Introduction

The promise and challenges of human rights cities

BARBARA M. OOMEN

One of the metro stations in Gwangju, Korea, is filled with sculptures, posters and books dedicated to human rights. The site is designed to underscore Gwangju's identity as a human rights city; in commemorating the massacre of 200,000 striking workers, protesting students and citizens that occurred in 1980, the city has reinvented itself as the 'birthplace of democracy' (Lee 2007). In its Basic Ordinance on Human Rights, the city sets out its aspiration to be 'the model city, which succeeds, develops, and realises the historicity and spirit of democracy and human rights in the local community, and spreads them widely' (Bouchard 2014). In defining itself as a human rights city, Gwangju is not alone. When it hosted the World Human Rights Cities Forum in 2014, it welcomed 500 participants to discuss creating 'Global Alliance of Human Rights Cities for All'.[1] The urban actors in Gwangju are just part of a much larger group of cities to explicitly base their urban policies on international human rights.

The rise of these human rights cities does not only hold the potential of strengthening social justice in cities worldwide at a time in which this is direly needed and cities are arguably best placed to deliver it, but also holds considerable promise for the realisation of international human rights at a time when these rights – although omnipresent – suffer from considerable critique. It is against this background that this book takes stock of the experiences of human rights cities worldwide as they have developed over the past two decades and analyses their meaning for the realisation of human rights – locally, and also globally.

---

[1] UCLG Committee on Social Inclusion, Participatory Democracy and Human Rights, '5th World Human Rights Cities Forum in Gwangju (South Korea)', www.uclg-cisdp.org/en/news/latest-news/5th-world-human-rights-cities-forum-gwangju-south-korea.

There is much at stake in cities engaging with and explicitly try-
ing to realise human rights. For one, as of 2010, more of the world's
population lives in cities than in rural areas, with the numbers rising
every year.[2] These cities face enormous challenges when it comes to
enabling people from a variety of backgrounds to live together, includ-
ing the spatial and social organisation involved, delivering the services
needed and ensuring that the urban population can subsist. Addition-
ally, over the past decades, decentralisation policies worldwide – whether
sparked by neo-liberal austerity measures, a belief in the power of local
authorities or both – have brought cities both unprecedented responsi-
bilities and challenges in formulating and implementing social policies
(Glaeser 2011; Graham et al. in this volume). The potential of cities
to deliver where nation states have failed has become a central argu-
ment in an ever-expanding body of scholarship. Benjamin Barber, for
instance, points out that cities were 'democracy's original incubator' and
makes a case for '"glocality", a product of integrating bottom-up and top-
down approaches and eliminating the dysfunctional middle occupied by
regional and national governments' (Barber 2013: 3, 355). Such 'moral
urbanism' considers cities to embody a set of moral values (Darling in this
volume).

Explicitly relating the power and potential of urban authorities to their
obligations with respect to international human rights, however, is a
relatively new approach. Such an approach also marks a new phase in
the 'human rights revolution', the seemingly unstoppable rise of human
rights as the 'moral lingua franca' in which to address social injustices
worldwide and discuss the appropriate course of action (Ignatieff 2003;
Iriye, Goedde and Hitchcock 2012). Since the codification of the notion
of universal, indivisible and inalienable rights in the 1948 Universal
Declaration of Human Rights, the rights of all individuals and the con-
current obligations of nation states have been defined in a host of human
rights treaties, with their compliance institutionalised via regional courts
and international monitoring bodies (Donnelly 2006; Steiner and Alston
2000: 1497). The global human rights catalogue was expanded from an
initial emphasis on civil and political rights to economic, social and
cultural rights, with separate treaties stipulating the rights of children,
women, migrant workers and – recently – people with disabilities. More

---

[2] World Health Organisation, 'Urban population growth', www.who.int/gho/urban_health/
     situation_trends/urban_population_growth_text/en.

importantly, international human rights became the most 'commonly shared bulwark' against all evils worldwide, raised by social movements in the fight for social justice in all corners of the world (Hunt 2007: 212; Neier 2012). This rise of 'rights talk' started in the 1970s, but became widespread in the 1990s.

This does not mean that the rise of human rights has gone without criticism. There is the contention that human rights, at least in their origin, are far from universal, but distinctly rooted in Western Enlightenment culture, and thus not in line with local conceptions of right and wrong and local contexts, cultures and practices (An Na'im 1995; Ishay 2004). Whereas such critiques of human rights as alien, imperialist interventions classically came from the global South, they are increasingly part of a 'human rights backlash' in those countries that played a key role in drafting the UDHR, like Canada and the United Kingdom (Halliday and Schmidt 2004; Hopgood 2013; Levant 2009). In addition, there is the critique that rights are too legalistic, pitting rights holders against duty bearers and thus fostering adversarialism instead of conflict resolution (Babbit and Lutz 2009; Helfer 2002). Finally, there is the critique that human rights simply have not been able to deliver on their worthy and appealing promise, with destitution and inequality still rampant worldwide (Goodhart 2009; Posner 2014).

It is in addressing these critiques and their root causes that human rights cities hold considerable promise. Cities can be considered the 'new kids on the block' in the realisation of human rights. Whereas the roles and duties of regional organisations and civil society, businesses and other non-state actors in realising human rights, next to nation-states, have long been recognised by practitioners and scholars alike, human rights cities are only slowly starting to gain scholarly attention (Grigolo 2010; Marks, Modrowski and Lichem 2008; Oomen and Baumgärtel 2014). Policy-makers and practitioners have, in turn, begun to take notice of these local developments and to stimulate them (ICHRP 2005; Kamuf Ward 2012). This is understandable as cities hold the potential of localising human rights (De Feyter et al. 2011) and bringing them in line with local practices, cultures and beliefs (Goodale and Merry 2007) – thus countering critiques of imperialism. Also, cities with their 'pragmatism instead of politics' (Barber 2013: 4) seem to enable the formation of stakeholder alliances – between authorities and civil society, between local and international actors – that transgress the classic divide between rights holders and duty bearers and move away from a legalistic approach

to human rights. Most importantly, they ensure that those authorities best placed to actually deliver upon human rights promises bear the brunt of doing so.

Such an understanding of how rights can and should be realised is in line with social constructionist understandings of rights realisation that consider human rights as 'historically and socially contingent, the product of a particular time, place, and set of circumstances, and a work in permanent process' (Morris 2006: 16; see also Goodale 2009 and Grigolo in this volume). These understandings go beyond the legal-positivist understanding of human rights to emphasise the role of actors and power differentials in constructing, within a given situation, understandings and practices of rights (Short 2009). They recognise how reference to human rights, as invoked by particular actors, forms a discursive frame within which social reality is understood and altered and meanings are created (Cowan, Dembour and Wilson 2001; Merry et al. 2010). An interplay between the global and the local, from such a perspective, can strengthen local struggles but also fortify international human rights discourse (Goodale and Merry 2007; Keck and Sikkink 1998).

It is with these theories, and these promises held by human rights cities in mind, that this introduction first gives an overview of the fledgling practice of human rights cities, offering both a genealogy and a typology of this development. It subsequently discusses three aspects of the promise held in connecting international human rights to local politics and policies. First, there is that of forging new alliances. This takes place 'horizontally', when local authorities and other stakeholders, like civil society, churches or the ombudsman, cooperate to realise human rights and combine forces in city networks – a form of international relations labelled 'paradiplomacy' (Lecours 2002). There is also the 'vertical' development in which cities bypass nation states in joining forces with international organisations, strengthening them and gaining strength from them. Second, there is an intensely political process involved in translating universal and abstract norms into values and indicators that hold relevance at the local level, their renegotiation in a specific context with its power differentials and the gains as well as the losses involved. A third aspect of the promise held by human rights cities is that of truly new practices in bringing social justice at the local level. These three elements will be discussed in the chapters of this book that will briefly be introduced at the end of this introduction.

A nascent development

Whereas the practice of cities explicitly expressing commitment towards international human rights is relatively recent, the definition of the relationship between cities and their inhabitants in terms of rights is long standing and deeply rooted (Isin, Nyers and Turner 2008). From ancient Athens as the birthplace of democracy to the medieval city-states, cities defined the rights of their inhabitants and formed the main authorities to secure them long before the advent of the nation-state (Glaeser 2011). With the formation of nation-states in the eighteenth and nineteenth centuries, demands for *'egalité, fraternalité, solidarité'* were directed towards these states and became part of their *raison d'être* (Hobsbawm 1992). When the Second World War added urgency to the notion that these rights should be truly universal, and laid down in international agreements, it was only logical that nation-states were the political entities to accede to these treaties. Just like nation-states had taken over the role of safeguarding the rights of their citizens, they became the key actors in respecting, protecting and fulfilling universal human rights.

A rights-based discourse on urban policies first surfaced in the 1960s, as part of much wider social protests against capitalism and the vested authorities of the decade. Henry Lefebvre's radical and highly influential work on *le droit à la ville*, departing from the idea that 'old classical humanism ended long ago and badly' (Lefebvre 1996: 149; Darling, García Chueca, and Sánchez Rodríguez in this volume), emphasised the need for the participation of all urban dwellers in urban planning. His notion of the 'right to urban life' essentially constituted a collective right and envisaged a 'radical restructuring of social, political, and economic relations, both in the city and beyond' (Purcell 2002: 101). The notion would influence right to the city movements across Europe, North and Latin America, as a protest against urban developments related to neo-liberalism and a call for more just, sustainable and democratic cities with democratic decision-making and collective ownership of the city's destination at their heart (Harvey 2012; Mayer 2009; García Chueca and Sánchez Rodríguez in this volume). It became part of many urban reform projects and was even codified in the Brazilian constitution, but was also transformed and lost part of its radical rallying call along the way (Plyushteva 2009; Sánchez Rodríguez in this volume). Lefebvre's *right to the city* has also become the *locus classicus* in an ever-growing body of scholarship on 'rebel cities' and 'just cities' that conceptualises the city as essentially a social organisation.

This scholarship emphasises the urban potential and obligation to bring prosperity, participation and equal treatment to all inhabitants and is more revolutionary and transformational in nature than the notion of human rights cities (Fainstain 2010; Harvey 1973, 2012).

The explicit reference of cities worldwide to international human rights has a somewhat different genealogy and can best be understood by examining the way in which the actual *realisation* of human rights, as a next phase after their *codification*, became a focal point for the United Nations in the 1990s. With the Cold War over, all the UN member states reaffirmed their pledge towards international human rights at the Vienna Conference of 1993, but also emphasised the importance of the domestication of international human rights and of human rights education (Cardenas 2009). The NGO People's Movement for Human Rights Learning (PDHRE) took up the challenge and worked with local organisations and authorities worldwide in setting up human rights cities. In 1997, in Argentina, the city of Rosario, local NGOs and the mayor jointly signed a proclamation expressing their commitment to building a human rights community and promoting respect for human rights, equity and peace, thus declaring Rosario the first human rights city in the movement (Marks, Modrowski and Lichem 2008; PDHRE 2007). It would be followed by similar NGO-driven initiatives supported by the international PDHRE in at least seventeen cities worldwide.[3]

One movement, driven more by local authorities than by NGOs, that straddles the tradition of the right to the city and the notion of human rights cities is the one behind the development of the European Charter for the Safeguarding of Human Rights in the City. Here, the initiative originated at a conference on cities for human rights organised as a commemoration of the Fiftieth anniversary of the UDHR in 1998. The Charter, which has been signed by over 400 cities, starts by stipulating the right to the city in a manner that echoes Lefebvre's ideals of the city as a collective space belonging to all who live in it. It continues, however, to set out the principle of equality and a variety of rights that can be found in the core human rights treaties whilst also defining new rights like those to 'harmonious city development' and to 'movement and tranquillity in the city'.[4] Whereas European cities, with Barcelona and Graz in the forefront, played a key role in formulating the Charter, the development was also

---

[3] 'PDHRE The People's Movement For Human Rights Learning: A Site Dedicated to Human Rights Learning for Social and Economic Transformation', www.pdhre.org.

[4] European Charter for Safeguarding Human Rights in the City, Saint Denis, adopted 2000.

picked up by the international United Cities and Local Governments and led to the development of a Global Charter-Agenda for Human Rights in the City (García Chueca in this volume). The Gwangju Principles on a human rights city, adopted in 2014, echoed the same combined attention for the collective human right to the city and individual human rights.[5]

Next to the cities that manifest themselves as *general human rights cities*, the past two decades have also witnessed the rise of cities that explicitly commit to one particular human rights treaty or human rights cause. San Francisco, for instance, adopted the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) as a local ordinance (Lozner 2004; Davis and Kamuf Ward in this volume). The ECCAR network, in turn, is a European Coalition of Cities against Racism seeking to implement the UN Convention on the Elimination of All Forms of Racial Discrimination (CERD) (Starl in this volume).[6] The formulation of the UN Convention on the Rights of People with Disabilities has spurred cities worldwide to symbolically ratify the Convention and realise the rights in it before the nations concerned (van den Berg in this volume).[7] In addition, there is a wide variety of cities that seek to provide refuge to people persecuted in their home country, like the International Network of Cities of Refuge ICORN that creates cities of sanctuary for creative professionals, or the European Shelter City Initiative (Sønderbye 2012). In many ways, they can be compared to other city networks like those pertaining to nuclear-free cities or child-friendly cities.[8]

There are not only many different ways of being a human rights city, but the motivations for becoming one also differ. In part, reference to human rights constitutes a legal tool that enables cities to steer a more progressive course than the national governments and to exert pressure towards national governments to ratify human rights treaties (Berends et al. 2013; Davis 2007; Oomen and Baumgärtel 2014; Kamuf Ward in this volume). Human rights, in addition, are always the outcome of multilateral negotiations amongst very different parties and thus hold a universal appeal to a wide variety of local stakeholders who might not have seen their common interests otherwise. Reference to rights also – as will be discussed later –

---

[5] The Gwangju Guiding Principles for a Human Rights City, Gwangju, Republic of Korea, 17 May 2014 (Gwangju Principles).

[6] 'European Coalition of Cities against Racism', www.eccar.info.

[7] Examples are Zwolle and Wierden in the Netherlands, see 'VN Verdrag voor Rechten van Mensen met een Beperking', http://vnverdragwaarmaken.nl.

[8] 'Child Friendly Cities', http://childfriendlycities.org; 'Cities for a Nuclear Free Europe', www.cnfe.eu.

opens up avenues towards international networks, sources of funding and expertise. 'Rights talk', additionally, enables cities to, at a time when city marketing is more important than ever, position themselves as cosmopolitan and multicultural (Lee 2007). In all cases, the identity of a human rights city is subject to on-going negotiations amongst a variety of stakeholders, local as well as national and international.

Actors and their shifting capacities

In these on-going processes of giving human rights meaning at the local level, a variety of actors are involved, in constellations that differ notably from the classical human rights scheme pitting individual rights holders against institutional duty bearers, the States. Human rights cities, however, often manage to rally a variety of different actors – within the city, in national and international networks and in constellations of multilevel governance. This is, of course, not always the case: most human rights cities start as an initiative taken by an enthusiastic individual or NGO with an interest in the theme (Oomen and Baumgärtel 2014; Van den Berg in this volume). Examples are a mayor with a legal background who coincidentally was asked to speak about human rights cities at an international conference and returned to Utrecht convinced that his city should be a human rights city as well; university teachers who played a key role in coaching the city of Graz into becoming the first European human rights city and having Montréal adopt the right to the city; and the San Francisco councillor who managed to enact human rights obligations at the local level simply because his colleagues were not interested in the theme (Davis 2007; Frate, Kamuf Ward and Starl in this volume).

Nevertheless, coalitions to give human rights meaning at the local level can only be a success if individual enthusiasm is expanded towards the formation of a broader coalition that includes both governmental and non-governmental parties. In York, for instance, the York Human Rights City Project included the Council of York City, the International Service and the Joseph Rowntree Charitable Trust, but also other local social justice-related organisations and the university (Graham et al. in this volume). In Graz, the Human Rights Council unites stakeholders from civil society, government and academia alike and plays a key role in monitoring human rights at the local level (Berends et al. 2013; Starl in this volume). An extensive study of the way in which states and local governments can use human rights to advance local policies concludes that

'collaboration with local constituents and community groups can enhance the ability of state and local government officials to develop laws and policies that promote greater equality, are sustainable and respond to local needs' (Columbia HRI 2012: 25). The whole methodology of the PDHRE, as it was implemented in cities around the world, also includes a first step in which civil society organisations, solidarity groups and governmental and UN agencies establish a joint steering committee (PDHRE 1998: 11). Via such coalitions, realisation of human rights becomes a shared responsibility.

It is striking how cities hardly ever develop their activities in isolation, but do so in a permanent dialogue with a broader network of cities, both in- and outside of the countries concerned (see Grigolo 2011b; García Chueca in this volume). They draw inspiration from one another, discuss ways of monitoring achievements, exchange experiences and strengthen each other in addressing national governments on human rights issues. At a conference for human rights cities organised by the PDHRE in 2011, a hundred cities participated. Another conference organised by the International Permanent Secretariat for Human Rights and Local Governments Forum in Nantes in 2013 attracted hundreds of delegates from all over the world. The same applied to the 2014 World Human Rights Cities Forum in Gwangju. At all these meetings, and in other networks, cities exchange experiences. The European Charter on Human Rights in the City, to give one example, formed the direct inspiration for the Montréal Charter on Rights and Responsibilities (Frate in this volume).

It is understandable that international organisations have taken a keen interest in these developments, seeking to support them where possible. In 2013, the United Nations commissioned a study on Local Government and Human Rights, taking note of the regional and international initiatives to promote human rights at the local level and recognising the role of local governments in the promotion and protection of human rights.[9] The United Cities and Local Governments network, with its 1000 cities as members, has played a key role in bringing together human rights cities and supporting them. The Congress of Local and Regional Authorities of

---

[9] United Nations Human Rights Council, 'Resolution on Local Government and Human Rights', UN Doc. A/HRC/24/L.2 (2013). See also Human Rights Council, 'Progress report of the Advisory Committee on the role of local government in the promotion and protection of human rights, including human rights mainstreaming in local administration and public services', UN Doc. A/HRC/27/59 (2014).

the Council of Europe adopted reports on the role of local and regional authorities in the implementation of human rights and the role of indicators in raising awareness and best practices in the implementation of human rights at the local and regional level.[10] The EU Fundamental Rights Agency, in turn, developed a toolkit on implementing fundamental rights at the local level, integrating them into policy-making, service delivery and administrative practices.[11]

International monitoring bodies also increasingly speak directly to local authorities, emphasising their responsibilities as duty bearers in the field of human rights. The ECHR, for example, held that the right to life as enshrined in art. 2 was violated by the local authorities in Turkey that allowed houses be built on a rubbish heap, resulting in the death of thirty-nine people after a methane explosion. Whereas the court held that it was not its role to decide on the best policy to adopt in dealing with the social, economic and urban problems in Istanbul, Turkey, there was a positive obligation to take preventive measures that fall 'precisely within the powers conferred on the authorities'.[12] Apart from international courts, other monitoring bodies also speak directly to municipalities. The Special Rapporteur on Violence against Women, to take one example amongst many, in visiting Italy in 2012 not only spoke to representatives of the national government and various NGOs, but also visited Rome, Milan, Bologna and Naples, and explicitly referred to the importance of local political will to address violence against women in her final report.[13]

Far from being a top-down process of human rights implementation, these are dialectical, mutually strengthening coalitions. The concept of glocalisation, developed to describe the way in which globalisation involves the creation and incorporation of locality, 'processes which themselves largely shape, in turn, the compression of the world as a whole' well covers the process by which both human rights at the local level and the international human rights regime are strengthened (Bauman 1998; Robertson 1995: 40). On the one hand, an appeal to human rights in

---

[10] Council of Europe Congress of Local and Regional Authorities, 'The role of local and regional authorities in the implementation of human rights', Resolution CG18(6) (2010); 'Developing indicators to raise awareness of human rights at local and regional level', Resolution 334 (2011); 'Best practices of implementation of human rights at local and regional level in member states of the Council of Europe and other countries', Resolution 365 (2014).

[11] 'Joining up Fundamental Rights', http://fra.europa.eu/en/joinedup/home.

[12] *Oneryildiz* v. *Turkey* [2004] ECHR, App. No. 48939/99.

[13] Human Rights Council, 'Report of the Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo, Mission to Italy', A/HRC/20/16/Add.2 (2012).

order to protect local interests against national policy proposals is particularly powerful if it is seconded by international organisations or courts. The 'rights boomerang', described by Risse, Ropp and Sikkink (1999), here consists of local authorities siding with international organisations in order to ensure compliance with a particular obligation. On the other hand, local authorities also play an ever-larger but often neglected role in actually developing international law, both in theory and in its application. As municipalities test the real value of human rights locally, they feed their experiences back into international discussions and contribute to the global strengthening of the human rights regime. The city of Graz, for instance, was proud to note that ECCAR – the European Coalition of Cities against Racism – left its imprint on the Durban Review Conference in Geneva in 2009 (ETC Graz, personal communication, 30 April 2013).[14] Additionally, the human rights regime often lacks enforceability: networking and comparison between cities can lead to a 'race to the top' that strengthens the actual realisation of human rights globally (Davis and Soohoo in this volume).

It is this interplay within cities, amongst cities and between the global and the local that entails the promise of global urban justice. It also, as will be discussed next, not only infuses alternate understandings of justice into international human rights discussions, but also leads to negotiations on the translation and selection of human rights to suit local circumstances, traditions and ideas about right and wrong.

Renegotiating rights in the urban space

In opting to understand urban challenges via the lens of international human rights, the constellations of actors described above also opt for specific forms of allocating responsibility for solutions and courses of action. In this sense, human rights can be understood as a discursive frame, a specific way of packaging and presenting ideas that generate shared beliefs, motivate collective action and define appropriate strategies of action (Merry 2006b: 41; van den Berg in this volume). All potential human rights cities consciously weigh the advantages of association with international human rights over other ways of understanding urban challenges and setting the city apart from others. Many international

---

[14] See also European Coalition of Cities against Racism, 'New Challenges – New Partnerships: Shaping our Future', Final Declaration 2009 General Conference of the European Coalition of Cities against Racism.

organisations, in turn, seek to convince cities of the advantages of reference to rights. For instance, the International Council on Human Rights Policy, an NGO, published a report on local government and human rights in which it scored the human rights framework against measures of good governance, sustainable human development, gender analysis and the capabilities and poverty reduction approaches, arguing that the rights-based approach has more to offer as rights are legally binding, acceptable, indivisible, emphasise accountability and address basic needs and services (ICHRP 2005: 12). The Human Rights Institute of the Columbia Law School emphasises how human rights can be used to advance local policies and help creating strong community partnerships that enhance accountability and assure that programs meet the needs of the community (Columbia HRI 2012: 1). Council of Europe representatives, finally, 'sell' human rights as 'a clever obligation' – a useful frame of reference (Accardo, Grimheden and Starl 2012: 33–47).

The hesitance of many cities to engage directly with human rights echoes critiques that the human rights regime has received over the years, and that can be summarised as the contention that human rights are too vague, too abstract, too western, too legalistic, too progressive and too hard to enforce (Donnelly 2003; Helfer 2002; Hopgood 2013). Many scholars approaching human rights from a social constructionist perspective have emphasised that international human rights need to be translated to suit local situations, cultures and contexts (Goodale 2009; Goodale and Merry 2007; Merry 2006c). They also show that human rights, and their appeal, are not only legal, but also entail values and images of good governance that are more inspirational and aspirational than legally binding (Merry et al. 2010). Such processes of translation, however, are inherently political, with actors in the local arena struggling over which normative registers to invoke, whether to refer to rights at all, and – if so – which rights to give relevance and which to leave out (Darling, Buerger and Neubeck in this volume).

In line with these insights, human rights cities often come up with new ways of talking about human rights, which do not necessarily have to be legalistic alone. This process involves translation, but also selection of human rights and the blending of 'rights talk' with other discursive strategies (Glendon 1991). The 'translators' who play a key role in introducing international human rights at the local level often end up concluding that it is wiser to couch rights in other terms. In York, for instance, an advisory body initially called the Human Rights Commission was renamed the Fairness Commission instead (Graham et al. in this volume).

In Denmark, those involved in promoting human rights prefer to refer to 'equal treatment' instead (Mertus 2009a). The term human rights, as the mayor of a Dutch city explained, 'sometimes sounds alien to people, and has connotations that are too severe. We want to be a human rights city without actually speaking about it in those terms' (personal communication, 8 October 2012).

The translation of human rights inevitably involves making a selection from the ever-expanding human rights catalogue. As discussed earlier, some cities concentrate on one particular treaty or human rights issue. Pestova, for instance, describes the ground-breaking work done by some cities in giving meaning to the right to water. In the selections out of the rights catalogue that cities make, however, it is often the case that the more radical and transformative rights do not make it: whereas Graz, in Austria, was Europe's first human rights city and implemented many rights-based policies, these policies did not address the position of undocumented migrants (see also Darling, Neubeck and Starl in this volume). In addition, discursive reference to rights is often tied with other sources of legitimacy, and thus blended with other discourses. Telling the story about human rights at the local level can thus involve reference to an age-old tradition of tolerance (as in York), a long-standing engagement with international law (as in Utrecht, Nuremberg or Nantes), a turning away from the dark pages in urban history (as in Graz) or expanding the local tradition of democracy and rebellion (as is the case in Gwangju). Buerger, for instance, describes how in the human rights city of Accra, reference to rights is coupled with an emphasis on responsibilities that comes with traditional authority (this volume).

Human rights, in all, are invoked by urban actors as general inspirational norms as often as they are understood as real legal obligations. This is not to say that the legal aspect is not important. NGOs seeking to work towards social justice strongly rely on the true legal power of human rights, as do cities that seek to defend policy choices that are not welcomed at the national level. In these cases, the types of rights best invoked and the ways in which to invoke them depend on the constitutional dispensation of the country concerned (Davis and Soohoo in this volume). Demands for economic and social rights, for instance, might best be made as part of the 'right to life', which is generally considered a stronger, more subjective right (Coomans 2006). In the European context, reference to the ECHR is often much more effective than reliance on similar provisions in international treaties. In the United States, accountability of local governments for human rights is shaped by the federal system of human rights

monitoring (Davis in this volume). Whereas international organisations and courts have, on a variety of occasions, stipulated the independent obligations in the field of human rights held by local authorities, much research is still needed on what these obligations entail and who can be held accountable for monitoring compliance (Accardo, Grimheden and Starl 2012; Meyer 2009).

In all, human rights cities provide novel ways of talking about human rights, in line with theories of human rights implementation, by translating human rights to suit local circumstances. Local rights talk can be legal, but often is not. It also often means that the most progressive rights do not get mobilised by broad coalitions at the local level. Negotiations about which rights to refer to, and in what ways, form an inherently political process. Apart from new ways of talking about rights, these processes also lead to novel practices in ensuring that human rights truly acquire meaning at the local level – a process that will be discussed next.

Implementing human rights cities

The litmus test for human rights cities is, of course, whether they are able to actually deliver global urban justice and use human rights norms to strengthen social justice at the local level. A third striking element of human rights cities, in this respect, is the novelty of the many practices that they develop, very different everywhere, designed to assure that they do deliver. Human rights cities can not only play a central role in enhancing human rights awareness as a key to compliance, but also offer examples of enhanced participation in decision-making and ways of monitoring human rights compliance that truly give meaning to the promise of strengthening human rights at the local level (De Feyter et al. 2011).

Out of the many activities organised within and by human rights cities, many revolve around efforts to inform individuals of their rights and authorities and organisation of the relevance of these rights to their work. Some examples of such practices are human rights cafés, human rights film festivals, human rights weeks, human rights education programs, conferences, debates and training sessions. The connection between human rights cities and human rights education is a close one, and it is no coincidence that it is the NGO PDHRE, the People's Movement for Human Rights Learning, that is one of the main forces behind the human

rights cities movement.[15] Human rights have long been a state affair, at a distance from ordinary citizens, and raising awareness of human rights and the responsibilities coupled to them is a first step in actually realising these rights. The lack of knowledge of human rights worldwide has long been a concern of the international community and human rights cities, often in tandem with national human rights institutes can make an important contribution in addressing this (Andreopoulos and Claude 1997; Tibbits 2005; United Nations, UNESCO and OHCHR 2006).

Key in the process of implementation is also the involvement of as many parties as possible. The process of realising human rights is as important as the actual outcome, and many human rights cities draw inspiration from rights-based approaches to development as they come up with local human rights strategies (Goodhart 2009; Miller 2010; Nyamu-Musembi and Cornwall 2004). They thus involve all stakeholders in discussions on discrimination, urban poverty, inclusion or whatever rights issue is at hand, setting an example in the field of participatory democracy and pulling in stakeholders who might otherwise have been ignored. Both the European Charter for the Safeguarding of Human Rights in the City and the Global Charter for Human Rights in the City emphasise participation and were developed in close consultation with the UCLG Committee on Social Inclusion, Participatory Democracy and Human Rights. In this sense, human rights cities build upon one of the key demands of the right to the city movement: participation of all stakeholders in urban matters.

Whereas the process of engagement with human rights is deemed important, so are the outcomes. Many human rights cities, in line with the general trend towards 'global accounting', try to capture human rights achievements in terms of numbers (Davis, Kingsbury and Merry 2012; Power 1997) The Council of Europe, for instance, resolved in 2011 to develop indicators to raise awareness of human rights at the local level aiming to assess the local human rights situation and develop action plans to raise awareness.[16] Many cities, however, seem to keep in mind that human rights indicators should not be used for accounting purposes alone, but as a 'tool of global governance that allows the *governed* to form strategic political alliances with global bodies in the task of holding their

---

[15] See 'PDHRE The People's Movement For Human Rights Learning: A Site Dedicated to Human Rights Learning for Social and Economic Transformation', www.pdhre.org.

[16] Council of Europe Congress of Local and Regional Authorities, 'Developing indicators to raise awareness of human rights at local and regional level', Resolution 334 (2011).

governors to account' (Rosga and Satterthwaite 2009: 315). Gothenburg, for instance, works with a system of human rights budgeting to strengthen awareness of urban investments into human rights. The Human Rights Council in Graz, in turn, uses the process of compiling a human rights report to engage with stakeholders in hospitals, prisons and schools but also businesses on the relevance of human rights for their work, thus enhancing awareness and compliance, alongside actually collecting information.

All these practices, whether they are about strengthening awareness, stimulating participation or assessing actual achievements, thus entail part of the promise of human rights cities. At the same time, implementing human rights also encompasses perils, and challenges, discussed in each of the chapters as well.

Overview of the book

This book takes stock of the experiences of human rights cities and their meaning for the realisation of human rights – locally and globally – and thus of global urban justice through critically focusing on the three elements of human rights cities discussed above. It is written by both practitioners and academics, with many authors straddling both identities and combining practical recommendations with theoretical reflection.

Where it concerns the discussion of actors and their shifting capacities, Davis describes how US human rights advocates make use of international monitoring mechanisms to establish a framework for accountability and to create pressure for human rights implementation along 'vertical lines'. Truly establishing accountability and monitoring human rights compliance at the local level, however, is a challenge, and she examines a number of creative ways to strengthen these processes. Looking at 'horizontal' alliances of actors, van den Berg concentrates on the role of civil society in the rise of human rights cities. In countries like the Netherlands, civil society functions as an initiator of raising the urban relevance of rights, as a key partner in strategic alliances, and as an intermediate space contributing to rights consciousness. Frate, focusing on the Montréal Charter of Rights and Responsibilities, discusses the role of global networks in the inception of the Charter and the specific role of the ombudsman in its implementation. The ten years of experience gained in Montréal throw up some important caveats for human rights cities, for instance on the importance of not diluting standards. In the final contribution on actors and their shifting responsibilities, Kamuf Ward discusses the role of mayors in

bringing human rights home in cities in the US, with specific reference to the Race Convention. Reference to human rights standards not only enhances mayors' capacity to govern, but also connects them to a global network of like-minded actors.

The next section focuses on the highly political process of negotiating which rights to raise, or whether to raise rights at all, in a given urban context. García Chueca sets out how reference to concepts like 'human rights city' or the 'right to the city' is not just a play on words, but encompasses fundamentally different promises and ideas about 'insurgent citizenship'. The right to the city, as it was developed in the global South, holds a stronger claim for the social function of the city and – taking the epistemologies of the South as a point of departure – can help give voice to groups silenced by capitalism, colonialism and patriarchy. Darling continues the comparison of the two concepts on the basis of a case study of the 'Dignity not Destitution Campaign' in the UK. In this context of a nation increasingly hostile towards human rights, cities can be considered sites of connection, and human rights a language of claim-making, with the ability to draw in a wide variety of interest groups. Just like Buerger, he emphasises how rights are relational, and realising them is a highly contextual process. Buerger, in her study of two human rights cities in Ghana, draws attention to the plural, intertwined normative systems at the local level, used strategically by local actors. Such actors vividly feel the dilemma involved in raising rights in a wider framework of political patronage, of which the hierarchical character sits uneasily with the equality underpinning the notion of human rights. Making another case on how certain rights are raised in some places but not in others, Pestova discusses how the right to water is given meaning via litigation in urban contexts all over the world. The political character of these processes is apparent in case studies like that of the UK, where urban councils litigated against the national government to prohibit disconnection for non-payment.

Focusing on the implementation of global urban justice in York, Graham, Gready, Hoddy and Pennington argue that cities embody a new form of human rights practice, away from singular, top-down, state-focused strategies to multi-dimensional, multi-actor, contextual and bottom-up approaches. The York Human Rights City Network is a case in point, in which local stakeholders rallied to not only mobilise human rights at the local level, but also form a response towards rights scepticism at the national level. Sánchez Rodríguez, describing the Latin-American context, discusses the process of constructing the right to the city in Mexico,

from setting up a committee and the promotion of the right to the formulation of a Charter. As many authors, she points out the risk of a lack of implementation, with government not acting upon its promises, a lack of transparency and too much bureaucracy. In order to combat these risks, Starl, in his contribution on Austria, sets out the importance of combining legal obligations with political commitment. Two cases concerning the freedom of speech at the local level illustrate the importance of combining legal clarity with political action. In a final contribution on Eugene, Oregon, Neubeck discusses the work on the Eugene Human Rights Commission and what is needed to truly enhance the relevance of human rights at the local level and, in doing so, combat US exceptionalism. The issue of housing rights and homelessness exemplifies the potential and pitfalls of this process.

Realising global urban justice is thus an issue of both law and politics, which tosses up both practical and theoretical questions. In two concluding chapters, Soohoo and Grigolo reflect on the legal and sociological aspects of the rise of human rights cities and the promise and challenges that they pose for global urban justice. Soohoo underlines how the true innovation in human rights cities, from a legal vantage point, does not lie in enhancing accountability but in developing methods to infuse human rights in governance and service provision. Some of the challenges she identifies on the basis of the book concern the lack of respect for human rights principles when faced with contentious issues, budgeting restrictions or powerful special interests. Finally, Grigolo casts further light on Soohoo's point about innovation in human rights cities through the lens of sociology, explaining the human rights city and the global urban justice it delivers as a practice driven by different actors' reading of the relation between human rights and the city. He critically assesses the place of the local government in the human rights city as well as the broader neoliberal context within which the practice develops. From this standpoint, he stresses the difference between the human rights city and the practice of the right to the city, while emphasising continuity and the possibility of an anti-hegemonic construction of human rights. He then emphasises how new meaning is generated at the level of implementation, which offers possibilities for empowerment and resistance, while acknowledging the limits beyond which local governments do not seem willing to push human rights and the right to the city.

All together, the contributions take stock of how the rise of human rights cities creates novel alliances of actors, leads to an intensely

political process of renegotiation of rights at the local level and also to the implementation of human rights locally and globally. In setting out the potential and the pitfalls of these processes, they show how global justice can acquire local meaning – one of the key challenges of our times.