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Bringing human rights home: human rights action at the local level

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Statement by the Commissioner for Human Rights, Thomas Hammarberg, at
the 20th Session of the Congress of Local and Regional Authorities

Human rights work at the local level means bringing human rights home. Although rights obligations are usually agreed to by governments at the international level and ratified by national parliaments, they are also binding at local level.

In fact, the agreed standards are often implemented by the local and regional authorities with the specific local conditions in mind. In this way human rights become concrete and people are treated as rights holders and not simply as objects of governance. In short, human rights are brought home in everyday life.

Local and regional authorities are often directly responsible for services related to health care, education, child protection, housing, water supply, environment, policing, and also, in many cases, taxation.

These matters affect people's human rights, not least their social rights. The geographical and personal proximity between inhabitants and local decision-makers also has obvious advantages.

Local decision-makers are more accessible and they are aware of the latest human rights needs and challenges in their area. However, many local authorities are all too often not sufficiently equipped and resourced to deal with pressing human rights issues.

This Congress has already taken up the human rights challenge seriously. In October 2008, I participated in a seminar organised by the Congress in Stockholm which set a human rights agenda for local authorities.

It highlighted the importance of awareness raising campaigns, local action plans, the establishment of local or regional ombudsmen, the monitoring of human rights implementation, and training local politicians and staff of authorities about their human rights responsibilities.

The Resolution and Recommendation adopted by the Congress last year on the role of local and regional authorities in implementing human rights constitute a milestone in this regard. The Congress has made it very clear that the responsibility for protecting human rights must be shared by all the different tiers of authority in each member state.

The local level involvement in human rights is now more visible in Europe and I have been able to witness it during my country visits. In Austria, provincial governments have human rights co-ordinators who function as the authorities' network in this field, for example, when submissions to international human rights monitoring mechanisms are prepared.

An interesting initiative was developed by the City of Graz which established a human rights council at the local level, which means that city regulations and activities can be scrutinised from the perspective of human rights. I know that the city of Nuremberg in Germany has also adopted a strong human rights approach, and Utrecht in the Netherlands is in the process of doing so.

Municipalities play a key role in projects enabling Roma to fully enjoy human rights. The success of such projects depends to a large extent on the active participation of Roma in their planning and implementation. In Slovenia, I learned that Roma were ensured representation in local assemblies in those municipalities where they lived in significant numbers.

Local authorities also have a special role in promoting social cohesion, dialogue between different communities and non-discrimination. The local reach of anti-discrimination bodies is especially important. In the Netherlands and the Flemish Community in Belgium, local non-discrimination offices have been set up recently which can receive complaints from residents.

Municipalities also play an important part in ensuring that minority groups and associations can fully exercise their right to freedom of assembly and association. The right of different groups to hold assemblies and demonstrate in public should be enabled without discrimination.

The recommendations of the Congress on freedom of assembly and expression for lesbians, gays, bisexuals and transgender persons from 2007 clearly endorse this principle.

Human rights should be used as guiding principles for decisions, not least in times of economic contraction. There is a risk that the less wealthy will suffer most from the budget cuts, in particular the elderly, persons with disabilities, homeless people and migrants. Women and children too are deeply affected by the economic crisis.

Human-rights budgeting should be seen as a highly relevant instrument in the struggle for human rights, also at the local level. Budget review from a human rights perspective can in fact help elected representatives and officials to assess the consequences of their decisions and assist in allocating resources in a non-discriminatory manner.

Such budget analyses have so far mainly been done in the area of gender equality. Gender budgeting has been used at regional and local levels, for example in the Federal State of Berlin or in the Swiss City of Basel, where gender concerns are an integral part of the budget process. However the role of human rights in screening budgets can be further developed.

The human rights approach at the local level empowers patients, pupils, the elderly, the homeless, immigrants and many others to claim their rights and, thereby, improve their situation.

It is also closely related to good governance. The Council of Europe's Strategy for Innovation and Good Governance is one tool for developing a comprehensive approach to human rights-based governance at the local level. It promotes local authorities' accountability and people's participation which help link good governance and human rights more firmly.

There is now increasing momentum for adopting the rights-based approach at the local level. The Congress has put it at the heart of its agenda. The quality of life of residents can be substantially enhanced when human rights principles guide good governance. Local politicians and public officials should seize this opportunity to bring human rights home.