



**OHCHR Call for Input to Report on Local
Government and Human Rights**

**Comments by the Institute for Human Rights at Åbo
Akademi University, 20 April 2022**

Comments in regard to the key questions

1. Laws, policies and programmes that have been developed by local authorities explicitly to promote and protect human rights, including those related to the right to equality and non-discrimination and the protection of persons in vulnerable and marginalized situations.

In Finland, municipalities have a statutory obligation to prepare equality and non-discrimination plans. These obligations form a natural entry point for the integration of a human rights based approach in municipal policies. Furthermore, Finnish legislation regulating the acts of local authorities stresses a key human rights principle, namely participation. Creating preconditions for residents' participation is explicitly defined as a major purpose of the Local Government Act.

2. Challenges faced by local authorities and promising practices, to promote and protect human rights, including in relation to the right to equality and non-discrimination and the protection of persons in vulnerable and marginalized situations.

One factor that may explain the relatively modest interest towards human rights cities in Finland so far seems to be that municipalities do not recognise that a large part of the tasks and activities that they already implement, on a statutory or self-government basis, actually are directly human rights related, even if they are not framed in human rights terms.

In Finland, particular challenges to the implementation of human rights at the local level are posed by the division of powers between local authorities and regional bodies in specific substance areas. The ongoing health and social services reform will transfer the responsibility for organising public healthcare, social welfare and rescue services from municipalities to self-governing wellbeing services counties as of the year 2023. Municipalities will remain responsible for promoting the health and wellbeing of their residents. Many decisions which were previously made on the local level will however in the future be made by the newly created counties. This means that the issue of which body carries the responsibility for implementing the human rights of inhabitants at the local level becomes less clear. There is also a risk that this reform further exacerbates the existing gap in independent monitoring and oversight of fundamental rights related services undertaken at the local level. This is a concern notably as regards older persons and disabled persons in institutional care.

3. Key principles that should guide local and national governments in the promotion and protection of human rights.

We suggest that local and national governments should be guided by a human rights based approach in the promotion and protection of human rights. Local authorities are expected to comply with the international legal obligations of their nation state within the scope of their competencies. Consequently, states are responsible for monitoring whether their local authorities implement human rights but must also provide them with the means to fulfil their duties. For this purpose, it has been suggested that national legislation could explicitly oblige local authorities to promote and protect human rights standards binding on the state as well as regulate how these duties should be financed. This would also encourage local authorities to apply a human rights based approach in their provision of local services (cf. UN Doc. A/HRC/30/49).

We would also like to stress the importance of human rights education on the local level, as this is a prerequisite for the effective implementation of rights. A national base line study on human rights

education and training in Finland, which was published by the Finnish Human Rights Centre in 2014, identified the lack of human rights training of teachers and educators on the one hand and of civil and public servants on the other as greatest challenges (Finnish Human Rights Centre, Human rights education in Finland, 2014). The situation in the municipal sector raised particular concern. To address this concern, the study recommended integrating human rights into the continuing education for public servants and regional and local council members.

Finally, we underline the central importance of the principle of good governance and its direct linkages with human rights at the local level.

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