Chapter 8
Human Rights Localisation and Individual Agency: From 'Hobby of the Few' to the Few Behind the Hobby

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Contents

Abstract Human rights have been facing criticism on many fronts, including the challenges of the "enforcement gap" and the "citizenship gap", laying bare the shortcomings with regard to the implementation of human rights law as well as regarding its protection of highly vulnerable groups such as refugees. Research on the effectiveness of human rights, the "localisation" of human rights through invocations and practices on the ground, the increased engagement of local authorities with human rights, are all responses to such challenges to some degree. Based on empirical research conducted within municipalities in four countries, this chapter focuses on a missing piece of the puzzle in terms of conceptual and empirical research: the

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role of "individual agency". We adopt a socio-legal perspective on human rights and demonstrate that individual agency can make an important contribution to the effective implementation of human rights in the field of migration governance. Behind the black box of the state and local authorities, we find individuals who use human rights—as law, practice and discourse—in local policymaking, in circumstances where invoking human rights is not self-explanatory. Finally, we put forward the notion that reasons such as individual background, motivations, and interactions between individuals influence municipal officials' engagement with human rights, and we reflect on the conceptual and practical implications that result from this.

Keywords Human rights · Local governments · Human rights localisation · Individual agency · Migration · Local policies

8.1   Introduction

Over the last decades, human rights have been widely criticised. Some of this criticism relates to the notion of effectiveness.[1] Those challenging human rights have focused, for instance, on the lack of enforcement of positive human rights obligations (the "enforcement gap")[2] and the inability of the human rights regime to protect the most vulnerable, such as refugees and stateless persons, despite claims of universality (the "citizenship gap").[3] The latter criticism also poses an opportunity for human rights to prove their relevance to non-citizens who might lack sufficient protection under domestic legislation and should—at least in theory—be protected by human rights.[4]

Partially related to this criticism, and in part because of their *de facto* engagement with human rights, local authorities have recently received considerable scholarly attention. They have been increasingly portrayed as being important actors that can influence—either directly or indirectly—the realisation of human rights on the ground.[5] More concretely, local authorities have been at the forefront of receiving and integrating refugees, and safeguarding their human rights; an issue which started gaining more attention following the increased mobility of Syrian refugees from 2015 onwards.[6] This chapter focuses on individuals and processes at the intersection of migration, human rights and local authorities. As such, this contribution provides valuable insights on a wide range of questions regarding the effectiveness of human rights. We adopt a socio-legal perspective on human rights and define them broadly,

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[1] Kennedy 2002.

[2] Marx et al. 2015.

[3] Shafir and Brysk 2006.

[4] Baumgärtel and Oomen 2019.

[5] Aust 2015; De Feyter et al. 2011; Oomen and Durmuş 2019, Durmuş 2020.

[6] Oomen and Baumgärtel 2018.

not only as international law, but also as a value, discourse, and "social construction and practice".[7] Individuals working within local governments are among the actors that engage in such social construction and practice. In line with the scope of this chapter, 'local authorities' refers to the lowest tier of administration in the public administrative organisation of a state, including its executive, legislative, and administrative organs.[8]

While local governments have been receiving attention from scholars concerning their role in human rights realisation, the more general question regarding the effectiveness of human rights has puzzled other scholars—albeit with inconsistent or conflicting results.[9] Bearing in mind the most important challenge to this scholarship—namely the difficulty of establishing a causal link between human rights and change on the ground—we have chosen to refer to the effectiveness of human rights in local migration governance as: *the generation, from within the local authority, of policies, practices and discourses inspired by human rights, that are designed to improve the well-being of refugees as a vulnerable group.* As such, we do not claim that any local policy, practice or discourse has succeeded in creating an empirically measurable improvement in the well-being of persons. In addition, this definition is a deliberate choice to focus on practical local outputs (policies, practices, discourses), instead of legal formalist or statist understandings of human rights effectiveness. Lastly, the adoption of human rights-inspired migration policies by local governments constitute a particularly useful case study for gaining insights into the effective implementation of human rights, as it represents an emerging trend, and certainly not a universal nor self-evident observation. As local authorities have been considered as human rights actors much more recently than states,[10] the effectiveness of human rights in this context—i.e. the success of human rights inspiring migration policies, practices and discourses—can be observed as it unfolds.

Within this context, our aim is to focus on individual agency—a missing element in the conceptual and empirical research on the local relevance and effectiveness of human rights. We use the concept of individual agency to examine how personal background and motivations, as well as interactions with others, can influence the actions of individuals involved in introducing human rights within local authorities. While the role of non-state actors and individuals in *claiming* rights has enjoyed attention in human rights scholarship,[11] the agency of individuals within the black box of the state,[12] its local authorities,[13] or other actors holding positive legal human rights obligations, has only recently been addressed. Drawing on scholarly and empirical evidence on the relevance of individual 'human rights users'[14] enacting local human

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[7]Grigolo 2017.

[8]UNHRC 2015, para 1.

[9]Brysk 2019.

[10]Oomen and Baumgärtel 2014; Oomen et al. 2016.

[11]Merry 2006a; Widdows and Marway 2015; Saeed 2015; De Feyter et al. 2011; Desmet 2014.

[12]Brysk 2019, p. 8.

[13]ILC 2001, Article 4.

[14]Desmet 2014.

rights-based practices,[15] we explore *how the exercise of individual agency by public officials within local authorities contributes to the effectiveness of human rights in local migration governance.* Our findings—based on field research conducted in municipalities in Italy, Greece, Turkey and the Netherlands as part of the Cities of Refuge Project[16]—demonstrate the importance of individual agency for the adoption of local human rights-based policies, and suggest that the background, motivations and interactions of individuals can play a role in the extent to which local human rights-based policies are adopted. In presenting these findings, we start with a discussion on the effectiveness and localisation of human rights in relation to local authorities in Sect. 8.2, followed by a conceptualisation of individual agency in Sect. 8.3, and a number of methodological considerations in Sect. 8.4. Section 8.5 highlights the importance of individual agency for human rights effectiveness, also elaborating on the reasons why certain public officials engage with human rights in terms of local policy making. Section 8.6 considers the conceptual and practical value of individual agency in human rights research and practice, and lastly, Sect. 8.7 outlines our conclusions and suggestions for future research.

8.2 Human Rights Effectiveness and the Role of Local Authorities: The Story Thus Far

The question of human rights effectiveness is complex, and one that many human rights scholars have grappled with, addressing different objectives and using different methodologies.[17] Brysk suggests navigating this field by asking: "The effectiveness of what?"[18] Is effectiveness the codification of norms into law following ratification? Does it pertain to the success of a particular rights movement? Or perhaps to the on-the-ground fulfilment of minimum requirements of well-being by states accepting international norms? In those cases, the indicators that are measured are often results-oriented, structural, or formal/legal.[19] Scholars often analyse the response to "emerging channels of horizontal or dialectical international influence" of the so-called 'international human rights regime', consisting of laws, courts, institutions and professionals. The question of effectiveness of human rights is placed within the context of socio-legal and social science literature on ideas, how those

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[15]Shawki 2011; Ward 2016; Miellet 2019; Roodenburg 2019.

[16]"Cities of Refuge" is a five-year research project funded by the Netherlands Organization for Scientific Research, which explores and explicates the relevance of international human rights, as law, praxis and discourse, to how local governments in Europe welcome and integrate refugees https://citiesofrefuge.eu/.

[17]Brysk 2019, p. 2; Hopgood et al. 2017.

[18]Brysk 2019, p. 2.

[19]Council of Europe 2011.

ideas spread, how they gain ownership and become norms to which actors adhere.[20] Risse, Ropp and Sikkink have sought to empirically prove that a causal relationship exists between the idea of human rights and improvement of the standards of well-being on the ground.[21] However, such causal claims were met with widespread scepticism among social scientists, as attributing improvement to the adoption of human rights seems methodologically near impossible. This view was also accepted by the same authors in their subsequent publications.[22]

The literature on human rights effectiveness has recognised the complexity and pluralism of "pathways of influence"[23] that lead to a change in identity, and of interest-building processes that shift the behaviour of an actor or individual.[24] However, this research has struggled to step away from the top-down state-centric understanding of what human rights constitute, by whom they are generated, and how they can best be realised on the ground.[25] Human rights are not only imposed top-down and translated from the international to the local level;[26] they are also developed and contested locally, by actors and individuals invoking or "using"[27] human rights without outside "international" pressure.[28] Rather than viewing the local relevance of human rights only as a top-down "translation"[29] of international law into local contexts, we focus on human rights that are invoked and practiced on the ground, by individuals who exercise their agency to introduce their own understandings of human rights.[30] The research on the localisation of human rights provides complementary responses to the shortcomings of the research regarding the effectiveness of human rights.[31]

The term 'localisation' has been used to examine a broad range of human rights practices, both from a descriptive and normative perspective.[32] Firstly, this term was used to describe the strengthening of local civil society and institutions, such as local authorities, *for* the protection of fundamental rights.[33] Secondly, it was used to describe the efforts made to develop human rights in a way that makes it more

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[20]Béland and Cox 2016; Berman 2007; Brysk 2019; Risse et al. 1999. Notwithstanding, some literature has approached the question from an instrumentalist rather than ideational approach: Hathaway 2005.

[21]Risse and Sikkink 1999.

[22]Risse et al. 2013; Simmons 2009; Haglund and Stryker 2015; Goodman and Jinks 2004.

[23]Brysk 2019, p. 2.

[24]Koh 1996.

[25]De Feyter et al. 2011.

[26]Merry 2006b.

[27]Desmet 2014; Sect. 8.3.

[28]Oomen et al. 2016; Oomen and Durmuş 2019.

[29]Merry 2006a.

[30]Oomen and Durmuş 2019.

[31]Marx et al. 2015.

[32]Oomen and Durmuş 2019; De Feyter et al. 2011.

[33]Marx et al. 2015.

reflective of local concerns, and more accommodating to the claims of human rights users.[34] Lastly, it also forms part of a broader shift of perspective; away from the primacy of the nation state,[35] and towards a multi-stakeholder agenda that considers the role and responsibilities of a wider range of states and non-state actors.[36] Rather than neglecting the importance of states in realising individuals' human rights, the scholarship on localisation demonstrates the limits of state-centric approaches, and the importance of including non-state and sub-state actors in discussions on human rights effectiveness.

In the literature on localisation, one phenomenon was recently highlighted for its potential to strengthen both social justice and the international human rights system itself—i.e. the 'human rights city'.[37] While some authors have proposed very broad and inclusive definitions of a human rights city,[38] we adopt the one of Oomen and Baumgärtel: "an urban entity or local government that explicitly bases its policies, or some of them, on human rights as laid down in international treaties, thus distinguishing itself from other local authorities".[39] The explicit engagement of local authorities with human rights is indeed commonly viewed as a prerequisite for becoming a human rights city.[40] While local civil society initiatives can often be the ones that "make human rights the talk of the town", these cannot be sustained in the long run without the commitment of local administration, which is usually responsible for ensuring access to services such as education, healthcare, etc.[41]

The rise of human rights cities has often been presented as an opportunity to strengthen the effectiveness of international human rights through bottom-up initiatives and implementation at the local level.[42] Examples are plentiful and can be found all over the world. In the United States (US), for instance, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was already adopted as municipal law in San Francisco back in 1998, while Chicago has been using the Convention on the Rights of the Child to shape local policies since 2009.[43] Importantly, both treaties have not been ratified by the US government. In Europe, Graz has been applying human rights standards in monitoring local election campaigns and in designing anti-discrimination policies.[44] As a final example, the Korean city of Gwangju has developed a more comprehensive human rights approach over the past decade, which involves different rights, policy areas and stakeholders.[45]

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[34] De Feyter et al. 2011.

[35] Meyer 2009.

[36] Destrooper 2017.

[37] Oomen et al. 2016.

[38] Grigolo 2016, p. 227.

[39] Oomen and Baumgärtel 2014, p. 710.

[40] Goodhart 2019.

[41] Van den Berg 2016.

[42] Oomen and Baumgärtel 2018. See also Grigolo 2019.

[43] Davis 2016, pp. 37–38.

[44] Davis et al. 2017.

[45] Durmuş 2020, p. 48.

Rather than "empty promises", such actions by human rights cities can potentially directly and positively affect the everyday lives of their citizens through easier and universal access to basic services.[46]

The direct link between human rights cities and human rights effectiveness has been particularly visible in terms of migrants' rights, especially with regard to undocumented and forced migrants. An often-cited example is that of the city of Utrecht, which—along with other Dutch cities—successfully used human rights to extend the provision of emergency 'bed, bath and bread' services to undocumented people.[47] New York, yet another human rights city, recently banned the use of the terms "illegal" and "illegal alien", and prohibited people from threatening to call the Immigration and Customs Enforcement on the basis of discriminatory motives. Breaking the new local law can result in fines as high as 250,000$.[48]

The contribution of cities to the realisation of migrants' human rights is, however, not limited only to those bearing the 'human rights city' label. Due to the recent process of decentralisation in many countries, local authorities have gradually acquired a number of competencies directly related to the reception and integration of immigrants.[49] As a result, municipalities play an important role in facilitating the access of migrants to local schools, hospitals, labour markets, etc. In addition, local authorities were at the frontline of protecting and fulfilling the human rights of refugees in the recent period of increased refugee arrivals to Europe—often acting at the boundaries of their legal competencies, or even overstepping them in order to guarantee reception services in line with international refugee and human rights law.[50] Cities such as Athens and Milan, to mention just two, provided shelter, food, basic healthcare services and information to tens of thousands of refugees in 2015–2016.[51] On many occasions, these municipalities and other local authorities explicitly referred to human rights to justify their assistance to refugees.[52] Thus, rather than being restricted to the category of human rights cities as the usual suspects, municipal engagement with human rights is a much broader phenomenon when it comes to defending and realising the rights of migrants.[53]

At the beginning of this section, we presented different arguments for moving beyond the state-centric and legal formalist approaches in studying the effectiveness of human rights. From the discussion so far, it has become clear that human rights cities—but also local authorities in general—can contribute significantly to the effective implementation of human rights in the field of migration governance.

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[46]Hafner-Burton and Tsutsui 2005.

[47]Oomen and Baumgärtel 2018.

[48]NYC Commission on Human Rights 2019.

[49]Caponio and Borkert 2010.

[50]Oomen et al. forthcoming.

[51]Bazurli 2019. For Athens, see OECD 2018.

[52]See for example Resolution 432 (2018) of the Congress of Local and Regional Authorities (Council of Europe) available at https://rm.coe.int/border-regions-facing-migration-phenomena-cur-eirini-dourou/16808e2c9d. Accessed 10 April 2020.

[53]Miellet 2019.

While states are shifting towards the externalisation of border control and stricter asylum policies,[54] and hence moving away from their human rights obligations in relation to refugees, some local authorities increasingly refer to human rights—as law, practice and discourse—in order to justify progressive local policies designed to protect and safeguard the rights of refugees. Bearing that in mind, understanding the motives behind the use of human rights by local authorities becomes an important next step for both human rights scholars and practitioners. For scholars, answering the question as to why some cities actively engage with human rights in their approach to refugee reception, could reveal the driving force behind instances where human rights inspired effective local policy solutions. For practitioners, it could provide the key towards strengthening the effectiveness of human rights where those rights matter the most: at the local level.

8.3   The Missing Piece: Conceptualising the Individual Agency of Human Rights Users

Having already arrived at the local level, this section will introduce the concept of individual agency, which in our view constitutes one of the key drivers behind initiating, designing, enacting and implementing municipal human rights-based policies. Our argument is that the actor-based approaches used in human rights scholarship do not provide the tools to adequately capture the dynamics *within* local authorities. This carries the risk of overlooking the role of individual agency in "bringing human rights home" to the city level.[55]

Recent human rights research has contributed to the unpacking of the human rights city, revealing a diverse group of actors: researchers, civil society, local governments, central government agencies and social workers, to name a few.[56] The same is true for cities active in the reception and integration of refugees, where a multitude of local actors facilitates migrants' access to services.[57] Each one of these actors serves a separate (complementary or competing) function in the implementation of human rights within the city, following its own (human rights) agenda. Local mobilisation in the field of human rights is often seen as involving 'struggles from below' initiated by civil society actors and social movements.[58] As states are presented as monolithic entities, the role of individuals within local authorities remains somewhat of a 'black box'.[59] While municipal governments often contribute to human rights effectiveness, as described in the previous section, the motivations behind this contribution remain

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[54] Polakow-Suransky 2017.

[55] Soohoo et al. 2008.

[56] Grigolo 2017.

[57] Hinger et al. 2016.

[58] Chenoweth et al. 2017.

[59] Desmet 2014.

unclear. What makes some municipalities incorporate human rights in their local policies, and ultimately even regard themselves as human rights cities? Our view is that one important factor which triggers and navigates the process of enacting local human rights-based policies is individual agency *within* local authorities. Drawing on standard conceptions of agency, we associate individual agency with the capacity to act, and the performance of intentional and unintentional actions that derive from the former.[60] More concretely, by employing the notion of 'individual agency', we demonstrate that personal background and motivations, as well as interactions with others, underpin the actions of individuals involved in introducing human rights law, practice and discourse within local authorities.

Our approach to theorising the agency of these individuals draws on socio-legal scholarship, such as legal pluralism and legal anthropological perspectives, which shift the focus away from approaches that study human rights "in an abstract, doctrinal and depersonalised manner to a more grounded and contextual approach".[61] More specifically, our approach draws on recent scholarly work on theorising the involvement of different types of actors involved in human rights practices, also known as actor-oriented approaches, and concepts such as 'human rights users'.[62] Adopting an approach that focuses on the *users* of human rights implies that "the perspective from which the analysis is undertaken is that of the person, group, organisation or institution engaging with ('using') human rights—and thus not the perspective of a specific legal instrument, theme or right".[63] As Desmet argues, this 'user' approach also allows "a deeper insight in the human rights system, in how it is used, what its strengths and weaknesses are and will further provide reflection on how it can be improved".[64] This is partly due to the fact that the human rights 'user' approach recognises the complexities that result from the multi-layered nature of human rights law, and considers how human rights users may be "simultaneously confronted with a multiplicity of human rights norms, often both general and specific coming from different institutions".[65] Another factor is that it addresses other challenges to human rights—such as concerns about the effectiveness of human rights on the ground—from the perspective of its users (such as rights claimants).[66]

Human rights scholars who look at actor-oriented approaches have recently raised concerns regarding the fact that many empirical studies focus on non-state actors and on rights-holders, rather than duty-bearers like states.[67] The human rights 'user' approach addresses this criticism by presenting an inclusive but differentiated approach to understanding the users of human rights, and by introducing categories

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[60]Schlosser, Markus, "Agency", The Stanford Encyclopedia of Philosophy.

[61]Desmet 2014, p. 122.

[62]Desmet 2014; Brems and Desmet 2014.

[63]Desmet 2014, p. 123.

[64]Ouald-Chaib 2018, p. 4.

[65]66 Desmet 2014, p. 124.

[66]Desmet 2014; Baumgärtel 2014.

[67]Destrooper and Sundi Mbambi 2017.

that are empirical—and based on behaviour—rather than legal (rights holder and duty bearer).[68] This approach incorporates a broad spectrum of users, ranging from *direct* users ('rights claimers' and 'rights realisers') to *indirect* users ('supportive users' and 'judicial users').[69] Of these four types of users, rights realisers are the most directly relevant to this chapter, as this category includes actors who seek to give effect to human rights. This chapter draws on—and develops—these insights, by foregrounding how individuals within local governments exercise agency as they work towards 'bringing human rights home', and by adopting a broad understanding of human rights practice. Our understanding of the individual agency of human rights users is therefore also informed by scholarly work on human rights *practices*, understood as "the many ways in which social actors across the range talk about, advocate for, criticize, study, legally enact, vernacularize, etc., the idea of human rights in its different forms".[70] However, we agree with Desmet that research on human rights practices tends to prioritise specific themes or rights, whilst actor-oriented perspectives—such as those focusing on human rights users—do not. As this chapter focuses on local engagement with human rights in the field of *migration* governance, it represents a middle way that borrows from both approaches.

A question that needs to be addressed, however, is why this chapter refers to 'individual agency' of human rights users, rather than adopting more common terms such as 'actors'. We argue that this differentiation is necessary for three reasons. First, it serves to minimise confusion, as many legal scholars that have progressively examined cities and international law, refer to cities or local authorities as unified 'actors'. This strand of research, for instance, examines how the positioning of cities and local authorities in international law should be understood, and whether or not they can—and ought to be—understood as having a dual character as both state and as non-state actors that could obtain international legal personality.[71]

Second, we also use this term to avoid confusion with legal debates on the 'actor-hood' of local governments in international law, and to challenge essentialist understandings of the state—at the local or national level—that obscure the agency of human rights users working *within* the state structure. Although such critical interrogations of essentialist understanding of the state have been particularly common amongst geographers,[72] migration scholars[73] and sociologists,[74] they also feature in the work of human rights scholars who similarly conceive of the state as a "complex construction of often competing agencies and individuals, at both the national and the local level".[75] This legal scholarship also highlights how this understanding of

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[68]Desmet 2014, p. 127.

[69]*Ibid.*

[70]Goodale 2014, p. 24.

[71]Durmuş 2020.

[72]Meeus et al. 2019.

[73]Gill 2010.

[74]Verhoeven and Duyvendak 2017.

[75]Desmet 2014, p. 136.

a state as consisting of different institutions and individuals requires us to examine "how norms in turn influence individual behaviour of state actors".[76]

Third and lastly, the scholarship that draws on actor-oriented perspectives to study human rights localisation or vernacularisation focuses primarily on corporate and civil society actors, without necessarily taking into consideration the role of individuals *within* them. To address this shortcoming, we also propose a conceptual differentiation between actor-oriented perspectives and individual agency, as theorised in this chapter. In doing so, we follow Desmet, who suggests that "the term 'human rights actor' and its categories thus do not make clear that the same actor may, depending on the situation, stand in a different functional relationship with human rights, i.e. make a different use of human rights".[77] A human rights 'user' approach enables us to theorise the involvement of street-level bureaucrats, local politicians and social workers, without assuming their static categorical identity (as state or non-state actors). Although we recognise that the term 'human rights users'— as developed and understood by Brems and Desmet—can still be used to refer to any individual *or* a composite entity who engages with human rights, we propose a more restrictive understanding of human rights users that renders visible hitherto more obscured perceptions, understandings and actions of *individuals* that shape local approaches to human rights.

By adopting the term 'agency' rather than by adopting the general description 'the role of individuals', we also signal that our analysis does not look at agency in isolation, but acknowledges that agency stands in a dynamic relationship with structure. Concretely, this means that we are also interested in examining structural conditions, or opportunity structures that enable individuals to act independently, whether individually or collectively with others. This becomes particularly visible with respect to *interactions* between individuals (see Sect. 8.5, below) in which structural opportunities—such as networks and access to cooperation—interplay with the agency of particular individuals who disseminate and adopt norms, ideas and practices through these structures.

Having explicated *how* individual agency is conceptualised and having situated this notion within the scholarly literature, this discussion now turns to reflect on theoretically and empirically informed insights on *why* studying individual agency is relevant to debates on the effectiveness of human rights. Whilst much of the research on localising human rights initially focused on civil society 'actors', scholars have been increasingly focusing on the role of city councils, mayors and administration in processes of 'downward human rights diffusion',[78] emphasising that such diffusion relies on "strong collaboration *with* municipal authorities in adapting existing human rights norms to local settings". Other scholars have been paying increasing

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[76]Risse and Sikkink 1999, p. 8.

[77]*Ibid*.

[78]Oomen and Van den Berg 2014.

attention to collaborations between local stakeholders[79] and *within* municipal author-
ities.[80] Drawing on previous work by Merry,[81] Shawki, for instance, notes that "the
initiative of translators, individuals and/or community groups who are well-versed
in the international human rights framework and discourse and at the same time very
immersed in their local communities, is often the catalyst for local human rights initia-
tives".[82] This scholarship also hints at the motivations of individuals working within
local authorities. As Martha Davis notes, "inspirational words without substantive
impacts are unlikely to be embraced by these local actors. If they adopt human rights
approaches, it is almost certainly because they believe that the approaches can do
some real work for the community".[83]

In addition to these theoretical arguments suggesting the importance of individual
agency within local governments in mobilising and enacting human rights, there are
also practical examples pointing in this direction. In 2018, the United Nations Office
of the High Commissioner for Human Rights (OHCHR) called upon local govern-
ment representatives to identify "effective methods to foster cooperation between
local governments and local stakeholders for the effective promotion and protection
of human rights (…) and to indicate the major challenges and best practices in this
regard".[84] The OHCHR report synthesised their contributions and identified more
effective ways to promote—and protect—human rights at the local level. The report
also highlighted the role played by local stakeholders, such as mayors, in creating a
local government culture that is open and oriented towards human rights.[85] Several
indications of the link between localising human rights and individual agency come
from the international forum "Focusing on Human Rights", which took place in
2015 in Graz—the first human rights city in Europe. The event gathered more than
100 experts from 25 European countries, all of whom were active in the field of
implementation of human rights at the local level. Politicians and civil servants from
human rights cities discussed—together with researchers, representatives of city
networks and international organisations—the design, enactment and relevance of
human rights for local policies. As Phillipp mentions in her summary of the forum's
workshops, participants agreed that strategies for incorporating human rights into
local policy-making usually depend on a "specific politician who prioritises human
rights".[86] Importantly, the participants viewed this as a 'big challenge' for efforts
related to local human rights-based policy-making—an issue that will be discussed
in further detail later on. Another key point, also presented as a challenge by the

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[79]Roodenburg 2019.

[80]Miellet 2019.

[81]Merry 2006b.

[82]Shawki 2011.

[83]Davis 2019.

[84]OHCHR Call for contributions on local governments' initiatives to promote and protect
human rights. https://www.uclg-cisdp.org/sites/default/files/Letter%20Civil%20Society%20Orga
nisations_EN_final%20%281%29.pdf.

[85]*Ibid*.

[86]Philipp 2017, p. 36.

participants, was that "people are alone in the field of promoting human rights, it depends on single persons".[87] As Leen Verbeek, former mayor of the Dutch city of Purmerend, pointed out in his presentation, human rights implementation at the local level was "the hobby of the few", which, through networking and collaboration, could eventually turn into "the responsibility of the many".[88]

Drawing on previous research, we initially outlined several arguments for moving from the macro-level of the state to the meso-level of the city in studying human rights effectiveness. Having introduced our conceptualisation of individual agency, we will now briefly discuss the methodology of our study, and then present the potential benefits of approaching the issue of human rights effectiveness from a micro-level perspective.

8.4 Methodology

To explore the relevance of individual agency within local authorities to human rights-based policies, and therefore to human rights effectiveness, we apply a qualitative case study research design.[89] The examples we present pertain to Turkey, Italy, Greece and the Netherlands, which allows us to study the role of individual agency in very different contexts, in terms of the administrative system (centralised-decentralised), the allocation of competencies and funds for refugee reception/integration (larger role of local authorities in Italy and the Netherlands and marginal in Greece/Turkey) and the number of refugees hosted. Moreover, we focus on local authorities that have proactively engaged with human rights (as law, practice and discourse) in regard to the reception and integration of refugees and undocumented migrants.[90] To protect our interviewees, we have not included the names of the municipalities discussed in the following section. The only exception is the case of Utrecht, in which the availability of a large amount of publicly accessible information made any efforts for city-level anonymisation futile.

Our case selection process was not guided by the ambition to obtain a representative sample—neither of human rights cities, nor of 'ordinary' cities using human rights—but rather by the aim to explore how the process of incorporating human rights in local policies start and evolve in different urban contexts, and within different local authorities.[91] Consequently, any generalisation to other instances of human rights localisation—within or beyond local authorities—on the basis of our research would be problematic. In any case, we believe that the variation that we sought to

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[87]*Ibid*., p 37.

[88]*Ibid*., p 35.

[89]Rohlfing 2012, See also Yin 2017.

[90]With the term refugees, we refer to forced migrants in general—be it asylum seekers, people who have obtained international protection status, or "guest" in the case of Turkey.

[91]Seawright and Gerring 2008.

achieve with the following examples strengthens the value of our findings, and can serve as justification for future research on the link between individual agency and human rights effectiveness.[92]

In the next section, we present examples from several municipalities where we conducted field research, primarily consisting of interviews with local officials (politicians, top-level managers, administration, social workers) and representatives of NGOs, civil society and immigrant organisations, local experts, local offices of national/regional authorities and international organisations. By covering such a wide range of locally operating actors, we were able to identify the different steps in the enactment of human rights-based policies: the initial process of the 'arrival' of human rights to the city, the way local administrations started engaging with them, the (lack of) implementation, and finally, the (lack of) practical results for refugees and undocumented migrants. The field research took place between October 2018 and March 2020. In addition, the interview data was triangulated with secondary data obtained through desk research of municipal documents, reports, media publications, social media accounts and empirical evidence from scholarly literature—if available. All data was analysed using NVivo and following an open coding method.

8.5 The Individual Agency of Municipal Officials in Improving the Effectiveness of Human Rights

In this section, we will present examples that highlight the role of individuals as one of the driving forces behind the incorporation of human rights into effective local policy solutions to immigration-related challenges. Without underestimating the importance of local structural conditions and factors, we demonstrate that ultimately, it was specific individuals who initiated the human rights conversation, practice and even law to city halls and municipal offices, and that they did this for reasons that were often not self-evident results of their institutional role. We will start by presenting several examples of *how* individual agency mattered, and will subsequently focus on the issue of *why* individuals engage with human rights-based policy-making.

First and foremost, our data analysis revealed a strong link between individual agency within local authorities and the adoption of human rights-based local policies that provide refugees universal access to services. In all country contexts, we found specific public officials behind the design and adoption of these policies; these officials had either explicitly used human rights law, or had adopted a human rights perspective in the interpretation of ambiguous domestic legal frameworks. In one Greek municipality, human rights law was referred to in a local action plan to justify the adoption of inclusive policies for undocumented migrants. This came about as a result of the efforts of a single employee, who later advocated for universal access to a new municipal shelter for the homeless, which caused conflicts with representatives

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[92]See Chapter 3 in Rohlfing 2012.

of the central government demanding that access shall only be granted to people with lawful residence.[93] Similarly, in Turkey, some municipalities opted to interpret the ambiguity in the domestic municipal law to treat all refugees and undocumented people present in the city as 'co-citizens'. As a result, they were provided access to free basic services and in some cases even to specialised ones, such as psychological support, vocational training and language courses.[94] Behind this approach were progressive political leaders and local policy makers, some of whom consulted with the UNHCR to discuss whether it was possible to consider refugees as falling under the ambiguous law.[95]

Moving to more detailed single-case examples, we start with an Italian city with an active local civil society, which for decades has been defending the rights of locally residing vulnerable groups, including immigrants. While in the past the local government had developed plenty of policies to protect and fulfil migrants' rights, it was only a decade ago that it started actively referring to human rights—both in relation to migrants' rights and other policy areas. In this case, human rights emerged in a bottom-up manner within the local administration, and were only 'adopted' by the municipal political leadership in the second instance. More specifically, a civil servant with an education relating to human rights and former experience in an international organisation, intentionally introduced the human rights discourse and practice by involving the municipality in two externally funded projects.[96] In her own words, she did this because of her strong belief in the "added value of an approach based on human rights applied at the local entity level".[97] Under her leadership, the process of localisation of human rights within the local administration resulted in the gradual introduction of various new initiatives: theoretical and practical training on human rights in migration-related issues for municipal managers and service personnel, workshops for students and teachers in local schools, communication campaigns on migrants' human rights, baseline studies on discriminatory barriers affecting migrants' active participation in local community life, etc. This engagement with human rights received strong support from two important individuals from the local government: a deputy mayor and the mayor. Ultimately, a separate office working explicitly on human rights-related issues was established within the municipal administration. At present, the office designs and implements projects focused primarily on immigrant integration, in close collaboration with the municipal services.

In Utrecht, two senior policy advisors working on municipal policies for irregular migrants were among the first within the municipality to adopt a human rights perspective—long before the municipality adopted a more explicit and general approach as a 'human rights city'. In collaboration with municipal executives and

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[93]Fieldnotes #2 Sabchev (16/11/2018, Greece).

[94]Interviews #1 Durmuş (14/12/2018, Turkey); #4 Durmuş (05/12/2018, Turkey); and #6 Durmuş (24/01/2019, Turkey).

[95]Interview #1 Durmuş (14/12/2018, Turkey).

[96]The importance of such projects is discussed in Chap. 6 by Durmuş in the present volume.

[97]Interview #1 Sabchev (19/12/2019, Italy).

council members, these policy advisors used human rights for policy development and innovation, including the development of the aforementioned 'bed, bath and bread' shelters for undocumented migrants. Together with a municipal councillor who proposed the development of an additional support programme,[98] these policy advisors further developed the municipal approach by providing legal support to—and personal development opportunities for—undocumented migrants. This approach, locally known as the 'fourth B' for 'Begeleiding' (Support/Guidance), has proven to be very successful, as "in their first ten years, Utrecht found solutions in 94% of cases in the form of a residence permit, voluntary return or restoration of the right to care within the federal asylum system".[99] Another example of their 'human rights-based policy development',[100] is the Utrecht-Refugee Launchpad which "enables an inclusive approach to facilitate integration of asylum-seekers in the municipality from day one".[101] This project, also known as 'Plan Einstein', aims to create a "combined learning and living environment for both refugees and the local community" that ensures a "future proof investment into the participants' lives, which could be built up in Utrecht or elsewhere if the asylum request is denied or when refugees may want to rebuild their home country when the war is over".[102] As explained by our interviewees, this project was inspired by human rights, and also highlights how human rights can be used to transform targeted projects for migrants into inclusive projects benefiting the local population at large. The same policy advisors are currently working on the development of a collective healthcare insurance and a city pass for irregular migrants staying in the municipal shelter, which will enable better access to healthcare and other services.[103]

In the Turkish context, a former employee of a prominent district municipality and the Union of Municipalities has been running a project that aims to develop the concept and practice of Human Rights Cities in the country.[104] The project is led by an INGO and a transnational city network that is known in Turkish municipalities. However, this particular individual and her pre-existing relationships—as well as the trust that she has gained in the field—have helped to make the relatively foreign concept of the human rights city more accessible, trustworthy and safe among municipal officials. Some interviewees who work in municipalities that participate in the project and in the Union of Municipalities, referred to the coordinator as "our (Name of Coordinator)",[105] despite the fact that she was employed by a foreign NGO. The project currently develops human rights indicators, trains municipal officials, and

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[98]Scally 2018.

[99]Sakkers and Baghi forthcoming.

[100]Presentation by Antonius I, "Utrecht Refugee Launch Pad", 29 March 2017.

[101]Website Compas Utrecht Refugee Launchpad https://www.compas.ox.ac.uk/project/utrecht-ref ugee-launchpad/.

[102]Project Website Utrecht Refugee Launchpad https://www.uia-initiative.eu/en/uia-cities/utrecht.

[103]Interview #1 Miellet (9/8/2019, The Netherlands).

[104]Interview #2 Durmuş, with the coordinator (06/12/2018, Turkey); and Interviews #3 (04/12/2018, Turkey) and #4 (04/12/2018, Turkey) with officials of municipalities participating in the project.

[105]Interview #5 Durmuş (11/01/2019, Turkey).

encourages member municipalities to pass local legislation announcing that they are human rights cities and to adopt human rights declarations. Even more important than these tangible outcomes, is the fact that this individual works to convince municipal officials from different localities across a wide political spectrum of the relevance, usefulness and the moral, ethical and legal value of human rights for local governance. The project includes a specialisation for refugees that many member localities voluntarily participate in, with the aim of applying the human rights city concept to their refugee policies.

Having outlined the importance of individual agency within local authorities, we move on to the question *why* the municipal officials from our examples decided to engage with human rights in the first place. Our analysis will further unpack why local government representatives and administrators 'use' human rights, highlighting reasons pertaining to individuals' background, motivations and interactions with others.

8.5.1   Individuals' Background

Firstly, human rights-related education, previous/ongoing professional affiliations or personal experiences were prevalent amongst those local government/administration officials who were most fervently championing greater respect, protection and fulfilment of human rights. In our example from Italy above, the civil servant who introduced human rights to the municipal administration and led the process of incorporating them into local policy-making, had obtained a Master in International Human Rights Law abroad, and collaborated with a human rights scholar widely known for his work as an activist.[106] Multiple local administrators in different district municipalities in Turkey had a background in working for women's rights organisations and NGOs before taking up positions within local authorities. Subsequently, they united in an NGO, while still being employed at their respective local authorities, aiming to realise their vision for a more institutionalised, participatory and rights-based local governance by providing training to civil society on how to engage with the local government and vice versa.[107] In Greece, municipal officials in key positions within the local government or administration were at the same time also active members of the Hellenic League for Human Rights—the oldest non-governmental human rights organisation in the country.[108] Finally, we also encountered cases in which, according to our interviewees, personal experiences with disability (e.g. developing impaired

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[106]Interview #1 Sabchev (19/12/2019, Italy); Fieldnotes #1 Sabchev (21/01/2020, Italy).

[107]Interviews #7 Durmuş (23/12/2018, Turkey); #8 (15/12/2018, Turkey); and #9 Durmuş (13/02/2019, Turkey/United Kingdom) (conducted with local officials of two municipalities from Istanbul who also have founded an NGO together to facilitate cooperation and interaction between civil society and local government).

[108]Interview #2 Sabchev (06/02/2019, Greece).

mobility or having a disabled child) had motivated local officials to incorporate a human rights perspective into municipal decision-making.[109]

8.5.2 *Individuals' Motivations*

The background and experiences described above shaped how interviewees 'encountered' human rights, but they also pointed to other motivations. The interviewees used and valued human rights intrinsically and instrumentally. Some municipal officials perceived direct municipal human rights obligations, even if the nature of these obligations (shared/complementary/conflicting) was itself contested locally.[110] One Dutch policy maker explained that whilst the municipality's divergent approaches to irregular migrants were sometimes interpreted by others as stemming from "leftish humanitarianism" and featuring municipal disobedience, they perceived themselves as respecting a human rights obligation that is "binding for each and all". She explained that they therefore challenged being labelled as 'rebellious', and also learned that they would consequently be able to mobilise more support within the municipality for these local policies.[111] Human rights were also generally valued as a unifying force[112] that criss-crosses various policy domains[113] and political agendas,[114] while several of our Turkish interviewees also saw it as beneficial to the professionalisation of local authorities.[115] One Dutch municipal councillor explained that human rights had helped her navigate gendered power dynamics within the municipal council, which she described as 'male-dominated', after some of her colleagues had accused her of being too emotionally involved. She explained that human rights provide a 'moral compass', but also a neutral and professional language to address difficult topics, such as the forced return of refused asylum seekers, without being accused of being too emotionally invested.

Finally, some of the municipal officials we interviewed expressed a keen interest in theorising human rights locally, because they had been—or were at the time—involved in research on localisation. In addition, some expressed 'ownership over human rights localisation'.[116] One civil servant, for instance, had engaged with

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[109]Interview #2 (Miellet, 10/12/2018, The Netherlands); Interview #6 Durmuş (24/01/2019, Turkey).

[110]Interview #3 Durmuş (04/12/2018, Turkey); #3 Miellet (21/11/2018, The Netherlands); Interview #5 Miellet (7/6/2019, The Netherlands).

[111]Interview #1 Miellet (9/8/2019, The Netherlands).

[112]For a similar understanding of the potential of human rights, see Hardy and Steenbergen 2012.

[113]Interview #4 Miellet (8/5/2019, The Netherlands).

[114]Interview #5 Miellet (7/6/2019, The Netherlands).

[115]Interviews #2 Durmuş (06/12/2018, Turkey); #3 Durmuş (04/12/2018, Turkey); and #4 Durmuş (05/12/2018, Turkey).

[116]Interviews #7 Durmuş (23/12/2018, Turkey); #8 Durmuş (15/12/2018, Turkey); and #9 Durmuş (13/02/2019, Turkey/United Kingdom) (with municipal officials who co-founded an NGO

human rights from both an academic and practitioners' perspective in the past, and perceived human rights as "her thing" within the municipality; she was strongly convinced that a "serious" approach to human rights implementation at the local level can produce positive results.[117]

8.5.3 Interactions Between Individuals

The third motive behind engagements with human rights of municipal officials and administrators consisted of interactions among individuals. Dependent not only on structural opportunities but also on chance and coincidence, individuals are able to find and connect with each other, combine their understandings of human rights and its local relevance, and initiate collaborations based on shared motivations, interests and values.

Interactions can take place both within a single municipality, between municipalities within the same country, or even transnationally, beyond state borders. Starting with interactions *within* a municipality, the 'story' of human rights incorporation into migration policies in the Dutch municipality of Utrecht illustrates how human rights perspectives are tied to personal background and motivations, but also altered through interactions with colleagues. One of the senior policy advisors working on introducing human rights perspectives into migration policies explained that for her, human rights were first and foremost a 'moral duty'. This was due to the fact that one of her relatives was involved in a renowned act of the Dutch resistance during World War 2, which, she explained, resulted in a 'heavy moral inheritance'. When a new colleague, a trained public international lawyer, joined their team, this colleague "gave them a piece of her own mind" regarding their understanding of human rights, and made them more attentive to human rights laws. This, in turn, strengthened the overall human rights basis of their approach to irregular migration.[118]

Moving on to interactions between individuals across municipalities, formal and informal networking as well as close personal connections allow individuals to encounter human rights as norm, value, or governance tool. When asked why certain municipalities are more proactive in developing human rights-inspired projects for refugees, interviewees from Turkey referred to a capacity development programme conducted in cooperation with Swedish and Dutch associations of municipalities during the EU accession process, in which a selection of Turkish mayors conducted educational visits to European localities.[119] A mayor that had been inspired by his visit decades ago, was still being referred to by his peers and municipal employees

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conducting research and advocacy on localisation (of human rights), expressing full ownership on the issue).

[117]Interview #1 Sabchev (19/12/2019, Italy).

[118]Interview # 1 Miellet (9/8/2019, The Netherlands).

[119]Interview #2 Durmuş (06/12/2018, Turkey). This confirms the key findings of Babul 2017.

as a "visionary".[120] The mayor went on to create the country's first municipal "community centre", which offered services tailored to the needs of vulnerable groups, in line with the principles of universal, free, equal access.[121] It is thus important to bear in mind the role of interactions between individuals who (re)introduce the relevance and utility of human rights—ranging from interactions in the close quarters of a single municipal department, to those across geographical, institutional and sectoral boundaries.

In summary, individual agency within local authorities mattered for the effectiveness of human rights in all country contexts that we studied. In most cases, local representatives and administrators brought human rights to the city level in the form of discourse or practice incorporated into municipal policy-making. In other cases, they applied human rights as a legal tool to justify their inclusive approaches towards refugees and undocumented migrants. Finally, our data suggests that the reasons behind the individual agency's mobilisation as a local human rights carrier may well originate from experiences and encounters distant in time and space—such as one's education, previous work experience, or even a single meeting at a conference abroad.

8.6   Discussion

The fundamental role that individual agency can play in opening a city's 'gates' and introducing human rights brings to the fore a number of opportunities and pitfalls, both in terms of strengthening human rights effectiveness and in terms of studying it. In some local authorities, such as in our example from Italy, an individual engagement with human rights eventually led to institutionalisation in the form of the adoption of strategies, and to the establishment of task forces or offices developing human rights-inspired migration policies.[122] In others, such as in the Greek and Turkish context, human rights practices remained ad-hoc and driven by a single or few individuals. Several Turkish interviewees, for instance, expressed their concern with the sustainability of human rights approaches in the field of migration governance, as decisions regarding institutionalisation were "between the two lips of the mayor".[123] Institutionalisation of human rights within local authorities thus varies greatly from one place to another. That said, concerns regarding the lagging institutionalisation of human rights were also seen as acute and raised by administrators in a Dutch municipality that explicitly adopted the 'human rights city' label.[124]

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[120]Interview #4 Durmuş (05/12/2018, Turkey).

[121]*Ibid*.

[122]Interview #1 Sabchev (19/12/2019, Italy).

[123]Interviews #5 Durmuş (11/01/2019, Turkey); #6 Durmuş (24/01/2019, Turkey); and #8 Durmuş (15/12/2018, Turkey).

[124]Interview #5 Miellet (7/6/2019, The Netherlands).

The potential consequences of such concerns remaining unresolved are yet to be understood. What happens when public officials grow tired of them and become frustrated with enacting human rights-based policies in an ad-hoc manner? Some have suggested that municipal human rights practices may start to dissipate in the face of such challenges.[125] Within trans-municipal networks[126] and during international workshops[127] on 'human rights in the city', the question of how to institutionalise human rights within the local administration and government remains a common theme.[128] It is important to note, however, that participation of municipal officials and administrators may be limited or enabled due to their personal background, (language) skills and agendas, and is also dependent on support and resources from the municipality.[129] Support towards facilitating such interactions between individuals is therefore not only important for the dissemination of local human rights-based policies, practices and discourses, but also for the contestation and development of the future relationship between local authorities and human rights.

The contribution of individual agency to the effectiveness of human rights at the local level—regardless of whether institutionalisation is achieved—merits attention as well. Individual agency can help change the perception of human rights as being something 'foreign', by ensuring more localised understandings of human rights, and therefore increasing the ownership it enjoys.[130] This local contestation of human rights also challenges human rights to be more reflective of local concerns.[131] In addition, individuals are the driving force behind the dissemination of ideas and practices in relation to human rights at the local level, increasing their prevalence and reach around the world.[132] Human rights in the city, and human rights for local migration policies, thus become "coalition magnets"[133] bringing diverse actors and stakeholders together, mobilising them around a common agenda.

In cases where individual agency leads to higher institutionalisation, how does this affect the exercise of individual agency? It may seem a long way off, given that institutionalisation is generally lagging, and given that the concerns about the sustainability of local engagements with human rights loom large. However, it is

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[125]Just 2018.

[126]See for instance the expert session at the World Human Rights Cities 2019; expert opinion of Jeong Yeong-sun that addresses institutionalisation https://www.whrcf.org/bbs/download.php?bo_table=eng_p4_05&wr_id=137&no=0.

[127]See for instance the workshop organised by the municipality of Cologne and Amnesty International: Menschenrechte in der Stadt', 12 and 13 December 2019.

[128]Efforts to institutionalise the Human Rights City have led to the creation of the "Human Rights Cities Network": See https://humanrightscities.net/.

[129]In Interview #4 Durmuş, the municipal official expressed challenges with time (workload), language and access to be able to follow international and trans-municipal normative development on human rights and the city.

[130]Oomen and Durmuş 2019.

[131]De Feyter et al. 2011.

[132]Brysk 2019; Risse et al. 1999; Durmuş 2020.

[133]Béland and Cox 2016.

important to examine how the local institutionalisation of human rights may shape the future involvement of practitioners, such as municipal human rights 'users'. What if human rights, instead of remaining a 'hobby of the few',[134] become increasingly embedded and mainstreamed into local policy-making? New local government officials and administrators would then enter a setting in which human rights already form part of the 'opportunity structure' in the form of established 'practices', such as previous experiences with human rights-based policy developments, institutions and artefacts, such as awards for past achievements in the field of human rights. To draw on Eleanor Roosevelt's metaphor of the curious human rights grapevine:[135] Human rights will always need individuals to carry their seeds to places and to nurture them as they grow and develop, but how will such acts of diffusion and localisation be altered when more people become involved, over a longer period of time? What this means in terms of the effectiveness of human rights requires further consideration. In this scenario, 'new' human rights 'users' may encounter the roots of previous (and perhaps failed) attempts to adopt a human rights-based approach, or alternatively, come across already flourishing grapevines and their 'caretakers', proudly and perhaps competitively watching over them. How this will shape future efforts, motivations and interactions between individuals within local authorities who are interested in contributing to the effectiveness and localisation of human rights, is a question that is best answered in conversation with these practitioners.

At the same time, the effect of such 'human rights residue' also brings us to the academic field, by raising questions regarding the limitations of the explanatory value of individual agency as a concept. It is therefore important that scholars who are interested in this debate reflect critically on the interactions between individual agency and structure, which could either facilitate or sabotage human rights localisation attempts. In focusing on the level of the individual, we highlighted underlying elements such as background, motivations, and interactions with others that enabled individuals to come into contact and engage with human rights. However, a different level of analysis could reveal the macro and/or meso level actors, structural factors and corresponding "pathways of influence"[136] that operate in parallel with—and reinforce—bottom-up initiatives led by individuals. For instance, international institutions, transnational campaigns, and an active local civil society, among others, can strengthen the effectiveness of human rights at the local level by pressuring national and local authorities to adopt human rights-based policies.[137] In this sense, background, motivations and interactions underlying individual agency can be

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[134]Philipp 2017, p. 35.

[135]Korey 1998. As Korey 1998 observes, Roosevelt invoked the metaphor of a 'curious grapevine' in 1948. The political and institutional implications of this invocation have been a topic of debate among scholars researching the ethnography of transnational human rights norms.

[136]Brysk 2019.

[137]See Chap. 6 by Durmuş in the present volume.

considered to constitute 'micro-pathways of influence' and complement the existing literature on the socialisation of human rights on a larger scale.[138]

Having clarified this limitation of our micro-level focus, we move on to the contributions of this study from a scholarly perspective as a final point in our discussion. Firstly, while our study is strictly exploratory, it seeks to move beyond the descriptive accounts of individual agency, such as those focusing on specific individuals like mayors.[139] By foregrounding the *actions* produced by these individuals, rather than their formal roles—as is common in actor-centred perspectives—we also acknowledge that their involvement is multifaceted, and that some of them have multiple affiliations (e.g. combining work in a municipal council with work in advocacy or for human rights organisations). In doing so, we follow the examples of Shawki (2011) and Desmet (2014), but also widen their scope in two ways: by examining the involvement of a broader range of individuals within local authorities, and by bringing to light the importance of micro-pathways of influence (based on experiences, motivations and interactions). In addition, the concept of individual agency facilitates attention to interactions, allowing us to investigate if individuals act independently and proactively, and whether they do so alone or with the support of strategic partners. By choosing this approach, we recognise that the environment *within* local authorities in which public officials operate is different than the one in civil society. This, in turn, calls for the development of a new context-sensitive concept, rather than for stretching already-existing concepts, such as human rights translators.[140] While acknowledging the added value of the alternative notion of human rights 'champions',[141] we consider its application to be narrower than the one of individual agency. We also believe that it is linked primarily to the symbolic dimension of human rights, and by extension to discussions on the 'marketisation' of human rights.[142] Lastly, the focus on individuals working *within* local authorities complements previous studies[143] by showcasing that individuals matter, even—or perhaps especially—if they find themselves in positions of relative power, working for institutions that have formal human rights obligations. Regardless of any formal legal obligations, individual agency is a factor behind human rights gaining ownership, and behind increasing human rights effectiveness.

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[138]Brysk 2019; Risse et al. 1999; Finnemore 1993; Ikenberry and Kupchan 1990; Schimmelfennig 1994.

[139]Ward 2016.

[140]Neubeck 2016.

[141]Neubeck 2016, p. 63.

[142]Immler and Sakkers 2014.

[143]Koh 1996; Berman 2007.

8.7   Conclusion and Future Research

The insights emerging from the recent scholarly interest in human rights cities serve as a good reminder that applying novel approaches and concepts in human rights research can yield promising results. The gradual shift in the study of human rights effectiveness—from the formalist and state-centric macro level to the more complex and pluralist meso level—should, in our opinion, continue on its present course to the next logical step: the micro level of the individual within concrete local contexts. The individual agency concept that we introduce in this chapter can be viewed as one of the steppingstones in that direction. Without underestimating the role of state, non-state and sub-state actors, as well as structural factors, we have argued that individual agency should be added as one of the elements that can contribute to human rights effectiveness—by incorporating human rights as law, practice and discourse into local policy-making. While providing a comprehensive theorisation of why certain individuals have engaged with human rights at the local level is beyond the scope of this chapter, our analysis leads to the suggestion that the reasons thereof relate to a variety of experiences, motivations and interactions.

Furthermore, human rights have long been implemented and studied on the basis of frameworks characterised by a high level of generality and focused on state compliance. Only recently has this started changing through the process of human rights localisation. The assessment of effectiveness, however, necessitates socio-legal analyses to further unpack essentialist understandings of the 'state' and of 'local authorities'. In our view, individual agency serves as a bridge connecting the general and specific aspects—both from a theoretical and a practical perspective. As a concept, it adds a missing piece to the puzzle, by distilling the role of individuals in realising human rights, thus paving the way towards advancing our understanding of how human rights are invoked and become relevant 'on the ground'. In practice, it navigates and contests human rights norms and ideas, transforming them into innovative policy solutions that can contribute to remedying the implementation gap.

Based on this twofold value of individual agency and in addition to the conceptual challenges already addressed in the previous section, we put forward several suggestions for future research. Firstly, we recommend that future studies shed light on any explanatory mechanisms linking individual agency and human rights effectiveness. Rather than just confirming the assumption that individual agency plays a role in the effectiveness of human rights, we suggest that scholars and practitioners also examine the consequences related to this finding—including the question of sustainability. Secondly, all but one of the municipalities incorporated in this study were urban. Additional research is needed to confirm or reject the relevance of individual agency for the implementation of human rights-based local initiatives in rural settings and in other policy areas (e.g. poverty alleviation, youth policies, etc.). Finally, we suggest that future studies provide a comparative perspective on the role of individual agency in strengthening human rights within highly institutionalised contexts at the local, national and international levels. Ultimately, this can contribute to revealing

whether there are certain elements that make the local level a particularly fertile ground for the symbiosis between individual agency and human rights effectiveness highlighted in this chapter.

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