts reference to human rights may prove politically sensitive, grounding policies and practices of local governments on universal human rights provides them with a degree of legitimacy. Additionally, as human rights have a claim to universality and are drafted through consensus between different States, they can appeal to a wide variety of stakeholders in the city and bring them together.⁵⁰ Identification of problems and their causes in human rights terms can also help articulate concerns of residents of a city vis-à-vis central policy decisions that may run counter them, because they may have a particularly negative impact locally.

Interviewees identified that becoming a human rights city provided the city with instruments for better collaboration and pooling of resources to tackle difficult issues. Several interviewees from human rights city administrations said that using a human rights framework enhanced their collaboration with civil society, which they identified as one of the main benefits of becoming a human rights city. Such collaboration was seen as particularly important in cities with limited resources. Others have pointed out that human rights cities are successful at creating opportunities to bring together diverse groups. This in turn contributed significantly to the prevention of discrimination, conflict and racism.

A human rights framework does not only enhance collaboration within the city but also at national and international forums. Human rights cities participate in different networks and share best practices and tools. Such forums also inevitably serve a promotional role and can lead to a race to the top.⁵¹

Ideally, a human rights city would aim to strengthen capacity of residents as right-holders to claim their rights and participate in decisions that affect them. As seen in the previous section, all human rights cities carry out activities to raise awareness on human rights and establish various platforms to allow, at a minimum, an exchange of different views. While this research did not aim to assess whether these activities indeed resulted in greater inclusion and participation of diverse groups in the city in the decisions affecting them, they did have such objectives. Participation of different groups in the city in the

⁵⁰ Barbara Oomen, 'Introduction: The Promise and Challenges of Human Rights Cities' in Barbara Oomen, Martha F Davis and Michele Grigolo (eds), *Global Urban Justice: The Rise of Human Rights Cities* (Cambridge University Press 2016) 7. Also see, Stephen P Marks and others, *Human Rights Cities: Civic Engagement for Societal Development* (UN-HABITAT: PDHRE 2008) 46.

⁵¹ Barbara Oomen, 'Introduction: The Promise and Challenges of Human Rights Cities' in Barbara Oomen, Martha F Davis and Michele Grigolo (eds), *Global Urban Justice: The Rise of Human Rights Cities* (Cambridge University Press 2016) 11

assessment of a particular situation, identification of needs and solutions, and in the evaluation of policies and practices, can result in more effective and sustainable programmes.

Ultimately, the litmus test of a city's commitment to human rights is whether local practices and policies contribute to respect, protect and fulfil the rights of the population without discrimination of any kind. While the 'human rights city' label can have symbolic value and create new opportunities, the employment of human rights principles by city administrations -under this label or not- is more important. Newcastle's approach to homelessness provides an example, where despite the city not having declared itself a human rights city, its success in tackling homelessness and rough sleeping,⁵² can be attributed to its employment of the human rights principles of participation, inclusion and empowerment.⁵³

Despite having set up different structures or undertaken different initiatives, this report shows that all human rights cities aspire to base their policies and practices on human rights, be inclusive, empower their inhabitants and facilitate their participation in decisions affecting them, uphold the principles of non-discrimination and equality, and be accountable. It would be useful to examine the practices of specific human rights cities to determine how much these aspirations become a reality. For now, however, the benefits identified in this report show that whether under the label of 'human rights city' or not, employing a human rights framework can result in better collaboration amongst different local actors and enhance inclusion of residents to decisions and practices concerning them.

⁵² Beth Watts, Glen Bramley, Janice Blenkinsopp and Jill McIntyre, *Homelessness prevention in Newcastle: Examining the role of the 'local state' in the context of austerity and welfare reform*, (I-SPHERE/Heriot-Watt University and Newcastle City Council, 2019) 144

⁵³ Koldo Casla, *Making the Right to Housing Real in Newcastle: How Can Newcastle City Council implement the internationally recognised right to adequate housing to end homelessness?* (June 2021) <http://repository.essex.ac.uk/30737/>

Annex: Case Studies

Graz, Austria: Europe's first Human Rights City

Background

The second largest city in Austria, Graz has a population of over 330,000,⁵⁴ representing 160 different nationalities.⁵⁵ With four universities in the city, Graz also has a large student population.

Graz became the first human rights city in Europe through a municipal resolution – ‘declaration’ - on 8 February 2001.⁵⁶ This declaration identifies those working in public institutions as duty bearers and commits the city council and the city government to identify ‘deficits in the field of human rights’ and appropriately respond to them.⁵⁷

Since then, several institutions and departments have been set up to support city's human rights-based approach. First of these, the Department of Integration, established in 2005, ‘develops policies and projects to promote understanding of cultural pluralism’ with the aim of ensuring ‘political, legal and social equality’ between all residents of the city, nationals and non-nationals alike.⁵⁸ Several thematic councils, including the Human Rights Council, advise the mayor.

Implementing the Human Rights City: Human Rights Structures and Initiatives

The Annual Human Rights Report of Graz

‘In the first report in 2008, the department responsible for the sewer system replied “We cannot answer your request because we are the sewer department, we have nothing to do with human rights.” They didn't know what to do with it. And this has changed. Nowadays the city departments know how to answer, they know how they are contributing to the implementation of human rights. This means there is a dialogue about it. I think that is the main value of the monitoring report, not so much the publication, which is nice, but it serves as an instrument to stay in discussion with the city administration about the

⁵⁴ Facts and figures on population, districts and economy on the website of the City of Graz:

https://www.graz.at/cms/beitrag/10034466/7772565/Zahlen_Fakten_Bevoelkerung_Bezirke_Wirtschaft.html

⁵⁵ Numbers, dates and facts on integration on the website of the City of Graz:

https://www.graz.at/cms/beitrag/10237914/7906961/Zahlen_Daten_und_Fakten_zur_Integration.html

⁵⁶ Ibid

⁵⁷ Ibid

⁵⁸ Ibid

implementation of human rights.⁵⁹ Ingrid Nicoletti of Graz Human Rights Council, 11 December 2015, Helsinki, Finland.

As part of its monitoring role, the Human Rights Council annually prepares a human rights report,⁶⁰ which aims at providing a picture of the human rights situation in the city, making recommendations for improvement and ‘assessing the progress/improvement and efficiency of the implemented measures.’⁶¹ When the issues assessed concern areas where the city does not have constitutional competency, relevant recommendations are taken up with regional or federal state authorities, which has the competence over them.⁶²

Graz’s human rights reports are prepared using a participatory approach involving submissions by a wide variety of actors as well as interviews conducted by the working group preparing the reports.⁶³ The city’s Human Rights Council’s engagement with various actors for compiling information for the reports, also enhances awareness on human rights as well as compliance with human rights standards.⁶⁴

Raising awareness on human rights

The city stresses the importance of knowledge and understanding of human rights by all residents so that they can ‘stand up for them and demand, protect and defend rights for themselves and others.’⁶⁵ As such, it supports projects and activities, which aim at raising awareness on human rights in the city. For example, the project ‘Kenne Deine Rechte’ (Know Your Rights) aims at raising young people’s interest in human rights through an online platform⁶⁶ edited by a team of youngsters aged between 15 and 25, where they can find information on human rights as well as publish articles, interviews, videos and photo-series on human rights and socio-political issues.⁶⁷ The Office of Peace and Development, gives a human

⁵⁹ Speech by Ingrid Nicoletti of Graz Human Rights Council at the Conference ‘Council of Europe and the role of National Human Rights Institutions, Equality bodies and Ombudsman offices in promoting equality and social inclusion’ held on 10-11 December 2015 in Helsinki, Finland:

<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016804941ba>

⁶⁰ Gregor Fischer and Gerd Oberleitner, ‘Localizing International Law, Internationalizing the City - The Human Rights City of Graz’ (ILA 2020) 3

⁶¹ Presentation by the Human Rights Council of Graz at the ECCAR Conference in 2008 in Bologna, power point slide 4, available at: http://www.comune.bologna.it/ECCAR/images/documenti/materiali/Stoker_Graz.pdf

⁶² Gregor Fischer and Gerd Oberleitner, ‘Localizing International Law, Internationalizing the City - The Human Rights City of Graz’ (ILA 2020) 5

⁶³ Ibid

⁶⁴ Barbara Oomen, ‘Introduction: The Promise and Challenges of Human Rights Cities’ in Barbara Oomen, Martha F Davis and Michele Grigolo (eds), *Global Urban Justice: The Rise of Human Rights Cities* (Cambridge University Press 2016) 16. According to Oomen, the Human Rights Council engages ‘with stakeholders in hospitals, prisons and schools but also businesses on the relevance of human rights for their work.’

⁶⁵ Graz Human Rights City brochure, available at: https://www.graz.at/cms/dokumente/10284058_7771447/2975d1a7/HRC-Folder-eng-web.pdf

⁶⁶ Website of the project ‘Kenne Deine Rechte’: www.kennedeinerechte.at. The project received Bruno Kreisky Human Rights Award in 2019.

⁶⁷ Website of the project ‘Kenne Deine Rechte’: <https://www.kennedeinerechte.at/das-projekt/projektinformationen/>

rights award bi-annually to local initiatives nominated by individuals or organisations on the basis of 'values such as tolerance, dialogue and reconciliation and their impact in communal life'.⁶⁸

Election monitoring campaign

Since 2006-2007, the city's Human Rights Council is carrying out election campaign monitoring, where all campaign materials for local elections as well as speeches and interviews by politicians are analysed under headings such as racism/hate speech, women's rights/gender equality, children's rights, religious rights/minority rights, and rights of persons with disabilities. To raise awareness amongst the public, the results are published using a traffic-light system; 'red for "no go", yellow for problematic statements or views, and green for campaigning that respects or promotes fundamental rights.'⁶⁹ After the first monitoring, the City has also set up a sanctioning mechanism; an independent arbitration committee chaired by the president of the appellate court, which reviews the monitoring report and recommends the City Council to introduce a reduction of subsidies of up to 30,000 Euros for political parties that failed to uphold human rights standards in their campaigning.⁷⁰ The monitoring even led to the conviction of one of the politicians for inciting hatred following the 2008 municipal election.⁷¹

Equality and Anti-discrimination

Through the Anti-discrimination Office, financed by the Styrian regional government, the City of Graz acts as a 'single point of contact' to receive complaints by people who feel discriminated against, provide advice, monitor discrimination in the region and raise awareness on discrimination. The Integration Office on the other hand focuses on language training and provision of information, creating opportunities for cultural exchange and funding similar activities and projects. Graz organises elections for the Migrants' Council, 'which has a right to be heard in the municipal council (parliament).' As a member of the European Coalition of Cities Against Racism (ECCAR), the city council adopted a 10-point plan of action against racism as well.⁷² Drawing from the experience in Graz, ETC Graz - an NGO set up under the Office of the Human Rights Council- prepared the ECCAR Toolkit for Equality 'for local decision-makers on promoting equality at the local level'.⁷³

⁶⁸ City of Graz website: https://www.graz.at/cms/beitrag/10341690/8106610/Engagement_das_vom_Herzen_kommt.html

⁶⁹ A Marx and others, 'Localizing Fundamental Rights in the European Union: What Is the Role of Local and Regional Authorities, and How to Strengthen It?' (2015) 7 *Journal of Human Rights Practice* 246, 4

⁷⁰ Ibid

⁷¹ ECRI, *Compilation of ECRI Country Monitoring Findings and Recommendations on Anti-Muslim Hatred/Islamophobia* (23 November 2020) 71. Also see Speech by Ingrid Nicoletti of Graz Human Rights Council at the Conference 'Council of Europe and the role of National Human Rights Institutions, Equality bodies and Ombudsman offices in promoting equality and social inclusion' held on 10-11 December 2015 in Helsinki, Finland: <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016804941ba>

⁷² Gregor Fischer and Gerd Oberleitner, 'Localizing International Law, Internationalizing the City - The Human Rights City of Graz' (ILA 2020) 11

⁷³ Ibid 9

Graz attempts to mainstream gender equality in all its work, including budgetary decisions, rather than working on it as a separate issue. It has a Gender Equality Action Plan with 56 indicators to assess progress against 27 objectives.⁷⁴ According to the presentation of Priska Pschaid from Graz Municipality at the FemCities Conference in Vienna in 2019, the rise in the number of female executives within the municipality workforce, the rise in the percentage of girls making use of sports and other leisure activities offered by the city from 30 to 50 percent and the production of guidelines for gender-equal school buildings are considered some of the examples showing successful implementation of gender equality in Graz.⁷⁵

Conclusions

At a conference on promotion of equality and social inclusion organised by the Council of Europe and Finland's National Human Rights Institution in 2015, Ingrid Nicoletti representing Graz Human Rights Council stated that declaring Graz a human rights city, amongst others, contributed to the improvement of 'political discourse and speech,' provided civil society with a basis 'to demand improvement or criticize a particular policy' not in line with human rights, and helped shape 'a culture of dialogue to prevent conflict.'⁷⁶

Despite the declaration and considerable resources put into mainstreaming human rights into the municipality's work, a human rights-based approach is not always adopted. For example, a hydropower plant construction and redesign of a public park were opposed by environmental groups and city residents; their 'attempts to initiate a referendum on the powerplant were turned down by the city government' and their subsequent protest setting up a camp at the construction site 'was ended in a manner that violated the right to freedom of assembly.'⁷⁷ Oomen also states that more 'radical and transformative rights', such as the situation of undocumented migrants, were not addressed.⁷⁸

⁷⁴ Information on Graz' equality action plan on the website of the City of Graz:

https://www.graz.at/cms/beitrag/10304552/7770531/Unser_Gleichstellungsaktionsplan.html

⁷⁵ City of Vienna, FemCities Conference 2019 'Cities as Driving Forces Behind Gender Equality: Exchanging Best Practices', presentation of Priska Pschaid from City of Graz, available at:

http://www.femcities.at/data/files2/FemCKonferenzband_engl_2019_web.pdf

⁷⁶ Speech by Ingrid Nicoletti of Graz Human Rights Council at the Conference 'Council of Europe and the role of National Human Rights Institutions, Equality bodies and Ombudsman offices in promoting equality and social inclusion' held on 10-11 December 2015 in Helsinki, Finland:

<https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016804941ba>

⁷⁷ Gregor Fischer and Gerd Oberleitner, 'Localizing International Law, Internationalizing the City - The Human Rights City of Graz' (ILA 2020) 11

⁷⁸ Barbara Oomen, 'Introduction: The Promise and Challenges of Human Rights Cities' in Barbara Oomen, Martha F Davis and Michele Grigolo (eds), *Global Urban Justice: The Rise of Human Rights Cities* (Cambridge University Press 2016) 13

Barcelona, Spain

Background

Barcelona, the capital city of Catalonia, has a population of 1.6 million with almost 18% non-nationals; majority from Italy, Ecuador, Pakistan, Bolivia, Peru, China, Morocco, France and Colombia.⁷⁹ According to municipality data, there are strong socioeconomic inequalities despite the city's economic dynamism with an average family income in the city's richest neighbourhood, seven times higher than an average family income in the poorest one.⁸⁰

Barcelona municipality has been engaging with human rights since 1990s. The Municipal Charter's preamble states that the city 'wants to be an example in the defence of human rights and of peoples,' which enabled human rights to remain on the agenda despite political changes in the administration.⁸¹

A Civil Rights Department, currently called the Directorate for Citizens Rights, was set up in 1995 with the 'mission to ensure a human rights approach in local policy making.'⁸² In 1998, for the 50th Anniversary of the Universal Declaration of Human Rights, the city hosted the Conference "Cities for Human Rights", which led to the adoption of the "Barcelona Commitment" which later led to the adoption of the European Charter for Human Rights in the City in 2001.⁸³

In 2016, the City Council adopted a government measure titled 'Barcelona, City of Rights,' 'which requires an inclusive perspective, embracing diversity, that is based on respecting, protecting and guaranteeing human rights to enable sustainable human and social development.'⁸⁴

Since 2015, Barcelona also declares itself as a Refugee City.

Implementing the Human Rights City: Human Rights Structures and Institutions

Barcelona, City of Rights Programme

⁷⁹ Information on Barcelona on the website of Council of Europe's Intercultural Cities programme, available at: <https://www.coe.int/en/web/interculturalcities/barcelona>

⁸⁰ UCLG's Inclusive Cities Observatory, report on Barcelona's Office for Non-Discrimination, page 3, available at: <https://uclg-cisdp.org/sites/default/files/observatory/files/2021-06/FICHA%20EN.pdf>

⁸¹ Ibid page 4

⁸² Eva García Chueca, 'Human Rights in the City and the Right to the City: Two Different Paradigms Confronting Urbanisation' in Barbara Oomen, Martha F Davis and Michele Grigolo (eds), *Global Urban Justice* (Cambridge University Press 2016) 106

⁸³ UCLG's Inclusive Cities Observatory, report on Barcelona's Office for Non-Discrimination, page 4, available at: <https://uclg-cisdp.org/sites/default/files/observatory/files/2021-06/FICHA%20EN.pdf>

⁸⁴ Barcelona City Council 'Methodology Guide: City of Human Rights, the Barcelona Model' (December 2018) page 5, available at: https://ajuntament.barcelona.cat/dretsidiversitat/sites/default/files/WEB_Manual_DDHH_A5_ENG.pdf

In December 2017, the City adopted the 'Barcelona, City of Rights Programme' (Barcelona Ciutat de Drets) with the goal to 'promote a diverse, intercultural and multifaceted city, where everyone has real, effective and equal access to all the human rights that are recognised and guaranteed by the city.'⁸⁵ In this programme, the City replaced the concept of civil rights with citizens' rights. The programme has three priority areas: (1) rhetoric of hate and discrimination; (2) civil rights and public freedoms in the use of public spaces; and (3) full citizenship 'centred around city's immigrant and foreign population.'⁸⁶

Office for Non-discrimination

In 1998 an Office for Non-Discrimination was established under the Directorate for Citizens Rights. The Office directly assists people with complaints of discrimination. While it cooperates with the prosecutor's office for acts that amount to crimes under national laws, the Office also assist people to resolve problems that fall outside criminal laws through alternative dispute resolution methods that lead to quick and less costly resolutions of conflicts and complaints.⁸⁷

In 2017, a Board of Organisations for the Assistance of Victims of Discrimination was established to coordinate activities of various NGOs in the city and the Office for Non-Discrimination. Since 2018, the Board publishes an annual overview of the discrimination situation in the city that includes recommendations, called Barcelona Discrimination Observatory.⁸⁸ The Office also serves as a platform for civil society organisation to share experiences, good practices and methodological tools concerning anti-discrimination.

Migrant Rights

Ensuring access to rights regardless of immigration status is a priority for Barcelona. Registering with local authorities is key to access rights and services, such as social benefits, education and health. As such, Barcelona is working to remove obstacles to registering with the local authority particularly for migrants who are undocumented, and make sure no one feels afraid of approaching the local authority regardless of their migration status. The Barcelona Intercultural Plan 2021-2030 aims to move towards a more inclusive city and fight against discrimination.⁸⁹

Participatory Budget Programme

⁸⁵ Ibid 6

⁸⁶ Ibid 7

⁸⁷ Michele Grigolo, 'Local Governments and Human Rights: Some Critical Reflections' (2017) 49 Columbia Human Rights Law Review 67, 83

⁸⁸ See, for example, Barcelona City Council 'Barcelona Discrimination Observatory Report 2019' (April 2020), available at: https://ajuntament.barcelona.cat/dretssocials/sites/default/files/arxiu-documents/barcelona_discrimination_observatory_report_2019.pdf

⁸⁹ Barcelona Intercultural Plan 2021-2030: https://ajuntament.barcelona.cat/dretssocials/sites/default/files/arxiu-documents/barcelona_discrimination_observatory_report_2019.pdf

In 2021, Barcelona ran a participatory budget programme, where proposed projects were voted by registered residents of the city, 14 years old and over.

Schools for Equality

The City Council ran a project in public and subsidised primary and secondary schools in Barcelona aiming at changing attitudes to diversity focusing on sexual orientation, gender, culture, religion and disability based on principles of equality and non-discrimination.⁹⁰ The activities targeted children, teachers and families, and according to an evaluation by Barcelona University, the project resulted in the development of positive attitudes towards diversity.⁹¹

Conclusions

Human rights are seen as providing instruments to improve living together, such as the ‘schools for equality’ project. However, language of human rights can sometimes create resistance, as such the local authority tries to focus on what residents are most concerned about and try to use a common language instead of insisting on framing everything in human rights terms.⁹²

Lund, Sweden

Background

Lund has a population of 125,000 with around 12% of inhabitants who are non-citizen,⁹³ and is home to Lund University with over 40,000 students.

Lund City Council declared Lund as a Human Rights City in August 2018 stemming from a belief that inclusion of city’s residents in the decisions concerning them would lead to better results for the city and its residents.⁹⁴ While this was a political decision at the city council level, the municipality has long been cooperating with the Lund University and Raoul Wallenberg Institute (RWI) over human rights in Lund and Sweden. The city decided to merge human rights and public health issues under the concept of

⁹⁰ Information on the project ‘Schools for Equality and Diversity’ on the website of Barcelona City Council: <https://ajuntament.barcelona.cat/feminismes-lgtbi/es/escuelas-por-la-igualdad-y-la-diversidad>

⁹¹ Brochure of the project ‘Schools for Equality and Diversity’: https://ajuntament.barcelona.cat/feminismes-lgtbi/sites/default/files/documents/v0101_escoles_per_la_igualtat_descriptiva.pdf

⁹² Interview on 21 June 2021.

⁹³ Statistical data on the population of Lund, available at: <https://ugeo.urbistat.com/AdminStat/en/se/demografia/dati-sintesi/lund/20299269/4>

⁹⁴ Appendices to the minutes of the meeting on 30 August 2018 of Lund’s Municipal Authority, page 2020 (§ 177 Möjligheten för Lund att bli en MR stad), available at: <https://moten.lund.se/committees/kommunfullmaktige/kommunfullmaktige/agenda/kf-handlingar-2018-08-30pdf?downloadMode=open>

'social sustainability.' This way, work on these two areas were aligned with ecological and economic sustainability under the local authority's programmes concerning Sustainable Development Goals.

Implementing the Human Rights City: Human Rights Structures and Initiatives

Social Sustainability Programme

Following the declaration, a working group was set up involving administrators from each administrative unit within the municipality to draw up a plan to tackle issues concerning human rights and public health in Lund. First, the human rights situation in the city was assessed in cooperation with civil society organisations, Lund University and RWI. Drawing from this information, a Social Sustainability Programme was devised for 2020-2030, which was adopted by the City Council in August 2020.

The purpose of the programme is declared as 'to create equal conditions and human rights for everyone who lives and works in Lund' as well as 'to inspire other actors such as universities, businesses and civil society to collaborate for a socially sustainable Lund.'⁹⁵ It lists objectives divided by sub-goals and identifies municipal committees or boards responsible from each sub-goal. The social sustainability situation in Lund will be assessed annually with two full evaluations of the programme in 2023 and 2027. After these evaluations, the programme will be updated according to new needs.

Youth participation

Youth councils bring together young people aged between 12 and 25. They are organised by young people themselves during school hours twice each semester as a forum to discuss issues of concern to them and influence the local authority. The youth councils involve workshops and lectures, and opportunities to meet civil society representatives and learn about their work. Proposals that are developed during these youth councils are then forwarded to relevant municipal committees.

As youth councils may not be suitable venues for all young people to participate, the local authority also organises what it calls influence cafés for young people going to special schools. These cafes organised during the weeks leading up to the upcoming youth council involve creative ways for young people to express themselves. For example, opinions may be drawn up as a group illustration.⁹⁶

Every municipal decision in Lund must incorporate an assessment of the potential consequences of the decision on children.

The Local Disability Council

⁹⁵ RWI 'Covid 19: The City of Lund – Two Years as a Human Rights City' (26 June 2020), available at: <https://rwi.lu.se/blog/covid-19-the-city-of-lund-two-years-as-a-human-rights-city/>

⁹⁶ Information on Lund's Youth Council on Lund Municipality website, available at: <https://ungilund.se/ungdomspolitik/ungdomsting/>

A Local Disability Council brings together representatives from the local administration, politicians and civil society organisations working with disabled people. The Council meets four times a year, where civil society participants inform the municipality about their activities, plans as well as their views over various measures taken by the local authority and their impact on people with disabilities. The Council is also contributing to the development of Lund's local plan for the participation and equality for people with disabilities.

Conclusions

Lund's self-declaration as a human rights city is viewed as having enhanced cooperation between the local administration and civil society in the city. It also called for ways to ensure better participation and inclusion of citizens in the assessment of needs and responses.

Nuremberg, Germany

Background

Nuremberg, 14th largest city in Germany, has a population of over half a million.⁹⁷ The City was a central location for the National Socialist Party of Germany, where large Nazi rallies were held. After the end of the World War II, Nuremberg hosted the international tribunal, where high-ranking German officials were tried for war crimes and crimes against humanity (Nuremberg trials).

Influenced by this painful history, the artist Dani Karavan designed the 'Way of Human Rights,' which includes 27 8m-high pillars, each with an article from the Universal Declaration of Human Rights engrained on it. The installation of this art piece in the centre of the city gave the impetus to the city's human rights work. Having set up a Human Rights Office as early as 1997 and stated its commitment to the active realization of human rights and promotion of equality in 2001 in its mission statement,⁹⁸ which bounds the mayor, the City Council and all administrative staff of the Council,⁹⁹ the City of Nuremberg declared itself as the City of Peace and Human Rights in 2010.

Implementing the Human Rights City: Human Rights Structures and Initiatives

Raising awareness on human rights

⁹⁷ Population statistics available at: <https://www.destatis.de/DE/Themen/Gesellschaft-Umwelt/Bevoelkerung/Bevoelkerungsstand/bar-chart-race.html>

⁹⁸ Mission Statement of the City of Nuremberg, available at: https://www.nuernberg.de/imperia/md/menschenrechte/dokumente/menschenrechte/leitbild_stadt_nuernberg.pdf

⁹⁹ Interview on 17 June 2021.

The Human Rights Office carries out many activities to raise awareness about human rights amongst the inhabitants of Nuremberg, including within the administration, and make human rights visible within the city. Inspired by Dani Karavan's Way of Human Rights, a Street of Children's Rights was designed with children in 2017, which introduces some of the children's rights in a playful manner. Since 2007, the City also ran a project for various civil society organisation to plant a tree dedicated to a particular human right that they work on. So far more than 90 trees are planted across the city providing information on human rights and symbolising the enrooting of human rights in the city. Every July, the parent organisations hold activities around 'their' tree providing information to passers-by on their work and the human right their tree represents.

The Office also organises training sessions in schools and tours on the Way of Human Rights as well as conferences. The human rights education work of the Human Rights Office targets the youth, but also specific groups such as those working with children or the elderly, the police, armed forces and the administration. Every trainee that joins the City administration must take one day of human rights and one day of anti-discrimination training. Same training opportunities are also open to all administrative staff of the city on a voluntary basis.

Three bi-annual human rights awards are given to encourage respect for and promotion of human rights. The Nuremberg International Human Rights Award is given to an activist, who fights for human rights at great personal risk. Around the award ceremony, many activities are organised in the city to introduce residents to the particular focus of the prize winner and what individually those in Nuremberg can do about that human rights issue. The German Human Rights Film Award is given to outstanding film productions on a variety of human rights topics. A human rights festival is organised, where feature and documentary films on social and political situation in various countries are shown every year. A Nuremberg Award for Company Culture without Discrimination is biannually given since 2010 to private companies that are committed to the protection of rights of all their staff and supporting the City in its activities against racism and discrimination.

Anti-discrimination

The Human Rights Office also has an anti-discrimination officer, who provides individual assistance to persons who complain of discrimination. Through these individual cases and engagement with civil society organisations, the officer also assesses the overall discrimination situation in the city.

The licence that companies in the catering sector have to obtain from the local authority includes a commitment to anti-discrimination. Other businesses that do not require a licence are also sent information on discrimination and their obligations.

Nuremberg grew 10% in the last 10 years, and it is very difficult to find inexpensive flats. To ensure people are not discriminated against in the housing sector, large real estate companies in Nuremberg signed the "Guidelines and Code of Conduct of the City of Nuremberg and the Nuremberg Housing and Real Estate Sector for Renting and Sale of Living Space" in 2010, which includes anti-discrimination commitments.

Business and Human Rights

The Fair Toys Organisation was set up in Nuremberg in 2020 with the support of the Human Rights Office. The organisation brings together private companies, non-governmental organisations and the city administration to ensure toys are produced in fair and humane working conditions worldwide.

Conclusions

Thanks to the work and initiatives of the Human Rights Office, awareness of human rights has grown amongst the inhabitants of Nuremberg. However, the Human Rights Office seems to be the main driver of the human rights initiatives within the city administration rather than human rights having been incorporated into the work of different units/departments.

Utrecht, Netherlands

Background

Fourth largest city of Netherlands, Utrecht has a population exceeding 350,000¹⁰⁰ and hosts the largest university in the country, Utrecht University, which has over 35,000 students.¹⁰¹

City Council's particular interest in human rights began when it was invited by the Fundamental Rights Agency of the European Union to investigate how cities can take responsibility over human rights along with national governments and non-governmental organisations.¹⁰² Under this initiative, 10 policy areas were 'critically reviewed from a human rights perspective' and the resulting assessment was used as a basis by the City Council to improve their local policies.¹⁰³ Although Utrecht never formally declared itself as a Human Rights City, a 2018 agreement between the three parties forming the city coalition in Utrecht, states that the city commits to 'the Utrecht Human Rights City project.'¹⁰⁴

Implementing the Human Rights City: Human Rights Structures and Initiatives

¹⁰⁰ Population statistics available at: <https://opendata.cbs.nl/statline/#/CBS/en/dataset/37259eng/table?ts=1630402603589>

¹⁰¹ Website of Utrecht University: <https://www.uu.nl/en>

¹⁰² Hans Sakkers and Barnita Bagchi, 'Social Dreaming between the Local and the Global: The Human Rights Coalition in Utrecht as an Urban Utopia' in Barnita Bagchi (ed), *Urban Utopias: Memory, Rights and Speculation* (Jadavpur University Press 2020) 95. More details on this project can be found at: <https://fra.europa.eu/en/project/2011/joined-governance-connecting-fundamental-rights>

¹⁰³ Ibid 96. The outcomes of this study were published by the City of Utrecht in June 2011 in a report titled 'Human Rights in Utrecht: How does Utrecht give effect to international human rights treaties?'

¹⁰⁴ Utrecht Coalition Agreement (page 16), available at : <https://www.utrecht.nl/fileadmin/uploads/documenten/bestuur-en-organisatie/college-van-b-en-w/coalitieakkoord/Coalitieakkoord-Utrecht-ruimte-voor-iedereen.pdf>

A local human rights coalition involving local civil society organisations, politicians, city's administrative officers, academics and businesses, was established in 2013.¹⁰⁵ Utrecht local authority was involved in this initiative from the beginning as one of the priorities for the City Council was to 'govern the city through a high degree of citizens' engagement and by multi-stakeholder process.'¹⁰⁶ To enable more of a bottom-up approach, the municipality plays a facilitating role in the coalition rather than a leading one.

Bed, Bath and Bread policy

When the Dutch government changed its asylum policy of providing shelter, food and medical assistance in 2015, Utrecht and several other municipalities continued to provide these services to third-country nationals regardless of their immigration status based on human rights principles. In Utrecht, through collaboration enabled under the Local Human Rights Coalition, NGOs and the local authority, try to provide comprehensive services to migrants, who need them, from shelter and medical care to legal assistance.¹⁰⁷

Participation of Children

The city aspires also to be a 'City of Children's Rights.' As part of this, the local authority creates opportunities for children to raise their voices and involve them in policy decisions. As part of this, children and youth dialogue meetings are organised, where children discuss and vote over issues they see as important to them. A child-friendly version of certain documents is prepared to ensure their accessibility, such as the local authority's youth policy.¹⁰⁸

Conclusions

In Utrecht, adoption of a human rights framework has influenced the development of a number of human rights inspired policies, such as the Children Rights agenda,¹⁰⁹ LGBTI policies, Shelter City, Accessibility for people with disabilities, Fighting Poverty programs and Participation Labs.¹¹⁰ Bringing diverse groups together working or caring about particular human rights issues, the Local Human Rights Coalition is viewed as contributing to preventing discrimination, racism and polarisation.

¹⁰⁵ Information on Utrecht on the Human Rights Cities Network Website, available at: <https://humanrightscities.net/humanrightscity/utrecht/>

¹⁰⁶ Hans Sakkers and Barnita Bagchi, 'Social Dreaming between the Local and the Global: The Human Rights Coalition in Utrecht as an Urban Utopia' in Barnita Bagchi (ed), *Urban Utopias: Memory, Rights and Speculation* (Jadavpur University Press 2020) 99

¹⁰⁷ Ibid 103

¹⁰⁸ Child-friendly brochure of Utrecht's youth policy, available at: https://www.utrecht.nl/fileadmin/uploads/documenten/zorg-en-onderwijs/samenleven-welzijn/kinderen-en-jongeren/2017-09-Uitvoeringsagenda-zorg-voor-jeugd-kindversie_01.PDF

¹⁰⁹ Information on Utrecht's children's rights agenda, available at: <https://www.utrecht.nl/zorg-en-onderwijs/samenleven-welzijn/kinderen-en-jongeren/kinderrechten/>

¹¹⁰ Hans Sakkers and Barnita Bagchi, 'Social Dreaming between the Local and the Global: The Human Rights Coalition in Utrecht as an Urban Utopia' in Barnita Bagchi (ed), *Urban Utopias: Memory, Rights and Speculation* (Jadavpur University Press 2020) 108-109

Vienna, Austria

Background

Capital of Austria, Vienna, has a population of nearly 2 million with around 30% of them non-nationals.¹¹¹ It has been one of the fastest growing cities in Europe due to migration.¹¹²

Vienna City Council declared Vienna as a human rights city in December 2014. This decision followed activities organised by the local authority on the 20th anniversary of the 1993 World Conference on Human Rights hosted in Vienna. Two decades after the Conference, the City Council decided to look at Vienna from a human rights perspective. Roundtable discussions and events were organised with experts, academics, civil society and politicians, which culminated in the decision to declare Vienna as a human rights city. Since 2014, Vienna is also a member of the World Human Rights Cities Forum.

According to the declaration, the City of Vienna pledges to strive ‘to respect, protect, fulfil and be accountable for human rights in all of its areas of competence’¹¹³ through five distinct commitments:

- (1) To integrate a human rights-based approach to all strategic and operative processes of the city;
- (2) To promote and advance comprehensive participation and involvement of the city’s population and civil society organisations in decision-making processes;
- (3) To promote human rights learning for specific groups from decision makers to city staff to whole of the population of the city;
- (4) To cooperate with national institutions to ensure rights of Vienna’s inhabitants are upheld, and networking at international level for experience exchange and solidarity;
- (5) To devise an action plan and monitoring progress through integrating human rights indicators into internal monitoring mechanisms as well as setting up an independent external monitoring mechanism.

Implementing the Human Rights City: Human Rights Structures and Initiatives

Human Rights Office

¹¹¹ Population statistics available at: <https://www.wien.gv.at/english/social/integration/facts-figures/population-migration.html>

¹¹² Shams Asadi ‘From the Vienna Charter for the neighbourly relations to Vienna as a City of Human Rights’ (December 2019), available at: https://www.cidob.org/en/articulos/monografias/ampliando_derechos_urbanos/from_the_vienna_charter_for_neighbourly_relations_to_vienna_as_a_city_of_human_rights

¹¹³ Vienna – City of Human Rights Declaration, available at: <https://www.wien.gv.at/english/social/integration/pdf/human-rights-declaration.pdf>

A Human Rights Office was set up in September 2015 to coordinate all human rights related activities of the City in cooperation with local departments, public institutions, NGOs, civil society initiatives, and experts.¹¹⁴ The consultations with civil society led to the decision to initially focus on five areas: (1) awareness raising on human rights, (2) children's rights, in particular concerning unaccompanied refugee children, (3) fighting poverty and violence, (4) security policies and human rights, and (5) raising awareness on human trafficking and developing measures against it.

To mainstream a human rights culture within the city administration, the Human Rights Office offers training courses to administrative officers and has integrated human rights as a cross-cutting subject in the seminar provided to legal officers working in the city administration.¹¹⁵

Of the 23 districts in Vienna, 11 of them declared themselves as Human Rights Districts with a commitment of almost all the political parties and appointing a person responsible for human rights in the district. This has been through the support and encouragement of the Human Rights Office, which is also helping districts to draw up human rights action plans in line with the specific needs of the district to further localise human rights.¹¹⁶

Covid-19 Response

As a human rights city, Vienna tried to respond to the Covid-19 crisis in a human rights compliant manner, trying to ensure non-discrimination and equality in the impact of measures taken during the crisis.¹¹⁷ In addition to user-friendly mobile applications, a coronavirus hotline was set up to provide information on multiple languages, including sign language. Personal inquiries are responded to in 24 languages by email or phone to ensure everyone has access to information and, in particular, migrants are not excluded.¹¹⁸

Social workers supported teachers to ensure relevant materials, including laptops, can be distributed to children, who need them to access education, when the schools were closed during the pandemic.¹¹⁹ To prevent homelessness, the housing department stopped evictions for its 220,000 flats in Vienna and the

¹¹⁴ Information on the Human Rights Office of City of Vienna, available at:
<https://www.wien.gv.at/english/social/integration/human-rights/office.html>

¹¹⁵ Information submitted to the OHCHR by the Human Rights Office of the City of Vienna on 12 February 2019, page 4:
<https://www.ohchr.org/Documents/Issues/LocalGvt/Local/20190212Vienna.pdf>

¹¹⁶ Interview with Shams Asadi on 28 June 2021.

¹¹⁷ Shams Asadi, 'Vienna's Human Rights Approach to Coronavirus Crisis' in *Cities on the Frontline: managing the Coronavirus Crisis* (CIDOP Report # 05- 2020) 42, available at:

https://www.cidob.org/en/articulos/cidob_report/n1_5/vienna_s_human_rights_approach_to_the_coronavirus_crisis

¹¹⁸ Shams Asadi, 'Vienna's Human Rights Approach to Coronavirus Crisis' in *Cities on the Frontline: managing the Coronavirus Crisis* (CIDOP Report # 05- 2020) 42, available at:

https://www.cidob.org/en/articulos/cidob_report/n1_5/vienna_s_human_rights_approach_to_the_coronavirus_crisis

¹¹⁹ Interview with Shams Asadi on 28 June 2021.

application process for rental housing allowances was eased.¹²⁰ Due to increased risk of gender-based violence during the confinement, the city increased its resources for a 24-hour helpline for women.

Conclusions

The declaration of Vienna as a human rights city is seen as having created a platform for discussion and collaboration around issues important for everyone in the society. It provided a framework on how to respond to difficult situations. For example, at the height of the 'refugee crisis' in Europe, the city administration looked for ways to ensure access to shelter for arriving refugees regardless of their immigration status in Austria.¹²¹

York: The UK's first Human Rights City

Background

York, situated in the north of England, has a population of over 200,000, including a large student population split between two universities: the University of York and York St John University. Desirability of York as a town to live in and study pushed up housing prices and inequalities in the city.¹²²

On 24 April 2017, the Lord Mayor of York signed a declaration on behalf of all citizens making York the first and only human rights city in the UK as of July 2021. The declaration, which received cross-party support, was a culmination of several years of work by the York Human Rights City Network (YHRC Network)¹²³ based on the vision that 'human rights can advance justice, reduce inequality, champion fairness and foster solidarity' in the city.¹²⁴

The declaration states that the vision of the city as 'a vibrant, diverse, fair and safe community built on the foundations of universal human rights' is shared by citizens and institutions in York.¹²⁵ Accepting that

¹²⁰ Shams Asadi, 'Vienna's Human Rights Approach to Coronavirus Crisis' in *Cities on the Frontline: managing the Coronavirus Crisis* (CIDOP Report # 05- 2020) 43, available at: https://www.cidob.org/en/articulos/cidob_report/n1_5/vienna_s_human_rights_approach_to_the_coronavirus_crisis

¹²¹ Interview with Shams Asadi on 28 June 2021.

¹²² Paul Gready, 'Reflections on a Human Rights Decade, Near and Far' (2019) 11 *Journal of Human Rights Practice* 422, 423

¹²³ The YHRCN is an umbrella organisation whose steering committee includes the City of York Council, York Council of Voluntary Service, York Citizens Advice Bureau, North Yorkshire Police, the City of Sanctuary movement and the Centre for Applied Human Rights at the University of York.

¹²⁴ Paul Gready, 'Reflections on a Human Rights Decade, Near and Far' (2019) 11 *Journal of Human Rights Practice* 422, 423

¹²⁵ York's Human Rights City Declaration, available at: <https://www.yorkhumanrights.org/human-rights-city-declaration/>

the declaration 'marks an ambition' rather than 'a final destination', the city commits to 'putting fundamental rights at the heart of [its] policies, hopes and dreams for the future.'¹²⁶

Implementing the Human Rights City: Human Rights Structures and Initiatives

Human Rights Indicator Reports

One key feature of York as a Human Rights City has been the annual indicator report published by the YHRC Network since 2016. The report monitors the developments in five human rights areas that were identified as local priorities. These five priority rights were determined through a participatory approach involving street and online surveys as well as discussions with people living, working, or studying in York. Interviews were held with NGOs representing minority or disadvantaged groups. In the survey, participants were asked to choose five human rights that are important to them amongst fifteen listed rights including an open choice of 'other.' As a result of this process, the Network identified the right to equality and non-discrimination, education, a decent standard of living, housing, and health and social care as the five priority rights to focus on.¹²⁷

Through five focus groups made up largely of civil society representatives as well as representatives from the relevant units of the local administrations, the Network identified indicators and determined the baseline data for them in year 2016. Every year, progress is measured against those indicators.¹²⁸ Data is compiled by using 'official information collected by public bodies like the City of York Council and information collected by voluntary organisations.'¹²⁹

York's human rights indicator reports use only a small number of indicators for each priority area, for example hate crime for equality and non-discrimination. They provide data in an easily comprehensible manner involving both statistics and qualitative information based on people's experiences and perceptions. The choice of non-complex indicators was deliberate as the YHRC Network viewed accessibility as a priority. This was because the Network aspired that the reports would become living documents in the city, used by residents and local organisations for constructive debate around issues they view as important as well as to support their advocacy.¹³⁰

¹²⁶ York's Human Rights City Declaration, available at: <https://www.yorkhumanrights.org/human-rights-city-declaration/>

¹²⁷ York Human Rights City Network 'York Human Rights Indicator Baseline Report: Human Rights: Reclaiming the Positive' (2016) 4, available at: https://www.yorkhumanrights.org/wp-content/uploads/2015/10/York-Human-Rights-Indicator-Report_2016.pdf

¹²⁸ Raul Wallenberg, Human Rights Cities 2017, Paul Gready, Emily Graham, Eric Hoddy and Rachel Pennington *Re-imagining Human Rights Practice Through the City: A Case Study of York (UK)* in Martha F Davis and others (eds) 'Human Rights Cities and Regions: Swedish and International Perspectives' (Raul Wallenberg Institute 2017) page 74.

¹²⁹ York Human Rights City Network 'York Human Rights Indicator Report: Human Rights: Reclaiming the Positive' (2017) 3, available at: https://www.yorkhumanrights.org/wp-content/uploads/2015/10/37926_2017_Report_A4_FINAL.pdf

¹³⁰ Paul Gready, 'Reflections on a Human Rights Decade, Near and Far' (2019) 11 *Journal of Human Rights Practice* 422, 430

The Human Rights and Equalities Board

Following York's declaration as a Human Rights City, in early 2018, the City of York Council set up a Human Rights and Equalities Board 'to institutionalize the commitment to create a human rights city.'¹³¹ Whereas the YHRC Network and its steering committee is led by civil society organisations, the Board brings together the city's key institutions with representation from elected councillors, police, health, education and business sectors. The YHRC steering committee is also represented on the Board ensuring that each body informs and is informed by the work of the other.

The Board has two main roles. First is tackling specific issues of concern identified in York's indicator reports through recommending solutions, devising action plans, and allocating resources to specific projects. Secondly, the Board also aims to inform a more systemic response by the City Council to York becoming a Human Rights City, for example, by raising awareness of human rights and their relevance to day-to-day work amongst Council staff, their partners and elected members. The Board commits to assisting 'the Council and partner agencies to develop human rights frameworks and strategies, and to incorporate human rights into their formal procedures in such a way that supports the respect, protection, fulfilment and promotion of human rights.'¹³²

In terms of addressing the indicator report outcomes, for example, the Board first focused on the situation of young people neither in education, nor employed or in training (NEET), which was identified as one of the priorities under the education field in York's first indicator report in 2016. Rather than coming up with plans and consulting relevant groups afterwards, the research sanctioned by the Board involved interviews with young people falling under this category to hear from them directly what they identify as the problems and potential solutions. The research highlighted that feelings of alienation and adverse experiences at school, such as lack of understanding of their circumstances or bullying, are important factors putting young people at risk of becoming NEET. As a result of this research, extra funding was allocated to address these concerns. For example, the Board has been supporting schools in York and encouraging more to become part of UNICEF's rights respecting schools initiative.

As part of its mandate to develop a systemic human rights response in the city, the Board has supported incorporating human rights into the Council's formal procedures. Specifically, this has taken the form of the Council developing a new impact assessment tool that incorporates human rights into its equalities impact assessment framework. Administration staff will be trained from September 2021 onwards on how to use this new tool.¹³³

¹³¹ Paul Gready, 'Reflections on a Human Rights Decade, Near and Far' (2019) 11 *Journal of Human Rights Practice* 422, 433

¹³² Information on Human Rights and Equalities Board available at: <https://democracy.york.gov.uk/mgOutsideBodyDetails.aspx?ID=947>

¹³³ Information on the new impact assessment tool is available at: <https://www.york.ac.uk/cahr/news/news2021/human-rights-equalities-impact-assessments/>

Under an initiative called Community Voices, the YHRC Network is supporting various particularly disadvantaged groups to self-organise to raise their agenda and advocate on their issues in the City. In 2021, the Network is working with people with disabilities to help identify their priorities and bring them before the city. The Community Voices project is funded by the City Council, currently for three years.

Conclusions

York's approach as a Human Rights City is driven by PANEL principles of participation, accountability, non-discrimination and equality, empowerment and legality. Although participation and empowerment through initiatives like Community Voices are viewed as resource intensive and long-term investments, they allow the city to better understand root causes of problems and develop effective and more sustainable solutions to them. Furthermore, the inclusion of diverse groups and institutions in the YHRC Network as well as the Human Rights and Equality Board allows for collaboration to tackle difficult issues.

Brighton & Hove, UK

Although Brighton & Hove City Council has not formally adopted a human rights approach, the City's work in the area of homelessness is important to highlight as an example of local initiatives that employ a human rights framework.

The Homeless Bill of Rights

'In the struggle against the objectification of homeless people, the Homeless Bill of Rights recasts them as subjects, as free and equal in dignity and rights, without regard to legal divisions into local and not local, deserving or not deserving, with papers or without papers.' David Thomas, 6 April 2021¹³⁴

On 25 March 2021, Brighton & Hove City Council voted to adopt the Homeless Bill of Rights¹³⁵ as a result of sustained campaigning by Brighton & Hove Housing Coalition (BHHC), which is an umbrella organisation bringing together community groups and individual activists working to 'fix the housing and homelessness crisis in Brighton & Hove.'¹³⁶

In 2019, before the Covid pandemic hit, Brighton & Hove Council was the fourth amongst the local authorities reporting the highest level of rough sleeping in England.¹³⁷ Activists were concerned by the

¹³⁴ David Thomas is a homelessness solicitor, academic and the Legal Officer at the BHHC. The full article where the quote is from is titled 'Brighton and Hove's Homeless Bill of Rights' and is available at: <https://criticallegalthinking.com/2021/04/06/brighton-and-hoves-homeless-bill-of-rights/>

¹³⁵ Website of the Homeless Bill of Rights: <https://homelessrights.org.uk/>

¹³⁶ Website of the Brighton and Hove Housing Coalition: <https://housingcoalition.co.uk/who-we-are/>

¹³⁷ Official statistics on rough sleeping in England in 2020 available at: <https://www.gov.uk/government/statistics/rough-sleeping-snapshot-in-england-autumn-2020/rough-sleeping-snapshot-in-england-autumn->

way homeless people, and in particular rough sleepers, were being treated in Brighton & Hove and how their rights were neglected. Having been already using human rights as the basis in their campaigning for homeless people, they decided that if the City Council was to directly adopt clear obligations vis-à-vis homeless people, they would be able to use that as the basis of their arguments in relation to their concerns and hold the Council to account.

BHHC then adjusted the Homeless Bill of Rights of the European Federation of National Organisations Working with the Homeless (FEANTSA) to the specific situation in Brighton & Hove and started a campaign in October 2018 to have the City Council adopt it.¹³⁸ FEANTSA's Homeless Bill of Rights compiles under 11 articles States' obligations vis-à-vis homeless people stemming from European law and international human rights treaties.¹³⁹ The Brighton & Hove Homeless Bill of Rights added to this two more articles (Article 12: the right to respect for personal property and Article 13: Right to life) in consultation with homeless people in Brighton & Hove.

As a result of 'campaigning, petitions, deputations, questions, demonstrations, speeches and papers,' first the Bill was mentioned in Brighton & Hove's Homelessness and Rough Sleeping Strategy 2020-2025 'as a standard against which the Council and its partners judge our policies and practices'¹⁴⁰ and then it was adopted by the City Council in March 2021.

Benefits of Adopting a Human Rights-Based Approach

David Thomas, who led this campaign in Brighton, observed that even before the adoption they had started to see a change in the way Council officers, councillors and NGO staff talked about homeless people. The human rights campaigning led to the use of a more respectful language, to 'an understanding that homeless people are equal in dignity to the rest of us.' As for the impact of the adoption of the Bill, it is too early to make an assessment, but advocates believe that it has strengthened their hands to ensure access to rights for homeless people.

The city is also setting up a new structure called Homelessness Reduction Board, with a Homelessness Reduction Operational Board reporting to it. These two boards will bring together officers, councillors and

[2020#:~:text=was%20first%20introduced.-,There%20were%20%2C688%20people%20estimated%20to%20be%20sleeping%20rough%20on,or%2052%20%25%20increase%20since%202010.&text=In%20London%2C%20there%20were%20714,single%20night%20in%20autumn%202020.](#)

¹³⁸ David Thomas 'Human Rights: Homeless Bill of Rights' (16 June 2020), available at: <https://housingcoalition.co.uk/2020/06/16/human-rights-homeless-bill-rights-brighton/>

¹³⁹ FEANTSA's Homeless Bill of Rights, available at: https://www.feantsa.org/download/the_homeless_bill_of_rights_8107364355310719862.pdf

¹⁴⁰ Brighton & Hove's Homelessness and Rough Sleeping Strategy 2020-2025, available at: <https://www.brighton-hove.gov.uk/homelessness-and-rough-sleeping-strategy-2020-2025>

third sector and will have a role of monitoring the progress under the city's Homelessness and Rough Sleeping Strategy and the effectiveness of the actions taken under it.¹⁴¹

Newcastle, UK

Newcastle is a city in the northeast of England with a population of around 300,000. The city has a large university student population.¹⁴² According to a Heriot-Watt University report, Newcastle faced significant challenges since 2010 stemming from severe welfare and local authority budget cuts as well as from being 'one of the first areas to experience Universal Credit', all of which increased the risks of homelessness faced by Newcastle residents.¹⁴³ Despite these challenges, however, the study concluded that Newcastle managed 'to maintain extremely low and stable levels of homelessness on almost all measures.'¹⁴⁴

Although the city does not directly reference human rights in its work, it is frequently referring to the concepts of fairness, inclusion and social justice.¹⁴⁵ Several projects, in particular those related to homelessness prevention, use some of the key features of human rights-based approaches, such as participation, inclusion, and empowerment.

A Rights-based Approach to Homelessness Prevention

The City's Active Inclusion Service aims to help residents to 'maintain the foundations for a stable life: somewhere to live, an income, financial inclusion and employment opportunities.'¹⁴⁶ Recognising the challenges connected to homelessness (or risk of it) cannot be dealt with in silos,¹⁴⁷ the Service uses a partnership approach 'providing a framework to improve coordination and consistency of information, advice and support,' to increase financial inclusion and prevent homelessness.¹⁴⁸

¹⁴¹ Brighton & Hove's Homelessness and Rough Sleeping Strategy 2020-2025, available at: <https://www.brighton-hove.gov.uk/homelessness-and-rough-sleeping-strategy-2020-2025>

¹⁴² Detailed population data can be found in The Newcastle Future Needs Assessment (NFNA) City Profile 2021 available at: <https://www.newcastle.gov.uk/sites/default/files/your-council-and-democracy/2021%2004%20NFNA%20City%20Profile.pdf>

¹⁴³ Beth Watts, Glen Bramley, Janice Blenkinsopp and Jill McIntyre, *Homelessness prevention in Newcastle: Examining the role of the 'local state' in the context of austerity and welfare reform*, (I-SPHERE/Heriot-Watt University and Newcastle City Council, 2019) 39

¹⁴⁴ Ibid 143

¹⁴⁵ See, for example, Newcastle Labour Manifesto 2021, available at: <https://www.newcastlelabour.org.uk/wp-content/uploads/sites/331/2021/04/manifesto-2021-web-1.pdf>

¹⁴⁶ Active Inclusion Newcastle Briefing Note-2020-2021: https://www.newcastle.gov.uk/sites/default/files/Welfare%20Rights/Active%20Inclusion%20Newcastle%20-%20briefing%20note%202020-21_1.pdf

¹⁴⁷ Ibid

¹⁴⁸ Ibid

In 2016, Newcastle was announced as one of the three national early adopters for the Homelessness Prevention Trailblazer as part of government's Homelessness Prevention Programme that aimed to identify and tackle the causes of homelessness. As part of the programme, a multidisciplinary team, composed of caseworkers in the specialist areas of housing, welfare rights, debt and budgeting, and employment, started to work together in October 2017.¹⁴⁹ The aim with instituting a multidisciplinary team was to 'identify at risk residents early,' 'deliver integrated casework' and 'to generate learning on homelessness risk factors and the effectiveness of the [multidisciplinary team] model.'¹⁵⁰

On 20 June 2019, the City began a partnership with Crisis, a charity for homeless people, to end homelessness in Newcastle over the next 10 years.¹⁵¹ As part of the partnership, the Council intends to transform its public services based on an understanding of the causes of homelessness following a comprehensive review of homelessness in the city in 2020-21.¹⁵² The Council also has a policy of no evictions into homelessness since July 2020.¹⁵³ In July 2021, Active Inclusion Service reported that there has been zero evictions into homelessness from Newcastle's council homes, managed by Your Homes Newcastle, and 68 percent of reduction in rough sleeping that year.¹⁵⁴

Other initiatives include Street Zero partnerships and Newcastle Independent Tenant Voice. Street Zero is 'a partnership between the public sector, businesses, charities and community organisation' to end rough sleeping in Newcastle by 2022.¹⁵⁵ Newcastle Independent Tenant Voice encourages 'conversation

¹⁴⁹ Newcastle City Council, 'Homelessness Prevention Trailblazer, Multidisciplinary teams: Summative Review' (2019) 16, available at:

<https://www.newcastle.gov.uk/sites/default/files/Housing%20and%20homelessness/Homelessness%20Prevention%20Trailblazer/Multidisciplinary%20team%20-%20Summative%20Report.pdf>

¹⁵⁰ Ministry of Housing, Communities and Local Government 'Evaluation of Homelessness Prevention Trailblazers' (16 November 2018) 30, available at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/791585/Evaluation_of_Homelessness_Prevention_Trailblazers.pdf

¹⁵¹ Forward by Councillor Linda Hobson (Portfolio holder for Housing) to Newcastle's Homeless and Rough Sleeping Strategy 2020-2025, available at:

<https://www.newcastle.gov.uk/sites/default/files/Housing%20and%20homelessness/Professionals%20page/Homeless%20Strategy/Newcastle's%20Homelessness%20and%20Rough%20Sleeping%20Strategy%202020-2025%20final%20version.pdf>.

Also see, Crisis: <https://www.crisis.org.uk/about-us/latest-news/crisis-and-newcastle-city-council-join-forces-to-end-homelessness-across-the-city-within-10-years/>

¹⁵² Newcastle's Homeless and Rough Sleeping Strategy 2020-2025, page 3, available at:

<https://www.newcastle.gov.uk/sites/default/files/Housing%20and%20homelessness/Professionals%20page/Homeless%20Strategy/Newcastle's%20Homelessness%20and%20Rough%20Sleeping%20Strategy%202020-2025%20final%20version.pdf>

¹⁵³ Newcastle City Council, Cabinet Decision of 20 July 2020, available at:

<https://democracy.newcastle.gov.uk/documents/q12615/Decisions%2020th-Jul-2020%2017.30%20Cabinet.pdf?T=2>

¹⁵⁴ Newcastle City Council 'Ten years on - the Impact of the Government's welfare reform agenda on Newcastle' 19 July 2021, para 1.14 available at:

<https://democracy.newcastle.gov.uk/documents/s172954/Ten%20years%20on%20welfare%20reform%20impact.pdf>

¹⁵⁵ Information on Street Zero is available at: <https://streetzero.org/who-we-are/>

between tenants, leaseholders and the Council on major issues of interest and concern to people' living in social housing in Newcastle (in Your Homes Newcastle properties).¹⁵⁶

Participation and Inclusion through the Communities Team

Communities Team advises council services and partners with voluntary and community sector to support 'meaningful and tailored community engagement.' The team uses a participatory approach 'to enable residents to take greater control of the places they live in' with a view to devolve local decision making and ensure greater accountability. The team also promoted a child's rights-based approach in service provision.¹⁵⁷

A Community Health Champions scheme is set up to reach all communities with information on Covid-19 that is accessible and appropriate as well as to hear specific concerns of different communities. The volunteer champions are provided with information to share in their communities as well as to report back on specific needs, concerns and approaches.¹⁵⁸

Accessibility for People with Disabilities: Newcastle Street Charter

Newcastle Street Charter, which was launched on 18 December 2017, aims at addressing the obstacles people with disabilities face on the street of Newcastle.¹⁵⁹ It was developed together by the City Council, the Royal National Institute of Blind People and 18 pan-disability organisations.¹⁶⁰ The Charter lists specific actions and commitments for everyone involved to 'reduce barriers that disabled people and others with mobility issues face.'¹⁶¹

Benefits of Adopting a Human Rights-Based Approach

According to the Heriot-Watt University report, 'the core characteristics of Newcastle's approach as being strongly weighted towards early or 'upstream' prevention, partnership-driven, proactive and persistent,

¹⁵⁶ Information on Newcastle Independent Tenant Voice is available at: <https://www.newcastle.gov.uk/services/newcastle-independent-tenant-voice>

¹⁵⁷ Information on Newcastle's Communities Team is available at: <https://www.newcastle.gov.uk/get-involved/communities-team>

¹⁵⁸ Information on Community Champions is available at: <https://www.newcastle.gov.uk/services/public-health-wellbeing-and-leisure/public-health-services/coronavirus-covid-19/community>

¹⁵⁹ Information on Newcastle Street Charter is available at: <https://www.newcastle.gov.uk/local-government/equality-and-diversity>

¹⁶⁰ 'Pledge to reduce Street Clutter: Newcastle Street Charter' (8 January 2018), available at: <https://highwestjesmond.co.uk/pledge-reduce-street-clutter-newcastle-street-charter/>

¹⁶¹ See page 4 of Newcastle Street Charter, available at: https://www.newcastle.gov.uk/sites/default/files/your-council-and-democracy/Equalities/newcastle_street_charter_final_tagged.pdf

and data and evidence informed.’¹⁶² Based on evidence and predictive analysis, Newcastle managed to reach out to households at early risk of homelessness and not only those already in crisis. Rather than a one-fits-all service, and aware of multi-faceted causes of homelessness, Newcastle provided personalised and holistic support to people, which ‘was especially effective and valued by people.’¹⁶³

¹⁶² Beth Watts, Glen Bramley, Janice Blenkinsopp and Jill McIntyre, *Homelessness prevention in Newcastle: Examining the role of the 'local state' in the context of austerity and welfare reform*, (I-SPHERE/Heriot-Watt University and Newcastle City Council, 2019) 142.

¹⁶³ Ibid 144.