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## **“Local and regional authorities can do much to make reality of human rights”**

Europe has today an advanced legal system for the protection of human rights, not only political and civil ones, but also social and economic. The European Convention on Human Rights, the European Social Charter, the Framework Convention for the Protection of National Minorities and the Charter of Fundamental Rights of the European Union are the key texts in this area.

However, implementation of these standards is still inadequate. People’s participation and confidence in public institutions is often low and social inclusion remains a chimera for thousands of people. Discrimination, racism and xenophobia are also dangerously spreading. To reverse this situation and make human rights a reality for all, it is necessary to adopt a holistic approach with shared responsibility between all actors involved: international organisations, national authorities and local and regional actors.

The place that local and regional authorities have in this context is an important one, in particular given the decentralisation process under way in many European countries. They are legally bound by international norms and they must support the principle of subsidiarity recognised also in the European Charter of Local Self-Government, which requires that public responsibilities shall generally be exercised by those authorities which are closest to people.

It is at the local level that individuals come into closer and more direct contact with the administrative structures and services that very often impinge upon fundamental human rights. They can act in a responsible way, thus supporting the implementation process, or be inactive, becoming all too often the source of human rights violations, in particular as regards discrimination against vulnerable groups of people.

Local and regional authorities are often directly responsible for services related to health care, education, housing, water supply, environment, policing and also, in many cases, taxation. These matters affect people’s human rights, not least their social rights. This is why in all my activities, in particular during country visits, I always meet with local and regional authorities.

This allows me to gauge the negative impact that bad governance can have for human rights, in particular for vulnerable groups of people. Today, even in our developed continent, migrants and refugees suffer widespread prejudices and discrimination, not least in the labour market and housing. The treatment of Roma in parts of Europe is still shameful; lesbian, gay, bisexual and transsexual (LGBT) people are heavily discriminated against and violence is still a sad reality for many women and children. In many countries, in particular in new democracies, older persons are often left apart and live in poverty. Relevant laws exist, but popular opinions are not consistent with such legal protection and this seems to delay implementation.

On the other hand, there are also good examples of where a human rights-based governance has proven to be effective in tackling discrimination, social exclusion and improving participation. In Austria, both federal ministries and provincial governments have human rights coordinators who function as the authorities' network and resource persons in this field. This network is used, for example, when submissions to international human rights monitoring mechanisms are prepared. At the provincial level, human rights coordinators may also maintain contacts with the different specialised ombudsperson structures at the regional level. An interesting initiative has also been developed by the City of Graz which established a human rights council at the local level, which means that all city legislation has to take human rights into account.

Asylum-seekers, refugees and Roma people are often dependent on choices taken at local levels. In Italy, which I visited recently, there have been measures adopted at national level and implemented locally which have raised several human rights concerns. A number of critical statements made by mayors and local elected people aggravated the general atmosphere and increased a perceived public insecurity. This is an unfortunate situation that must be countered with energy.

At the same time, I could also learn about good initiatives undertaken at local level, such as those in Bologna, where projects of social inclusion have been presented and access to decision making facilitated, or Naples, where housing projects have been started, even though a lack of funds blocked the work. Other successful experiences were carried out in the country, in particular through local networks which facilitated the integration of asylum-seekers, refugees and foreign pupils.

In Poland, a pilot project was launched in 2000 in Malopolska province with the aim of achieving full participation of the Roma and equal levels of development in areas such as education, employment, health, hygiene, and accommodation. The pilot project had indeed been functioning well, and during my visit in 2006 I saw that the project was generally considered a success and the intention was to expand it to the whole country.

In a predominantly Roma-inhabited suburb of Skopje, Suto Orizari, the mayor has positively engaged the Roma minority in issues concerning themselves and constructively working with central authorities to improve living and socioeconomic conditions for inhabitants of the region.

Good governance guided by human rights principles can also facilitate access of refugees to the labour market, with clear benefits for the whole society. In Hamburg an interesting training project for refugees was carried out in recent years. This initiative helped more than three hundred refugees to train in companies actively involved in the project and more than seventy people were able to find a job. The Hamburg Senate decided to endorse the project and to continue the experience.

Another field where local and regional authorities have a major role is in ensuring that the right to peaceful assembly is respected. Unfortunately, it often happens that events organised by LGBT people are banned by city authorities and in some cases these bans are also upheld by the courts and participants ill-treated. This has been the case in several Council of Europe member States, such as Estonia, Latvia, Moldova, Poland, Romania, Russia and Serbia. What is worse is that leading politicians have used inflammatory language which contributed to legitimising discrimination and violence against LGBT people and their supporters.

It is precisely in similar cases that local and regional authorities can make the difference. A good example is the initiative taken by around twenty mayors in different European countries to appeal to their peers to ensure freedom of assembly and expression for LGBT people. The appeal was inspired both by their local commitment and international standards, namely the Congress' recommendation issued in 2007. We have the obligation to stand by these principles and help spread positive initiatives.

Finally, encouraging initiatives have been taken to promote gender equity and women's rights. An interesting initiative is being developed in Vojvodina where a functioning and apparently effective Gender Equality Council has started working. Furthermore, nationwide campaigns against domestic violence have been developed in several countries, mirrored by effective local initiatives.

In Ireland, for example, since the mid-seventies the city of Cork has been engaged in supporting shelters for victims of domestic violence. In my report to the government of Ireland, I recommended that national authorities provide adequate resources for the effective functioning of this and similar initiatives, as it is fundamental to ensure effective support for women victims of violence through a comprehensive set of services supplied by the State, local authorities and civil society operators.

The list of examples could be longer, including the experiences developed within the network of human rights cities established in Barcelona in 1998 and the coalition of Cities against racism created in 2004. All these examples show that human rights are more and more a local concern as well.

The main challenge is now to enhance the interaction between international, national and local authorities, to promote systematic human rights planning, where local and national needs are matched coherently with agreed international norms. There is a need to explain clearly at local and national level why human rights do matter for all. Leading politicians therefore should act as responsible public personalities, promoting intercultural dialogue and a participatory process of social development based on human rights. This strategic approach should also involve fair and independent media at national and local levels, so as to raise awareness among the population and facilitate the visibility of the work of local and regional authorities.

Let me list some basic elements in such a strategic approach. They are based on concrete experiences in provinces and municipalities, lessons learned so far about steps in order to implement human rights.

*Nationwide consultation for the adoption of action plans.* The views of local and regional authorities must be considered when national human rights plans are designed and developed. This would facilitate the local “ownership” of the approach. Moreover, central governments or parliaments should consult representatives of local authorities before signing and ratifying international agreements which affect local politics.

*Human rights budgeting and planning on regional and local level.* The idea is to analyse budget proposals and political planning before adoption in order to see how they affect human rights.

*Targeted plans for equal opportunities and social cohesion.* Persons with disabilities are seldom fully protected – it could be very useful to review their situation and plan actions to guarantee their equal opportunities and access to all basic services. Similar action plans could be developed to protect the rights of immigrants and national minorities. Gender equality and children’s rights have been the focus of many municipalities already and proved extremely successful. Such plans should also promote the political participation of women and children and help take action against all forms of violence. The living conditions of older persons must be addressed as well.

*Education.* This is a fundamental pillar of any human rights work. It should permeate all curricula and be provided to public employees and officials as well. An education in diversity should start at an early stage for and with children and specific training should be designed for teachers. Recognition of diplomas and other foreign qualifications is also key to facilitating access to education and labour market.

*Awareness-raising, training programmes and human rights facilitators.* A proactive process of training, recruitment and encouragement of qualified vulnerable people to positions in national and local administration is also required. Their representation in bodies advising on human rights would be a first constructive step.

*Civil society participation.* Regular meetings should be organised with the participation of NGOs to take stock of lessons learnt and to define challenges faced. A database of best practices should be established and made accessible to the network. It would be useful to enhance the exchange of experiences and learn from one another.

*Extrajudicial monitoring bodies.* Most countries now have one or more ombudsmen at the different administrative levels to monitor good governance and the protection of human rights, and act upon complaints. Experience has shown that their proximity to people makes them more accessible and helps to make public officials accountable.

These proposals are only some of the actions which could be undertaken with the participation of all sectors. Different approaches will of course be needed, depending on the situation in each country. However, these steps should guide the design and development of human rights plans. Such tools could be highly beneficial for the whole system of human rights protection, as they would help foster participation, good governance and local ownership. They would also increase public confidence in institutions and boost a positive visibility of the authorities involved.

International organisations must provide the necessary support, but should avoid taking over functions which are the prerogative of domestic actors, who know better the local possibilities and problems, and how to address them. International institutions should therefore be at the service of those engaged in the implementation of human rights.

The Council of Europe, in particular, has a crucial contribution to make. It can assist in a variety of ways, for instance by elaborating, implementing and monitoring national strategies; facilitating information-sharing at all levels, including through the identification, collection and dissemination of good practices as well as information about materials, institutions and programmes available. It could also encourage the development of human rights-based governance networks as well as support training and research.

In this context, its European Strategy for Innovation and Good Governance could be an effective tool to develop a comprehensive approach to human rights-based governance at local level. The Strategy promotes 12 principles which can foster local authorities' accountability and people's participation and could help link more strongly good governance and human rights. It would be interesting if a leading group of regional and local authorities in bordering countries could start a pilot project to raise awareness of, and adhesion to this strategy.

As Commissioner for Human Rights, I will continue raising the importance of human rights at local and regional levels in my work, together with the Congress. The first occasion will be in November during the international conference on systematic work for human rights implementation here in Stockholm, where the regional and local dimensions of human rights will also be discussed. But the process set in motion today should not stop there. Enabling all people to enjoy equal access to rights must be a priority for national, regional and local governments. We ought therefore to continue joining forces to implement and monitor human rights at all levels and find viable measures to transform new challenges in opportunities for development.