

The Habitat International Coalition is greatly encouraged by the Committee's study of local government and human rights.

While human rights norms and obligations are the responsibility of States, their institutions include civil servants and authorities at every administrative level implementing the bundle of human rights and obligations to respect, protect and fulfill them. This is inevitably a local task.

We see that one of the timely contributions of the study will be the clarification of human rights law theory such that the corresponding obligations of States also apply to all aspects of public life and, as the UDHR asserts, "all organs of society." The question of operationalizing human rights at the important local level has been a subject of Human Rights Treaty Bodies' general treaty interpretation and specific State party reviews. Notably, the Committee on Economic, Social and Cultural Rights (CESCR) advises States parties to the Covenant on Economic, Social and Cultural Rights to take steps "to ensure coordination between ministries and regional and local authorities, in order to reconcile related policies (economics, agriculture, environment, energy, etc.) with the obligations under article 11 of the Covenant," in particular the human right to adequate housing.³ CESCR also has observed how fees imposed by local authorities and other direct costs may constitute disincentives to the enjoyment of the right to education.

The Harmonized Guidelines on Reporting to the Treaty Bodies advises States to involve local governmental departments at the central, regional and local levels and, where appropriate, at the federal and provincial levels in the preparation of periodic reports. CESCR's current reporting guidelines are replete with questions for States about the progressive realization of economic, social and cultural rights through the rule of law, nondiscrimination, the maximum of available resources and international cooperation in the provision of local

The General Comment on the right to food stresses how responsibilities at multiple levels are essential to realizing that right. While "the State should provide an environment that facilitates implementation of these responsibilities," increasingly local measures are needed to ensure food security and food sovereignty. In recent years, numerous good practices and policy models exemplify the pivotal role of local decision making and preparedness to ensure the right to food. The current Special Rapporteur on the Right to Food also has noted the role of local government in ensuring realization of the right to food through an integrated national strategy.

The Independent Expert on the right to water and sanitation has found a wealth of examples of good practice in which a State's holistic approach involves local government monitoring and implementation of the right.¹⁰

CESCR has observed that "violations of the rights...can occur through the direct action of, failure to act or omission by States parties, or through their institutions or agencies at the national and local levels.¹¹ Indeed, the gross violation of the right to adequate housing through forced eviction is often carried out by local authorities. The proposed Advisory Committee study could help further operationalize the UN Guidelines on Development based Evictions and Displacement.

The further clarification of responsibilities, authorities and obligations of local government from the perspective of all human rights would come at an opportune time within the UN system and multilateral agencies. We note the recent initiative of UN Habitat to introduce a commitment to human rights in the operations of that specialized organization.¹² Indeed, all UN Charter-based agencies carry their tripartite commitment—to promote peace and security, development and human rights—in their services to, and indispensable coordination with local authorities.

The proposed Advisory Committee study could enhance current review of World Bank safeguards with regard to local governance. One of the demands of civil society to the safeguards review is to develop a governance policy, whereby the implementation of projects ensure human rights to effective participation (in decisions and benefits), freedom of association and the right to information.

Codification of the human rights dimensions of local government, as proposed, could contribute to ongoing debates and innovation that merge humanitarian assistance and longer-term development approaches within

a human rights frame.¹³ Ongoing policy reviews and normative development in the context of the Food and Agriculture Organization's Voluntary Guidelines on Responsible Governance of Tenure of Land, Fisheries and Forests and emerging Agenda for Action to address protracted crises can benefit from such a clarification of local government's human rights roles.

The elaboration of the human rights dimensions of local government could also envision a contribution to the OHCHR Professional Training Series for use in field operations. Recent social transformations especially raise the importance of democratic local governance as a way to develop civic participation and an unprecedented culture of citizenship.

The Habitat International Coalition, therefore, sees multiple advantages and outcomes from the coming study, especially as a resource in the preparations for the UN-wide Habitat III conference upcoming in 2016. We also encourage the methodology, including the survey questionnaires, to take these complementary outcomes into consideration. We also look forward to coordinating the contributions of our nearly 400 civil society members to the Committee's efforts, and their diffusion of its outcomes.

Mr. Chairman, please accept our thanks for this opportunity to address the Committee on this important task before it.

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