

To: Office of the High Commissioner for Human Rights ohchr-registry@un.org
From: U.S. Human Rights Cities Alliance
Re: Input for local government and human rights report
April 20, 2022

This input for the OHCHR report on Local Government and Human Rights comes from the U.S. Human Rights Cities Alliance, a network of human rights city organizers working to support human rights organizing in cities and communities across the United States. Our collective experience working with organizers in different cities and communities—often in cooperation with local Human Rights Commissions and other local government agencies—informs this contribution to inform the drafting by OHCHR of the report requested by Human Rights Council Resolution 45/7 on local government and human rights, with a specific focus on “*the right to equality and non-discrimination and to the protection of persons in vulnerable and marginalized situations*”.

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 2016, Pittsburgh’s City Council followed the lead of other cities to become the 6th CEDAW City in the United States by passing an Ordinance adopting the CEDAW principles and establishing a Gender Equity Commission (staffed by volunteers) with a paid (half-time) executive director. The creation of the Commission was important for ensuring that steps were taken to implement the ordinance, and the paid staff support has been critical, if insufficient. The Commission has been successful at helping focus more attention on racial disparities that intersect with gendered inequities and exclusions, and it has produced a study, [Pittsburgh's Inequality across Gender and Race](#), which has played an important role in shaping public conversations. That report was referenced in the [UPR Stakeholder Submission from a coalition of Pittsburgh organizations in 2019](#).
 - The Cities for CEDAW campaign (<http://citiesforcedaw.org/>) is a good model for advancing local efforts to implement human rights treaties, even where national governments have ratified the relevant conventions. More can be done to promote this kind of campaign.
- The City of Pittsburgh’s Commission on Human Relations has strengthened its capacity to do its job by working with community groups including the growing Human Rights City Alliance that helps strengthen its work to address discrimination and support greater awareness of human rights among decision makers and in the larger public. This cooperation resulted in, for instance:
 - The Human Relations Commission’s support of a community coalition that developed a stakeholder report for the 2019/2020 Universal Periodic Review of the United States, [Racial inequity at the core of human rights challenges in Pittsburgh](#).
 - The Commission co-sponsored a visit to Pittsburgh by former [UN Special Rapporteur on the Human Right to Adequate Housing](#), Leilani Farha and supported efforts to build public outreach and engagement by public officials.
 - In 2019, the Commission issued the [Affirmatively Furthering Fair Housing Task Force Recommendations](#) after coordinating the city’s effort to respond to the federal call to

address fair housing. BUT the city has done nothing to implement these recommendations.

- The City of Boston has implemented a good model for combatting discrimination in housing via HUD's Affirmatively Furthering Fair Housing provisions: [Boston's Affirmatively Furthering Fair Housing Tools & Assessment form for developers](#)

2. Challenges faced by local human rights advocates 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.

- There is a general lack of knowledge among public officials about global human rights and local government responsibilities as duty bearers in human rights protection and enforcement, which results in few or weak commitments to even *considering, much less prioritizing* human rights in local policy processes;
- Many cities fail to provide adequate funding, autonomy, and authority for local human rights commissions. In Pittsburgh and other cities, Commissioners are unpaid volunteers who are appointed by mayors. This limits the capacity of the Commission to command the time, energy, independence, and focus of leaders who are essential to helping fulfil the Commission's role as a guardian of human rights in the City. Because mayors may prefer weak commissions, they can and do easily hamper their effective operation.
- In the United States, the absence of a national human rights institution (NHRI) to provide centralized source of information, analysis, and guidelines regarding local implementation of human rights undermines the effective operation of local human rights institutions.
- The U.S. legal system and in particular the protection of private property rights (over other basic human rights) makes it difficult to use the law to address discriminatory practices and advance essential rights such as the right to housing. For instance, there is a relative absence of national legal precedent and limited legal training in U.S. law schools regard to the international human rights obligations of the United States and its local and regional governments.
- The growing influence of global financial entities undermines local governments' capacity to protect the basic rights of residents. Cities are in a dangerously lopsided position relative to globally organized residential real estate developers and private equity firms, who represent one of the biggest industries in the world. For these powerful groups, housing is a source of profits, and human rights are of no concern. Moreover the industry's ability to take advantage of moments of crisis—such as the 2008 mortgage crisis and the Coronavirus pandemic—to make profits has exacerbated both inequality and the already troubling global housing crisis, and growing numbers of people are being made homeless or housing insecure as a result.
- The decentralization of local policing authority and disproportionate influence of national Fraternal Organization of Police (FOP) in negotiation of local police contracts, and its influence over elections, media, and public discourses obstructs efforts to ensure that local police practices conform to human rights standards.

- In many cities, local democratic institutions have proved insufficient to ensure meaningful participation of residents in important decisions that impact their lives. This is exacerbated by ongoing efforts by the Republican Party especially to restrict voter participation—particularly by African Americans as well as other racialized minority groups—through a variety of mechanisms, including gerrymandering.
- The growth of corporate wealth and influence in local elections and policymaking has further distorted democratic processes and threatens multiple dimensions of human rights and equity. For instance, Seattle’s efforts to put a small tax on large corporations in order to fund homeless services were repeatedly frustrated by corporate opposition. The same is true in other U.S. cities facing limited budgets and growing needs. Concerted work is needed to enable and support meaningful public participation in decision making, improve government oversight and regulation of corporate/business actors, and institutionalize robust practices of transparency and public accountability. This was the focus of the [U.S. Human Rights Cities Alliance Stakeholder Submission to the UPR in 2019](#).
- Relatedly, many cities in the U.S., particularly medium and small ones, struggle with ensuring transparency, open government and the use of new technologies to enable greater accountability and citizen participation. Lack of resources targeted to promoting transparency and weak government capacities to enable local participation in decision-making hampers democracy and efforts to increase citizen trust in local government. Moreover, many U.S. cities are unwilling or unable to pilot novel forms of participatory democracy, such as citizen counsels or commissions.
- Further challenging local democracy is that citizen frustration with local government in many places is high, leading many—particularly already marginalized groups—to disengage. Few resources and support exist for local organizing for human rights cities, which is increasingly challenging with the increased burdens on citizens, particularly the most vulnerable in the Covid-19 era.

3. The following key principles should guide local and national governments in the promotion and protection of human rights.

- United Nations [Paris principles](#) guiding the operation of national human rights institutions with the purpose of promoting and protecting human rights nationwide.
- UN High Commissioner for Human Rights, "[Agenda towards transformative change for racial justice and equality](#)", which calls on governments to accelerate action to address systemic racism and offers specific recommendations for addressing the problem of police killings of People of African Descent.
- Economic and social rights need to be better institutionalized in national and local laws. Local governments’ work to promote human rights in communities is strengthened with national commitments and international scrutiny to these rights. Work to strengthen the processes surrounding the [International Covenant on Economic, Social and Cultural Rights](#)
- Transparency, open government and anti-corruption, including how these principles are integrated into international norms and initiatives, such as in the [United Nations Convention on Against Corruption](#) and the Open Government Partnership.