

Collective Input on Human Rights Council Resolution 51/12: Local Governance and Human Rights



Inputs to the Human Rights Council resolution 51/12 on local government and human rights

Joint submission focusing on regional capacity building initiatives jointly organized by RWI, the City of Gwangju, the United Cities and Local Government Asia Pacific (UCLG ASPAC), and the Asia Democracy Network (ADN).

Introduction

Human rights were conceptualized with a set of obligations for states to respect, protect, and fulfil them. These obligations should naturally be translated into local policies to be implemented by local governments based on their local priorities. A local government is then recognized as a key player in the promotion and protection of human rights. Their proximity to the local community places them on the frontline. This gives them a better position to understand local needs, respond to them, and implement human rights accordingly.

Based on research and observations conducted in the Asia-Pacific region, however, there are significant gaps found between the state's commitment to human rights and their implementation at the local level. For instance, lack of inclusion and participation of stakeholders is common. Research conducted by the Raoul Wallenberg Institute of Human Rights and Humanitarian Law (RWI) in Asia suggested that there is a need for a systematic framework to address this. An action plan to strengthen participatory governance and promotion of an inclusive society is required to take concrete and necessary steps. It would entail awareness raising and social dialogue, aiming for genuine inclusion of local stakeholders in governance, from planning to evaluation of implementation. Key actors need to increase their capacity, not at least local government actors.

RWI's office in Asia and the Pacific connects networks and stakeholders at regional and local levels across the Asia Pacific who are directly responsible or are influential in localizing human rights and Sustainable Development Goals (SDGs). Since 2018, RWI Regional Asia Pacific Office has been leveraging its knowledge base and network to contribute to the integration of the human rights-based approach (HRBA) into local policies, including through regional research initiatives and capacity-building activities.

Among the diverse models of HRBA, RWI prioritizes three foundational principles: participation and inclusion, transparency and accountability, and equality and non-discrimination. These principles form the bedrock of RWI's engagement in the realms of human rights and local governance.

Capacity-building initiatives for local governments and actors in Asia and the Pacific

Since 2019, RWI, through its Regional Asia Pacific Office, has been organizing a series of capacity-building initiatives for local governments and local actors across the region. These initiatives are organized through collaborative efforts with the City of Gwangju, the United Cities and Local Government Asia Pacific (UCLG ASPAC), and the Asia Democracy Network (ADN). The key focus of these capacity-building initiatives is to empower local governments and actors to effectively implement and localize human rights and SDGs in their respective jurisdictions. Using SDGs as an entry point has proven to be effective given local governments' familiarity and receptiveness with the concept as compared to human rights.

The capacity-building initiatives take the form of Blended Learning Courses (BLCs) that have been organized since 2019. These courses have specific objectives:

1. **Enhancing Knowledge and Networks:** The BLCs aim to increase the knowledge and networks of local governments and actors across the Asia Pacific region on human rights principles, norms, and approaches. By strengthening their understanding of human rights, participants are better equipped to apply these principles in their local contexts, thus promoting human rights at the local level.
2. **Resource Accessibility:** Another objective of the BLCs is to increase the accessibility of resources for local governments and actors, enabling them to effectively localize human rights and SDGs in their respective regions. Equipping them with practical tools and resources helps create a conducive environment for the implementation of human rights-based approaches within local governance.

Under the umbrella of the BLCs, local governments and actors across Asia and the Pacific have embarked on a journey to incorporate human rights into their local policies. This integration has been evident in both the actions taken during the regional courses and in individual initiatives pursued independently. Participants in the training have been proactive in developing and implementing course projects that seek to promote HRBA within their respective cities and municipalities, addressing pressing and emerging issues.

One key aspect of the BLCs is the emphasis on practical application. Participants have actively translated their learning into action by creating and implementing course projects tailored to the unique challenges and opportunities within their local communities. These projects reflect the commitment of local governments and actors to align their policies and practices with human rights values.

These BLCs go beyond targeting local governments and extend their scope to include civil society organizations (CSOs) and national human rights institutions (NHRIs). These comprehensive courses cater to a diverse audience, ensuring a more inclusive approach to capacity building across the Asia Pacific region. The BLCs are designed to be dynamic and effective, incorporating modules, case studies, and tools that are thoughtfully developed by multiple stakeholders. Collaborative efforts from the organizing institutions, regional/international/national academics, and practitioners contribute to the richness and practicality of the course content.

The diversity of perspectives and expertise reflected in the BLCs enhances the capacity-building initiatives, allowing participants from different sectors to gain insights from various viewpoints. Such cross-sectoral collaboration is instrumental in fostering a deeper understanding of human rights issues and encourages a collaborative approach to addressing challenges and advancing human rights locally and regionally.

The collaboration between RWI, UCLG ASPAC, ADN, and the City of Gwangju allows for a comprehensive and coordinated approach to capacity building, leveraging the strengths and resources of each partner organization. This joint submission demonstrates a commitment to fostering human rights principles and practices at the local level, ultimately contributing to the promotion and protection of human rights in the Asia Pacific region.

To measure its effectiveness and impact, the BLCs have integrated a monitoring and evaluation mechanism. For example, pre- and post-training tests and tracer studies.

Additionally, in 2023, a collection of lessons learned, challenges, and promising practices from the practical experience of integration of HRBA into local policies is being developed based on the experiences of selected BLC alumni from Indonesia, Nepal, Bangladesh, and the Philippines.

Capacity building gaps and needs of Local Governments in relation to implementing/incorporating human rights at the local level.

Based on our observations in the Asia-Pacific region, the capacity-building gaps and needs of local governments in relation to implementing and incorporating human rights at the local level can vary depending on the specific national context. However, some common gaps and needs that have been identified include:

- **Lack of Awareness and Understanding:** In many local governments there is often limited awareness and understanding of human rights principles, norms, and their relevance to local governance. Further, the concept of human rights – or even the word itself – is often misunderstood as a negative or Western concept unfit for the Asian context. Therefore, capacity-building initiatives become crucial in enhancing their knowledge and raising awareness about human rights, highlighting their significance in effectively addressing local challenges.
- **Limited Technical Expertise:** Local governments may lack the technical expertise and know-how to effectively integrate human rights into local policies and practices. Capacity-building programs should provide practical training and guidance on how to apply human rights-based approaches in various governance processes.
- **Inadequate Institutional Capacity:** In some cases, local governments may lack the necessary organizational structure, resources, and technical expertise to effectively implement human rights principles in their decision-making processes and service delivery. Capacity-building initiatives become crucial in addressing this gap, as they can empower local governments with the knowledge and skills required to strengthen their institutional capacity for HRBA integration.
- **Lack of Political Commitment:** the lack of political commitment can hinder progress in advancing HRBA within local governance. Without a strong commitment from political leaders and policymakers, there may be limited support and resources allocated to prioritize human rights in policy formulation and implementation. This lack of commitment can prevent the adoption of long-term and sustainable human rights-focused measures, despite the potential benefits they offer to the local community. Capacity-building efforts should encompass training programs tailored to the specific needs of local governments, equipping them with the tools to overcome institutional obstacles and successfully integrate HRBA into their operations. Simultaneously, advocacy and awareness-raising initiatives should be conducted to foster political will and encourage decision-makers to recognize the value of HRBA in promoting equitable and rights-based governance.
- **Contextual Relevance:** Every city and municipality face distinct human rights challenges and opportunities based on their unique socio-cultural, economic, and environmental contexts. When designing capacity-building initiatives, it becomes imperative to consider the specific needs of local governments to ensure the training and resources provided are relevant and applicable. For instance, recognizing the pressing impact of climate change, the 2022 BLC modules incorporate climate/environmental-related issues as one of the crucial focus areas.

Building Strong Foundations: Strengthening Local Governments' Capacity for Human Rights Implementation

To further strengthen the capacity of local governments to implement and incorporate human rights at the local level, several key measures can be taken. **Firstly, comprehensive, and targeted capacity-building initiatives should be prioritized**, providing local government officials with training, resources, and practical tools to effectively integrate human rights principles and norms into their decision-making processes and service delivery. Such initiatives can focus on enhancing awareness, understanding, and technical expertise related to human rights, tailoring the training to address specific challenges and opportunities within each locality.

RWI, UCLG ASPAC, ADN, and the City of Gwangju have been working to enhance the local actors' technical expertise and know-how, independently but also in collaboration. We have carried out capacity-building initiatives, international conferences, and research. For example, in 2022, RWI launched the "[Handbook for Cities](#)", which offers practical recommendations for local governments and actors to integrate HRBA into local policies, with examples from cities in Indonesia, India, and South Korea. The development of this Handbook was informed by research conducted by local academics in three Asian cities. The handbook offers practical guidance and suggested steps to guide local stakeholders on building a strong legal and institutional basis, identifying local priorities and particularities to develop local indicators, developing a strategy to ensure meaningful participation and empowerment of local stakeholders, and developing tools to monitor and evaluate progress.

Moreover, international conferences like the World Human Rights Cities Forum ([WHRCF](#)), organized annually by the City of Gwangju, play a vital role in addressing the lack of awareness and understanding, as well as limited technical expertise, regarding human rights at the local level. WHRCF offers a platform for awareness raising, knowledge exchange, best practice sharing, and capacity building, enabling local governments to gain valuable insights and practical skills related to human rights implementation.

Secondly, fostering multi-stakeholder collaboration is essential. Engaging CSOs, NHRIs, academia, national government agencies, private sectors, and other relevant actors can create a more inclusive and holistic approach to human rights implementation. Collaboration can enable shared learning, resource-sharing, and joint advocacy efforts, leading to better outcomes and a broader impact. Forums such as the WHRCF also provide opportunities for multi-stakeholder engagement. By engaging with international and regional experts and peers, local officials can enhance their understanding of human rights principles, learn from successful initiatives, and acquire the technical expertise needed to effectively incorporate human rights into local governance. WHRCF and similar conferences contribute to fostering a culture of human rights at the local level and empowering local governments to take proactive steps in advancing the protection and promotion of human rights within their communities.

Thirdly, political commitment from local government leaders and policymakers is crucial. Advocacy efforts should be directed towards promoting human rights as a fundamental and integral part of local governance. Encouraging the allocation of resources and the establishment of supportive legal and policy frameworks will further strengthen the institutional capacity for human rights integration. A successful advocacy example comes from Thakurgaon Municipality in Bangladesh. Two BLC alumni from the local CSOs effectively

advocated for the institutionalization of human rights principles in policies aimed at eliminating child labour. As a result, Thakurgaon Municipality has taken a significant step by making it obligatory for entrepreneurs to pledge against employing child labour while applying for a trade license or renewing an existing one, demonstrating their commitment to human rights in combating child labour.

Fourthly, **context-specific approaches are necessary**. Recognizing that each city or municipality faces unique challenges, solutions, and opportunities, measures should be tailored to suit the specific needs of each city. Understanding the cultural, social, and economic contexts is vital to ensure that human rights initiatives are relevant and effectively implemented. More broadly, region-specific guidelines are also necessary and grounded in the region/sub-region context. To this end, regional groupings, such as the Association of Southeast Asian Nations (ASEAN), can foster collaboration with regional/international institutions to facilitate the sharing of experiences on human rights and local governance.

Finally, **incorporating climate change and sustainability as a key focus area for capacity building is of utmost importance**. As climate-related challenges intensify, local governments must develop the skills and knowledge to address environmental issues while safeguarding human rights. By integrating climate action into human rights strategies, local governments can enhance their resilience and promote sustainable development. Learning from its engagement with local governments and actors in Asia and the Pacific, RWI noted that there is a need for local governments to be capacitated on the interlinkages between human rights, climate change, and its intersectionality with various rights issues, including poverty, gender inequality, and other discrimination factors.

UN Human Rights Mechanism and the Local Government – connecting the two.

Existing procedures and practices for engaging local governments in the work of the United Nations human rights mechanisms involve several avenues. Local governments can participate in relevant consultations, submit reports, and engage in dialogues with UN human rights bodies. Additionally, they can collaborate with NHRIs and CSOs to convey their perspectives and challenges. To enhance the existing level of engagement, the UN could further promote awareness and guide how local governments can effectively interact with human rights mechanisms. Facilitating capacity-building initiatives targeted at local government officials and fostering partnerships with regional and international organizations would also strengthen their engagement.

Local governments often have limited awareness and understanding of United Nations human rights mechanisms and how these mechanisms are relevant to their work. The capacity of municipal governments falls short of their requirements. As a result, they must gain more understanding of how to interact with these systems, develop technical expertise in reporting and implementing suggestions, and create the necessary institutional support.

As part of the BLC modules, specific modules are dedicated to giving an overview of the existing international and regional human rights mechanisms. For example, a specific module was developed to give an overview of the treaty-based mechanisms and the special procedures, such as the Special Rapporteurs. A deep dive into how these mechanisms relate to the local governments and how cities/municipalities can contribute to these mechanisms needs to be further developed and disseminated.

An inspiration can be taken from the implementation of Voluntary Local Reviews for SDGs (VLR). VLR provides an opportunity for local governments and their stakeholders to interact in reviewing the SDGs implementation in the respective cities. The UN High-Level Political Forum on Sustainable Development (HLPF) is a special session to facilitate the review of SDGs implementation for all member countries by presenting their Voluntary National Review (VNR) in the HLPF. VNR is the main avenue for countries to review their progress on the implementation of SDGs and VLR greatly contributes to the VNR as it also reflects the achievement of SDGs targets at the sub-national level. During the HLPF, the Global Task Force of Local and Regional Governments organizes side events and capacity-building programs on SDGs localization in partnership with relevant UN agencies to ensure the strong presence of local governments in advocacy efforts and knowledge exchanges.

Future capacity-building efforts should focus on raising awareness about UN human rights processes, training local government officials on effective reporting and follow-up procedures and providing them with the necessary tools and resources. Strengthening institutional support through collaborations with NHRIs and peer learning opportunities can further enhance the capacity of local governments to engage meaningfully with the United Nations' human rights mechanisms.

Human Rights in Asia and the Pacific: Challenges in Practice

In Asia and the Pacific, the promotion and protection of human rights at the local level face significant challenges, exemplified by limited awareness and understanding of human rights principles among local government officials and communities in certain sub-regions. This lack of awareness hinders the effective integration of human rights into local policies, resulting in inadequate responses to human rights violations and the unmet needs of marginalized groups. Additionally, these challenges are compounded by insufficient institutional capacity and resources, which obstruct the implementation of HRBA. For instance, local governments often grapple with the allocation of adequate resources to address human rights concerns effectively. Moreover, there exists a substantial gap in understanding and knowledge among various stakeholders, including residents. To bridge this knowledge divide, there is a pressing need for comprehensive human rights education programs that can effectively integrate human rights principles into local policies and practices.

Based on a survey conducted by RWI ahead of its Regional Dialogue on Human Rights and Local Governance in September 2023, a recurring issue is the lack of accountability among decision-makers. This lack of accountability is rooted in power dynamics and political priorities, further complicating the enforcement of human rights protections. Addressing this challenge necessitates enhanced transparency and oversight mechanisms to hold officials accountable for prioritizing human rights.

Resistance to change, often entrenched in established urban planning practices, is another formidable obstacle. Nevertheless, it can be overcome by fostering strong political will and commitment among local government leaders. The appointment of human rights focal points within administrations can help ensure the prioritization of human rights principles.

Moreover, the lack of strong political will and commitment at the local level can exacerbate the enforcement of human rights protections. As highlighted by one of the BLC alumni from Indonesia, local (budget) politics significantly influence resource allocations. During times of limited financial resources, not all politicians prioritize HRBA agendas. Some may divert

budget allocations for political purposes to maintain support among constituents, particularly in light of the upcoming national elections in 2024. Effectively addressing these dilemmas calls for strategic approaches and advocacy efforts.

Access to up-to-date and relevant data is pivotal for well-informed decision-making. This underscores the critical need for investments in data collection and analysis infrastructure. Lastly, bridging the gap between the theoretical teaching of human rights principles and their practical application in planning is vital, necessitating efforts to align academia with real-world urban planning practices.

Furthermore, inclusivity suffers due to the limited participation of vulnerable groups in decision-making processes. For instance, women, indigenous communities, and the elderly often lack representation in local governance structures, leading to their voices and needs being overlooked. Weak coordination and collaboration between local and national authorities, civil society, and NHRIs result in fragmented efforts and substantial gaps in addressing human rights concerns.

The Asia Pacific region, being among the most vulnerable to climate change impacts, particularly due to its predominantly urban population, underscores the importance of Asian cities in national and local climate actions. Nevertheless, many municipal governments across Asia, especially in South Asia and Southeast Asia, face challenges due to being under-resourced and under-skilled. India, for example, struggles with technical skills in municipalities, such as in climate sciences and urban planning, leading to the existence of climate change adaptation plans in only half of its largest cities. Consequently, there is a compelling need to capacitate local governments and actors to develop rights-based climate adaptation plans.

Addressing these multifaceted challenges necessitates concerted efforts in awareness-raising, capacity-building, and strengthening institutional mechanisms. By investing in strategies that promote inclusivity, participation, and equity, local governments can better integrate human rights principles into their policies and actions. For instance, fully incorporating human rights and gender principles into local climate adaptation efforts involves engaging with rights holders, providing targeted support to marginalized groups, and ensuring their meaningful participation in climate adaptation initiatives.

To address challenges in promoting and protecting human rights at the local level in Asia and the Pacific, practical recommendations include:

- Advocate for the development and implementation of national policies that specifically require the incorporation of human rights principles into urban policies. A legal framework can provide the necessary foundation for progress in this area.
- Develop and implement comprehensive human rights education programs for local government officials and communities. These programs should focus on raising awareness and enhancing understanding of human rights principles and their practical application in local policies and practices. The programs can be collaborated with regional and international partners.
- Craft a compelling narrative that dispels misconceptions about human rights and HRBA, harmonizing it with other global initiatives such as the SDGs.

- Advocate for increased transparency and oversight mechanisms to hold decision-makers accountable for prioritizing human rights. This includes promoting transparency in budget allocations and resource distribution.
- Encourage local government leaders to prioritize human rights by fostering strong political will and commitment. Appointing human rights focal points or establishing a human rights office within administrations and integrating human rights principles into local governance agendas can help achieve this goal.
- Support and nurture local CSOs that work on human rights issues. Provide funding, technical assistance, and a conducive environment for these organizations to operate effectively and independently.
- Facilitate networking and collaboration among local governments, civil society organizations, international NGOs, and regional bodies. Sharing experiences, best practices, and resources can enhance collective efforts to promote human rights.
- Invest in data collection and analysis infrastructure to ensure access to up-to-date and relevant data for informed decision-making in human rights initiatives and urban planning.
- Build the capacity of local governments and actors to develop rights-based climate adaptation plans. Provide training and resources, particularly in areas such as climate sciences and urban planning, to enhance their ability to address climate change impacts effectively.
- Foster international partnerships and collaboration to share experiences, expertise, and resources. Regional organizations such as ASEAN and the Pacific Islands Forum can play a crucial role in facilitating cooperation and knowledge exchange.
