

Urban Policies and the Right to the City

Rights, responsibilities and citizenship

March 2009

Alison Brown
School of City &
Regional Planning
Cardiff University

Annali Kristiansen
Rule of Law Department
Danish Institute for
Human Rights

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Management
of Social
Transformations



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With thanks to **Brigitte Colin**, Specialist in Architecture and the City and International Migrations and Multiculturalism, in the SHS Sector of UNESCO, who managed the UNESCO UN-HABITAT project on *Urban Policies and the Right to the City: Rights, responsibilities and citizenship*, for her vision on the project and guidance on the publication.

This document was produced by **Alison Brown** of the School of City & Regional Planning, Cardiff University, and **Annali Kristiansen** of the Department for the Rule of Law, Danish Institute for Human Rights, at the request of UNESCO.

Alison Brown is an urban policy specialist with research expertise in street trade and the informal economy. She is Senior Lecturer at the School of City and Regional Planning, Cardiff University, where she leads an international master's programme, and has worked in many countries in Africa, the Middle East and Asia. She is the urban planning adviser on the DFID *Technology, Infrastructure and Urban Planning* (TI-UP) Resource Centre.

Annali Kristiansen is a lawyer with broad experience in human rights projects and analysis. Since 2006, she has been a project manager at the Danish Institute for Human Rights (DIHR), Copenhagen, Denmark. At present she works in the field of Rule of Law, focusing on law reform and sector analysis/development from a human rights perspective. She is the DIHR coordinator for Latin America.

Research team, Edgar Mrad, Nadir Kinossian, Mayumi Hirasawa, Najmiah Mukhtar, and Naganika Sanga. Cover photo and inside photos by Alison Brown, unless otherwise stated.

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Building Inclusive Cities

Over the past 60 years, the human rights affirmed in the Universal Declaration of Human Rights (1948) have gradually become recognized, expanded, and incorporated into the ordinary lives of individuals and society. However, despite the profound socio-economic, political and territorial changes that have taken place in the past 60 years, we still need to build more respect for human rights - whether civil, cultural, economic, political or social. The first of the eight Millennium Development Goals (MDGs) is the eradication of extreme poverty by 2015, and now, in 2009, we are in grave danger of lagging behind in our commitment to this goal. A rights-based approach can help generate the political will and create a culture of resource allocation that places the needs of vulnerable groups and individuals on an equal footing with the interests of those who are better off.

Although there are encouraging initiatives being taken by key players in various cities and countries, we do not yet have a consolidated approach to inclusive urban policy and governance. That is the reason why UN-HABITAT and UNESCO are jointly supporting international comparative research with a view to forging consensus among all key actors, and local authorities in particular, on the constituent elements of public policy and legislation that combine urban development with social equity and justice.

The purpose of the joint research project *Urban Policies and the Right to the City: Rights, Responsibilities and Citizenship*, launched by UNESCO with UN-HABITAT in March 2005, is to contribute to meeting the MDGs and reducing poverty by identifying good practices and initiatives in law and urban planning that strengthen rights and responsibilities, inter-faith tolerance, and the participation of women, young people and migrants in urban management. There are already regional, national and municipal instruments such as *The Charter of Educating Cities*, the *European Charter for Safeguarding Human Rights in the City*, the *European Charter for Equality of Women and Men in Local Life*, the *Aberdeen Agenda* of the Commonwealth Local Government Forum, the *Brazil City Statute* of 2001 and the *Montréal Charter of Rights and Responsibilities*. Developing the *right to the city* as a vehicle for social inclusion in cities implies:

- Liberty, freedom and the benefit of the city life for all
- Transparency, equity and efficiency in city administrations
- Participation and respect in local democratic decision making
- Recognition of diversity in economic, social and cultural life
- Reducing poverty, social exclusion and urban violence.

The *right to the city* is not a positive right in a legal sense: neither UNESCO nor UN-HABITAT have the intention to promote a new international legal instrument. Rather it is wished to encourage cities to learn from the best practices and tool kits that both UN Agencies have already and will prepare with the relevant partners. For example, both UNESCO and UN-HABITAT have already developed a tool kit for local authorities and city professionals? *Historic Districts for All: a Social and Human Approach for Sustainable*

Revitalization? which was launched at a training session during the Fourth World Urban Forum in China (3? 6 November 2008). Further, UNESCO has supported the creation of three UNESCO chairs in 2007/2008 to launch in depth research: in Lyon (France) on *Urban policies and citizenship*, in Venice (Italy) on *Social and Spatial Inclusion of Migrants? Urban Policies and Practices*, and in Seoul (Korea) on *Social Sustainability in Historic Districts*.

Our combined efforts are a good example of the cooperation between UN agencies in the context of the drive for *Delivering as One*. This cooperation has been undertaken since the signature of a Memorandum of Understanding on March 2005 by the Under-Secretary General and Executive Director of UN-HABITAT, Mrs. Anna Tibaijuka, and Mr Koichiro Matsuura, Director-General of UNESCO.

We would like to congratulate the authors of this MOST Policy Paper - Alison Brown of Cardiff University and Annali Kristiansen from the Danish Institute of Human Rights in Copenhagen. Their synthesis of UNESCO/UN HABITAT public debates from 2005 till 2008 will constitute a reference point for policy makers at local level as well a basis for the exchange of knowledge between researchers, city professionals and local authorities on developing inclusive cities.

Wataru Iwamoto, Director
Social Sciences Research and Policy Division
Social and Human Sciences Sector
UNESCO

Paul Taylor, Chief
Office of the Executive Director
UN-HABITAT

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Glossary

CBOs	Citizen-based organizations
CCDL	Collectif des Comités de Développement Local
CEDAW	Convention on the Elimination of all forms of Discrimination against Women
CEMR	Council of European Municipalities and Regions
CIMES	Intermediate cities
CLGF	Commonwealth Local Government Forum
EMAD	L'Entente des Mouvements et Associations de Développement
ENTPE	École National des Travaux Publics de l'État
EU	European Union
IAEC/AIVE	International Association of Educating Cities
ILO	International Labour Organization
IUAV	Università Iuav di Venezia
MDGs	Millennium Development Goals
NGOs	Non-governmental organizations
OP	Orçamento Participativo (Participatory Budgeting)
PAZ	Plan d'Aménagement de Zone, France
SHS	UNESCO Social and Human Sciences Sector
SPIDH	International Permanent Secretariat, Human Rights and Local Government
UCLG	United Cities and Local Governments
UGI	Good Urban Governance Index
ULAI	Union of Local Authorities in Israel
UN Declaration	UN Universal Declaration of Human Rights, 1948
UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFPA	United Nations Population Fund
UN-HABITAT	United Nations Human Settlements Programme
URBACT	European Programme for Urban Sustainable Development

1. Executive Summary

- The UNESCO UN-HABITAT project on *Urban Policies and the Right to the City: Rights, responsibilities and citizenship* was launched at UNESCO Headquarters in March 2005.
- The project seeks to forge consensus amongst key actors, in particular local authorities, on public policy and legislation that combines urban development with social equity and justice.

Twin Challenges of Urbanization and the Millennium Development Goals (MDGs)

- The year 2008 marked the 60th anniversary of the UN *Universal Declaration of Human Rights, 1948*, and was the year in which for the first time more than half the world's population live in cities. Many now argue for the elaboration of human rights in an urban context.
- The purpose of this international project is contribute to UNESCO and UN-HABITAT's shared agenda of helping meet the MDGs and reducing poverty by identifying good practice in law and urban planning, and initiatives that strengthen rights and responsibilities, interreligious tolerance, and the participation of women, young people and migrants in urban management.
- The concept of the *right to the city* has been debated at five international meetings organized by UNESCO, UN-HABITAT and NGOs, at UNESCO Headquarters in Paris (2005, 2006), Barcelona (2005), Vancouver (2006) and Porto Alegre (2008).
- The project has heard evidence from over forty experts representing a variety of disciplines. Two UNESCO Chairs have also been established through the project.
- The *right to the city* defines a series of legitimate claims to the conditions necessary for satisfying dignified and secure existence in cities by both individual citizens and social groups (UNESCO SHS 2008).
- This document provides insight into the debates, background and documentation related to the UNESCO UN-HABITAT project.

Evolution of the Concept of the *Right to the City*

- The *right to the city* is a vehicle for urban change, in which *all urban dwellers* are urban citizens; it creates space in which citizens can define their needs but, in order to appropriate substantive citizenship, citizens must claim rights of participation, and allow others the same rights.
- The extent of interest in the *right to the city* suggests that it holds real potential for enfranchisement and social inclusion (Purcell 2002). Many innovative tools have now been developed which, at least in part, translate the concept into practice.

Rights and Responsibilities - Initiatives in Practice

- Foremost amongst regional instruments is the *European Charter for the Safeguarding of Human Rights in the City*, ratified by over 350 cities in 21 countries. Another European instrument is the *Charter of Educating Cities*, promoted by the *Educating Cities* movement.
- Gender equality is promoted through the *European Charter for Equality of Women and Men in Local Life*, and the *Aberdeen Agenda* promotes democratic principles.
- At the level of the nation state, the *Brazil City Statute, 2001*, is a groundbreaking law that redefined the concept of land ownership, establishing the social value of urban land, and a requirement for democratic participation in urban planning.

- At city level, the Montréal Charter establishes a broad framework for rights and responsibilities that creates a covenant between citizens and the city administration, and underpins all urban service provision.
- Two groups are lobbying for new global charters of urban rights, the *Global Charter-Agenda for Human Rights in the City* promoted by United Cities and Local Governments, and the *World Charter on the Right to the City* championed by a coalition of leading NGOs, academics, and professionals.

Themes and Debates on the *Right to the City*

- Several core themes were explored through the UNESCO UN-HABITAT project, summarised below. UN-HABITAT is promoting the theme of *inclusive cities* through its *Global Campaign on Urban Governance*, and is developing an Urban Governance Index as a tool for assessing the relationship between cities and citizens.
- In cities throughout the world, many women live in abject poverty, but the empowerment of women in political, social and economic life is central to eradicating poverty and creating sustainable human settlements.
- Globalization has dramatically enhanced both international and internal migration, yet few cities promote the inclusion of migrants.
- Informal work is now the norm in many developing country cities, but many informal workers suffer appalling conditions for very little reward. They too should have a claim within the *right to the city*.
- The increasing multiculturalism of cities has brought into sharp focus issues of diversity and racial discrimination. Many organizations, such as the *International Cities against Racism*, and Interreligious Centre of Barcelona, champion the fight for religious freedoms and harmony.
- The *right to the city* also encompasses rights to basic services of which the most fundamental, access to clean drinking water, was presented to the project.

Taking Forward the *Right to the City*

- The final part of the document looks at developing the *right to the city* as a vehicle for social inclusion. From the debates, five main axes of the concept were identified:
 - Liberty, freedom and the benefits of city life
 - Transparency, equity and efficiency in city administrations
 - Participation and respect in local democratic decision-making
 - Recognition of diversity in economic, social and cultural life
 - Reducing poverty, social exclusion and urban violence.
- City governments wishing to promote social inclusion can draw together existing good practice within their constituent communities, testing practical strategies for addressing poverty and exclusion, such as those promoted under a recent UNDESA expert group initiative, and those drawn from many examples of good practice illustrated in the text and Annexes of this document.
- The UNESCO UN-HABITAT project on *Urban Policies and the Right to the City: Rights, Responsibilities and Citizenship* has focussed debate and highlighted instruments and tools through which the agenda of the *right to the city* can be addressed. The richness of debate and innovation inspired is testimony to its potential in promoting the *inclusive city* as one which embraces all citizens in the benefits of urban life.

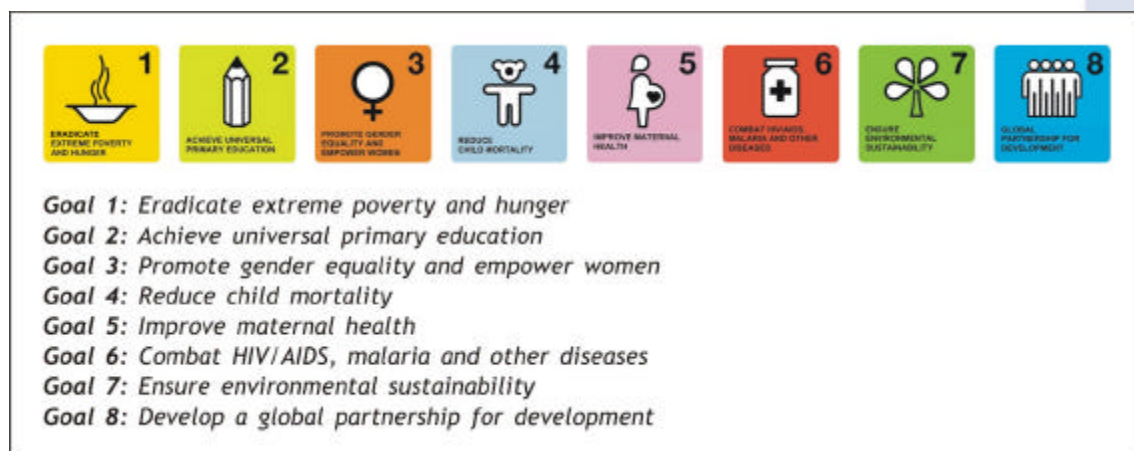
2. The Twin Challenges of Urbanization and the MDGs

2.1 An Urban Millennium

In 2008 the world reached a momentous point when, for the first time in history, more than half its population lived in urban areas - around 3.3 billion people. By 2030 this number will grow to around 5 billion people, and in Africa and Asia urban populations will double between 2000 and 2030 (UNFPA 2007: 2). By 2020, six of the world's eight largest cities will be in developing regions: Mumbai, Mexico City, São Paulo, Delhi, Dhaka and Lagos, all with populations of more than 20 million people (UN-HABITAT 2006: 8, WB 2001). Other cities in China, India and Asia are fast catching up.

Globalization has highlighted the economic potential of cities, but also the human and environmental cost of growth. Many of the new urban inhabitants will be poor, living in precarious or polluted environments—the number of slum dwellers is increasing at almost the same rate as city populations (UN-HABITAT 2006:49). Cities also represent the best hope of escaping poverty for many people, as centres for economic opportunity, culture and innovation. However, in both the developed and developing world, growth in city economies has not resulted in prosperity for all, and the gap widens between rich and poor, and 'formal' and 'informal' cities.

Figure 1: The UN Millennium Development Goals



Unprecedented urban growth poses fundamental challenges to city governments, changing the scale and scope of urban projects and exacerbating polarities (Goldblum 2006: 87). Half-way to the target date of 2015 for the Millennium Development Goals (**Figure 1**), city administrations are seeking ways to strengthen the fight against poverty and social exclusion, and to create flourishing environments where cities remain as pre-eminent centres of harmony, progress and innovation, and urban residents have full access to the opportunities of city life. The challenge for city governments is to create a legal and policy framework in which equity and social justice can flourish.

2.2 Launching the Joint UNESCO UN-HABITAT Project on *Urban Policies and the 'Right to the City': Rights, Responsibilities and Citizenship*

The paradigm of the *right to the city* provides the potential for a radical reappraisal of urban policy. The concept provides a framework for debate on civic rights and responsibilities, taking forward international commitments set out in the UN *Universal Declaration of Human Rights*. This report explores debates around the concept and how it can be operationalized as a paradigm for good practice in the 21st century.

The report arises from the joint UNESCO and UN-HABITAT international research project on *Urban Policies and the Right to the City: Rights, Responsibilities and Citizenship* (referred to here as the 'UNESCO UN-HABITAT project'). In launching the project in 2005, Pierre Sané¹ and Anna Tibaijuka² stressed that both UNESCO and UN-HABITAT strive towards attainment of the UN Millennium Development Goals, which seek to strengthen '*respect for all international human rights and fundamental freedoms, including the right to development*' (Sané 2006: 18; Tibaijuka 2006: 24).

Speaking in Paris in 2006, Wataru Iwamoto³ said that the *right to the city* is a concept that embraces full freedom for all urban residents to attain the advantages of civic life and participate in its evolution and that, as the UN Secretary-General's road map for implementing the MDGs notes, a rights-based approach is important for distributing development gains and ensuring participation in development (Iwamoto 2008: 15).



Launching the project on Urban Policies and the 'Right to the City'

UNESCO's mandate is to contribute to peace and security by promoting collaboration among nations through education, science and culture in order to further respect for justice, the rule of law and human rights (UNESCO 1945). The Social and Human Sciences Sector (UNESCO SHS) promotes international research on urban policy, takes forward the *Universal*

¹ Assistant Director-General for Social and Human Sciences, UNESCO

² Under-Secretary General and Executive Director, UN-HABITAT

³ Director, Social Sciences Research and Policy Division, Social and Human Sciences Sector, UNESCO

Declaration on Cultural Diversity, 2001, and promotes the 2003 UNESCO *Strategy on Human Rights* (UNESCO 2001, 2003).

UN-HABITAT's objectives stem from the 1996 Habitat II *City Summit* in Istanbul, its themes of *adequate shelter for all* and *sustainable human settlements development in an urbanizing world*, and the *Habitat Agenda* agreed at the Conference. The *Global Campaign on Urban Governance*, launched in 1999, promotes the concept of an *inclusive city* as a place where everyone regardless of wealth, gender, age, race or religion, can participate positively in the opportunities of urban life. Inclusiveness is founded on legal rights, policies and processes, underpinned by ethical values shared between governments and people (Taylor and Colin 2008: 20).

The idea of a project on the *right to the city* was first presented at a UNESCO Round Table in 1995, *Towards the City of Solidarity and Citizenship*, which aimed to strengthen cooperation between multicultural cities, and promote humanization of the urban environment. At the *City Summit* in 1996, UNESCO held a dialogue on *Democracy and Citizenship in the City of the Twenty-First Century* that addressed participatory democracy, citizenship and solidarity, and touched on the *right to the city* (Sachs-Jeantet 1997: 55)

The UNESCO UN-HABITAT project, launched in March 2005, seeks to forge consensus amongst local authorities and others on public policy and legislation that combines urban development with local democracy, good governance and citizenship, to stimulate equitable urban development and celebrate the cultural diversity of cities (Sané 2008, Jouve 2008).

The project has held five events: a meeting in Paris in September 2005, followed by a second in Barcelona in March 2006 hosted by the Municipality of Barcelona and the International Association of Educating Cities. Third, was the networking event at the *World Urban Forum* in Vancouver in July 2006, followed by a meeting in Paris in December 2006, and a meeting hosted by Porto Alegre City Council during the *World Conference on Development of Cities* in February 2008.

Two UNESCO Chairs have been created as part of the project. The UNESCO Chair for *Urban Policies and Citizenship* was set up in February 2007 at the *École National des Travaux Publics de l'État (ENTPE)* in Lyon, France (ENTPE 2008). The Chair is intended to foster international academic debate on the potential of metropolitan societies to embrace diversity in different socio-political contexts, in collaboration with universities in Canada, Lebanon, Mexico, Morocco, and Tunisia.

The second UNESCO Chair for the *Social and Spatial Integration of International Migrants* is at the *Università Iuav di Venezia*. The Chair will identify policies and practices to promote inclusion of international migrants, support local governments in fostering effective urban governance and the social/spatial integration of migrants, and contribute towards the UNESCO Convention on the *Protection and Promotion of the Diversity of Cultural Expressions* (IUAV 2007, UNESCO 2008).

The UNESCO UN-HABITAT project has heard evidence from over forty different experts representing international organizations, local authority associations and city

governments, NGOs and academic experts on urban change. The themes explored have included: initiatives in practice such as the ground-breaking Brazil *City Statute*, and Montréal Charter; local democracy and urban governance; social inclusion and decent and dignified existence within cities, focusing on women, international migrants and workers in the informal economy; urban cultural diversity and religious freedoms, and rights to urban services. This document draws together the evidence, explores key themes, highlights examples of good practice and presents a framework for action.

3. Evolution of the Concept of the Right to the City

The year 2008 marked the 60th anniversary of the UN *Universal Declaration of Human Rights*, 1948 (UN 1948), which created a common standard for all people and nations to liberty, justice and equality. The UN Declaration is the fundamental basis on which civil and political, economic, social and cultural rights have been ratified through UN Covenants and Declarations. The acceptance of the centrality of human rights within the international community is largely due to its unceasing consideration within the framework of the United Nations (Shaw 2003: 259).

Human rights instruments have also provided inspiration to the concept of the *right to the city*, which has evolved through the work of social activists and academics, the growing social and environmental awareness of the 1960s to 1990s, and recent innovations in practice. This section first explores the concept of *human rights*; it then briefly discusses the origin of the *right to the city* in academic debates and the concept of *urban citizenship*, as a basis for the ensuing chapters.

3.1 Human Rights

As the first universal statement of inalienable human rights, the UN Declaration was a landmark. It is based on principles of justice, fairness and equality, in which human rights transcend cultures and traditions, and are transmitted through international treaties, national constitutions and laws (**Box 1**) (UNIS 2007). The recognition that '*the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world*' forms a contract between governments and their people (UN 1948). Human rights are inherent to all people of whatever nationality, place of residence, sex, ethnic origin, colour, religion, or language. Everyone is entitled to equal rights without discrimination, and the rights are interrelated, interdependent and indivisible.

Box 1: The United Nations Universal Declaration of Human Rights, 1948

Covering civil, political, economic, social and cultural rights, articles of the Universal Declaration state that:

- all human beings are born free and equal in dignity and rights (Art. 1) regardless of race, colour, sex, language, religion (Art. 2);
- everyone has a right to life, liberty and security of person (Art. 3);
- everyone has the right to freedom of thought, conscience and religion (Art. 18), to freedom of opinion and expression (Art. 19), and to freedom of peaceful assembly and association (Art. 19);
- everyone has a right to take part in the government of his country (Art. 21), but the exercise of rights and freedoms should accord respect for the rights and freedoms of others, for public order and general welfare in a democratic society (Art. 29).

The universality of human rights is the cornerstone of international human rights law. It implies that States have a duty to promote and protect all human rights and fundamental freedoms, regardless of their political, economic and cultural systems. Non-discrimination is a cross-cutting principle in international human rights law, complemented by the principle of equality (UN 1948, Article 1).

Universal human rights are often expressed through treaties, customary or international law, or general legal principles. International human rights law obliges governments to protect the fundamental freedoms of individuals or groups. Ratification of international human rights instruments is the starting point for governments to create protection through their own national legal systems, giving concrete expression to universality. States thus assume obligations and duties under international law to respect, to protect and to fulfil human rights, and place obligations on individuals to respect the human rights of others (UN-HABITAT 2002, ICHR 2005). The question of balancing legitimate rights of the State, groups and individuals is crucial and complex.

In response to the changing global and environmental context of human settlements, many in the international community have argued for the elaboration of the rights set out in the UN Declaration, for example to specify rights to a safe and healthy environment or to clean water for growing numbers of urban residents. This chapter explores some of those debates.

3.2 Academic Debates and Social Action

There is a rich vein of academic debate on the concept of the *right to the city*. Among the first to promote the idea was the French sociologist and philosopher, Henri Lefebvre (1901-1991). The *Right to the City* in 1968 was his first major writing on the city, later developed in the *Production of Space* in 1973 (Lefebvre 1996).

Lefebvre's *right to the city* creates a radical new paradigm that challenged the emerging social and political structures of the 20th century (Mitchell 2003). He argued that the traditional city is the focus of social and political life, wealth, knowledge and arts, an *œuvre* in its own right, but its *use value* is being overwhelmed by the *exchange value* resulting from the commodification of urban assets (Lefebvre 1996: 67, Kofman and Lebas 1996: 19). His *right to the city* encompasses the ideas that:

- the city is public—a place of social interaction and exchange;
- being public it demands heterogeneity—as the city is a place where encounters with difference thrive;
- difference creates struggle, as people compete over the shape of the city, terms of access to the public realm, or the right to citizenship (Mitchell 2003).

Lefebvre's *right to the city* thus enfranchises citizens to participate in the use and production of urban space (Purcell 2002). Citizenship is defined to include all *urban inhabitants*, conferring two central rights—the right to *participation* and to *appropriation*.

Participation allows urban inhabitants to access decisions that produce urban space. Appropriation includes the right to access, occupy and use space, and create new space that meets people's needs (Lefebvre 1968 in Kofman and Lebas 1996: 174). Lefebvre was writing just before the 1968 students riots in Paris, and his ideas won popular acclaim. Of importance was his emphasis on the right to *the city as a whole*, rather than to specific *rights in cities*, but his writing was disconcertingly vague as to how it could be implemented.



Social Action in Paris, 2007

Urbanization can be seen as a set of social relationships reflecting relationships within society as a whole (Harvey 1973: 303-307, 2003). The *right to the city* entails a right to access—not just to what already exists, but also to remake the city in a different image, defining a new urban commons. The *right to the city* is thus a claim upon society, a claim for the recognition of 'the urban' as the reproducer of social relations of power and the right to participation (Dikeç and Gilbert 2002: 70).

The role of *public space* is crucial in defining *the right to the city* (Brown 2006: 18). Where rights are defined by private property, *public space*—as the space for representation—takes on exceptional importance, but is increasingly policed and controlled (Mitchell 2003: 34). If, by increasing security, democratic space is destroyed then in whose interest is the city being secured?

'*Se Tomaron Las Calles*' [they claim the streets], John Friedman wrote after visiting the fiesta of Santiago and Santa Ana in Tudela, Spain, where the whole population celebrates—wearing white, waving red banners and racing round the bandstand. He suggested that there are only two occasions when people claim the streets, to protest against an oppressive State, or to celebrate. He argued that in the *barrios* of Latin America, a new *polis* is taking shape created by those excluded from the city or from earning a decent living—an extraordinary revival of people's power, self-empowerment and the claim of new rights (Friedman 1992).



The Fiesta, Tudela: Photo Larry Parsons

The *right to the city* has a particular resonance in cities suffering intractable conflict, as a powerful response to the exclusion of whole groups of people from the right to peace, security and solidarity. Some cities, however, have achieved sustained inclusion e.g. Montréal, Brussels or Penang (Safier 2006: 31). In this context the *right to the city* should be granted both to individuals and to collective groups—creating cosmopolitan development that celebrates cultural diversity and encourages intercultural collaboration.

From an ethical standpoint, the *right to the city* is not a new right, but rather adopts rights language to describe the participation of citizens in the *œuvre* of their city. It is not part of a human rights regime, but rather an approach for urban change. It poses an exciting and direct challenge to the nature of citizenship, and places the city at the primary level of decision-making (Purcell 2002) where the social value of urban space weighs equally with its monetary value.

3.3 Urban Citizenship—Rights ‘in’ or Right ‘to’ the City?

Citizens’ rights are defined in the exercise of urban citizenship. Claiming the *right to the city* does not confer specific rights (such as ‘city rights’ of the Middle Ages—to hold and receive income from the markets, tolls, and taxes, or modern rights to specific urban services). Nor does it translate into national claims to the urban level so that urban citizenship replaces or negates national citizenship (Dikeç and Gilbert 2002). It is therefore necessary to distinguish between formal citizenship of the nation state, and the exercise of urban citizenship through democratic practice. Substantive practices of citizenship emphasize the difference between rights and the ability to enjoy and perform such rights (Dikeç and Gilbert 2002). In other words,



Urban vitality in Penang

substantive citizenship is acquired through participation and enacted through participatory democracy (Brown *et al* 2008, McCann 2002).

Substantive citizenship can be exercised at several levels, one of which is the city. The *right to the city* signifies societal ethics cultivated through living together and sharing urban space. It concerns public participation, where urban dwellers possess rights and cities—city governments and administrations—possess obligations or responsibilities. Civil and political rights are fundamental, protecting the ability of people to participate in politics and decision-making by expressing views, protesting and voting. The exercise of substantive urban citizenship thus requires an urban government and administration that respects and promotes societal ethics. It also demands responsibilities of citizens to use and access the participatory and democratic processes offered.

3.4 Defining rights and responsibilities

The interest in the *right to the city* suggests that it holds the seeds of real enfranchisement in cities (Purcell 2002). Two themes emerge: first, the need to develop an urban politics of the *inhabitant* and of *communities*, rather than a focus on citizens of the nation state; and second, the need to negotiate politics at the *urban scale*, rather than at the level of state or region (Purcell 2002).

The concept of the *right to the city* is founded in the intrinsic values of human rights, as initially defined in the UN Declaration, but does not form part of a human rights regime. Rather, the *right to the city* is a vehicle for urban change, in which *all urban dwellers* are urban citizens; it creates space in which citizens can define their needs but, in order to appropriate substantive citizenship, citizens must claim rights of participation and allow others the same right. The critical problem is that there is little practical guidance on what the *right to the city* entails, or how it can influence relations between urban dweller and State. The next section explores instruments which to some extent elaborate the concept.

4. Rights and Responsibilities—Initiatives in Practice

4.1 *Urban Policies and the ‘Right to the City’— Project Approach*

The UNESCO UN-HABITAT project specifically examined experience in the use of normative tools and instruments that articulate citizens’ rights - for example regional and city charters. Participants were identified from an extensive search for relevant organizations and contacts. The work was widely publicized and others who expressed interest were also included.

Section 4 looks at established regional, national and city experience presented to the project, drawn partly from the two volumes of submissions to the UNESCO UN-HABITAT project:

- *International Public Debates: Urban policies and the Right to the City—2006*, summarizing debates in 2006 (UNESCO UN-HABITAT ISS 2006); and
- *Urban Policies and the Right to the City - 2008* covering the debates in 2007 and 2008 (UNESCO 2008),

The documents are published on UNESCO’s website (<http://portal.unesco.org/shs/urban>) and the UNESCO Chairs’ websites (www.chaire-entpe.fr and www.unesco.org/shs/urban) and were presented at the World Urban Forums in Vancouver in 2006 and Nanjing in 2008. The information in Section 4 is augmented with other material as appropriate. **Annex 1** explores city initiatives presented to the UNESCO UN-HABITAT project and researched by the authors, organized according to five themes: inclusion, governance, human rights/rights-based approaches, participation and urban planning. **Annex 2** is a non-exhaustive list of instruments and tools found in various regions of the world.

4.2 International and Interregional Initiatives

4.2.1 **The European Charter for the Safeguarding of Human Rights in the City** *La Charte Européenne des Droits de l’Homme dans la Ville*

The *European Charter for the Safeguarding of Human Rights in the City* was finalized in the year 2000, and by 2006 had been ratified by over 350 cities in 21 countries (CV 2000). It arose from a conference in 1998 marking the fiftieth anniversary of the UN Declaration, hosted by Barcelona City Council, the culmination of widespread dialogue between cities, NGOs, the legal profession, and others (AB 2008). The *Network of Cities for Human Rights* was established by the *Diputació de Barcelona* in 2003 to disseminate and implement the Charter (HIC 2008).

Within the European Union, debates on inclusion focus on governance, citizens and civil society, rather than on the state. The Charter is a comprehensive document, addressing universal human rights, rights, and urban rights to welfare and governance, but focuses on city dwellers, rather than European citizens (Kristiansen, 2006: 98). Key aspects of the Charter’s five sections include:

- (i) *Overarching principles: the right to the city*, promoting equality and non-discrimination, linguistic and religious freedom, protecting vulnerable citizens, promoting solidarity and municipal cooperation;
- (ii) *Civil and political rights of local citizenship*: rights to political participation, association, protection of private life, and information;
- (iii) *Economic, social and cultural rights*: rights to social protection, to work, culture, a home, health, the environment, harmonious and sustainable city development, and tranquillity in the city;
- (iv) *Rights relating to local democratic administration*: efficient public services, and the principle of openness;
- (v) *Guarantee of human rights*: access to justice, accessibility of the local police, transparent or participatory budgets.

Of particular interest to this debate is *Article 1: Right to the City*, which states that:

“The city is a collective space which belongs to all those who live in it, who have the right to find there the conditions for their political, social and ecological fulfilment, at the same time assuming duties of solidarity”.

Thus, the Charter’s main focus is on human rights in the city as distinct from the right to the city, although both are addressed; its focus is on ‘the city’, which in the modern world has become the ‘future of mankind’, a possible ‘new political and social space’ (Kristiansen 2006: 99).



Barcelona - a leading city in international debates

4.2.2 Charter of Educating Cities ***Charte Internationale des Villes Éducatrices***

The *Educating Cities* movement was started in 1990 at the first *International Congress of Educating Cities* in Barcelona was started by a group of cities aiming to work together ‘on projects and activities for improving the quality of life of their inhabitants’ (IAEC/AIVE 2004, 2008). The movement was formalized as the International Association of Educating Cities (IAEC/AIVE) at its third Congress in 1994 (Figueras 2006: 67).

IAEC/AIVE's philosophy is that cities have much to learn from collaboration, and local authority members commit to a permanent dialogue with citizens and other cities. First drafted in 1990 and updated in 1994 and 2004, the *Charter of Educating Cities* was ratified by 450 cities (IAEC/AIVE 2008). It is based on the UN Declaration, *The International Covenant on Economic, Social and Cultural Rights*, 1965; the *World Declaration on Education for All*, 1990, and the *Universal Declaration on Cultural Diversity*, 2001.

The Charter sees the educating city as one with its own personality, but forming an integral part of its country. The educating city is not self-contained, but has an active relationship with its environment, and with other urban centres. The Charter has three central themes:

- *Right to an Educating City*: all city inhabitants have the right to enjoy, in liberty and equality, the opportunity for education, leisure and individual growth. Cities commit to promote education in diversity, understanding, international solidarity and world peace.
- *Commitment of the City*: the city should discover, preserve and display its own complex identity; its growth should be in harmony with the preservation of buildings, culture and languages; and its urban space must meet the needs of all, including the handicapped, elderly and children;
- *Serving its Inhabitants*: the municipality will assess the effect of cultural, recreational, and other activities for children and young people, enabling parents to access education for their children, and reduce marginalization especially for new migrants.

The Charter argues for a new right for city inhabitants, *the right to an educating city*, which is not seen as a utopia, but rather a means for improving the quality of life of citizens.

4.2.3 The European Charter for Equality of Women and Men in Local Life

The *European Charter for Equality of Women and Men in Local Life*, 2006, builds on the work undertaken by the Council of European Municipalities and Regions (CEMR) (CCRE 2008). It follows an initiative in 2005, *The Town for Equality*, designed to establish a concrete methodology for European local and regional authorities to implement policies for equality of women and men. The Charter builds on the UN Declaration, the *Convention on the Elimination of all forms of Discrimination against Women* (CEDAW) and the Beijing Platform for Action, and the concepts of gender-mainstreaming and gender budgeting defined by the UN. Its preamble states that '*equality of women and men constitutes a fundamental right for all*',



*Pedestrian quarter - Quimper
Photo Alain Marinos*

an essential value for every democracy. In order to be achieved, the right needs to be both legally recognized and effectively applied to all aspects of political, economic, social and cultural life.

The Charter is based on six key principles:

- Equality of women and men constitutes a fundamental right;
- Multiple discrimination and disadvantage is essential to ensuring equality;
- Equal participation of women and men in decision-making is a prerequisite of democratic society;
- Elimination of gender stereotypes is fundamental to achieving equality;
- Integrating a gender perspective into all government activities is essential to advancing equality;
- Properly resourced plans and programmes are essential to underpin progress towards equality.

The articles of the Charter use the principles to promote equality through democratic accountability and service delivery—defined broadly to include access to health and education, and the prevention of human trafficking and gender-based violence, while sustainable development and the role of local government as a regulator are included. Gender equality is thus seen as a core responsibility of local government.

4.2.4 The Aberdeen Agenda—Commonwealth principles on good practice for local democracy and good governance

Since 1995, the Commonwealth, through the Commonwealth Local Government Forum (CLGF), has focused on the promotion of local democracy and good governance (CLGF 2008, Wright 2006). The *Commonwealth Principles*, 2005, provide a set of standards which promote local democracy and good governance throughout the 53 Commonwealth nations.

The principles, also known as the *Aberdeen Agenda*, cover

- Constitutional and legal recognition for local democracy
- The ability to elect local representatives
- Partnerships between spheres of government
- A defined legislative framework
- Opportunity to participate in local decision-making
- Open local government—accountability, transparency and scrutiny
- Inclusiveness
- Adequate and equitable resource allocation and service delivery
- Building strong local democracy and good governance

The Aberdeen Agenda is the first step in helping policy-development and monitoring, and CLGF is developing practical tools and indicators to assist Member States implement the principles.

4.3 National and City Initiatives

4.3.1 The Brazil City Statute

One of the most interesting experiments examined during this project was the groundbreaking Brazil *City Statute*, finally made law in July 2001 after more than a decade of political negotiation (Fernandes 2001, Rolnik 2008: 90).

Brazil has seen a dramatic urban transformation (**Box 2**), and the struggle to redefine urban rights has taken thirty years. Attempts to build an inclusive urban policy started in the 1970s, but stalled. Following transition to civilian rule, in 1987 an alliance of social housing movements, professionals, squatters, NGOs and academics proposed the *Popular Urban Reform Amendment*, supported by 250,000 signatures. As a result, the 1988 Constitution included a specific chapter calling for municipal instruments to guarantee the *right to the city*, the recognition of the social function of property, and for democratization of urban management (articles 182 and 183). In the 1990s the movement coalesced into the National Urban Reform Forum, and several cities moved ahead of the national debate to construct their own policies—most notably Porto Alegre which initiated participatory budgeting (Rolnik 2008: 92, Ottolenghi 2002: 27).

Box 2: The accelerated urban transformation in Brazil

Brazil is the largest country in Latin America with an estimated population of 187m people (UN-HABITAT 2005). By 2001, 82% of the Brazilian population were living in urban areas, around 141m people, with half the urban population living in slums (UN-HABITAT 2006). The urban transformation took place in a context that largely denied rights to low-income populations, particularly people living in the *favelas* or urban slums (Rolnik 2008: 91; Ottolenghi 2002: 15-16, Fernandes 2001, Rolnik and Saule 2001). Irregular settlements multiplied on fragile or peripheral land, the result of externally imposed structural adjustment programmes outdated urban zoning restrictions (Orsorio 2007); they were deprived of infrastructure and absent from maps and city records, resulting in territorial exclusion that denied the poorest people access to the development opportunities of cities (Rolnik 2008:91).

The *City Statute* redefines the concept of land ownership, establishing a new legal paradigm that the right to urban property contains a social dimension (Polis 2008, Fernandes 2006: 46). The Statute also promotes democratic participation in urban management, and legal instruments to regularize informal settlements, empowering municipalities in urban planning (Orsorio 2007; Fernandes 2006: 48, 49; Solinis 2006, de Grazia 2002). Vacant or under-used land is taxed and eventually compulsorily subdivided. Critics argued that the Statute represented a confiscation of private property rights but it was passed, although the concession of special use for housing purposes was initially vetoed by the President.

In 2003, the new Ministry of Cities established four key programmes: strengthening urban management; the *Papel Passado* programme (National Programme to Support Sustainable Urban Land Regularization); rehabilitation of city centres, and prevention of occupation in risk areas. Since 2004, the *Papel Passado* programme has initiated property

regularization for up to one million dwellings. The National Cities Council has been set up and by mid-2006 nearly 1,500 of the 1,684 cities involved had progressed their master plans (Rolnik, 2008: 95, 96). Implementation of the *Papel Passado* programme has faced challenges in implementation, such as the conflict with environmental policies, and problems with financing agencies reluctant to accept the new 'rights of occupancy tenure' (Orsorio 2007).



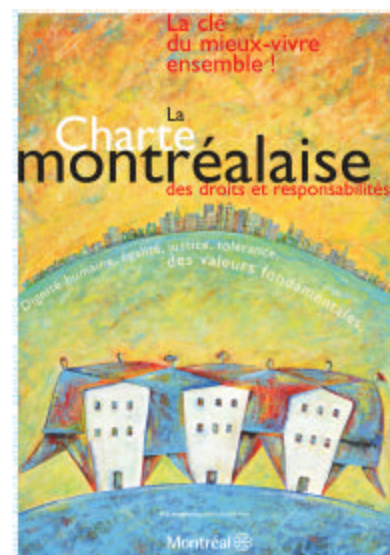
A children's crèche in the low-income settlement of Ilha Grande dos Marinheiros, Porto Alegre - Photo courtesy of Shirlei Inês Mendes da Silva

Brazil, perhaps, presents a unique context in which the concept of the *right to the city* could flower, and is an inspiring application of the principles of the 1996 Habitat Agenda. The strong tradition of social activism and optimism following the transition from military rule paved the way for an innovative relation between citizens and governments. The *City Statute* has widened the legal and political role of municipalities in urban development and, despite inevitable problems in its implementation, has created a new paradigm for defining social rights to land and participation in urban policy formulation.

4.3.2 The Montréal Charter

The *Montréal Charter of Rights and Responsibilities* arose from the Montréal Summit in spring 2002, a crucial democratic exercise attended by around 4,000 people from all walks of life, in which citizens defined priorities for the newly organized City of Montréal (VM 2008, Tremblay 2008: 31). An outcome of the consultation was the Committee on Democracy which proposed the Montréal Charter, the first of its kind amongst large Canadian cities (Patenaude 2006: 56, 2008: 72).

The Charter commits the city to work with its inhabitants in building a framework for citizen's rights and reciprocal responsibilities. The Charter states that '*the*



Montréal Charter of Rights

city is both a territory and a living space in which values of human dignity, tolerance, peace, inclusion and equality must be promoted among all citizens'. It promotes a sustained struggle against poverty and discrimination, respect for justice and equity, and it commits to transparent management of municipal affairs based on citizen involvement and building trust in democratic organizations.

The Charter explores rights through seven dimensions:

- *Democracy*: promotes citizens' democratic rights to participate in the Montréal administration through effective participation, financial transparency, and involvement of women and minority groups;
- *Economic and social life*: promotes adequate housing and services and action to reduce poverty;
- *Cultural life*: seeks to preserve and present cultural and natural heritage, and promote creative endeavour and diversity of cultural practices;
- *Recreation, physical activities and sports*: establishes rights to sport and recreation promoting parks, recreational facilities and services;
- *Environment and sustainable development*: promotes waste reduction, re-use and recycling, reconciliation of environmental protection with requirements for development, and protection of natural environments;
- *Security*: promotes secure development, security for women, and safety in the use of public space.
- *Municipal Services*: seeks rights to high quality municipal services through transparency, equitable service provision, and adequate maintenance and management.



*Old Town, Montreal.
Photo: Denis Labine*

The Montréal Charter is an eloquent example of collaboration between a city administration and civil society (Tremblay 2008: 32). It forms a covenant between citizens and their city administration established to allow all inhabitants to take full advantage of city life, which permeates all aspects of municipal affairs. The key element of the Charter is that

it is a two-way exchange—the city can guarantee services, but citizens also have to play a responsible role in civic life. According to Pierre Belec, Special Adviser to Montréal City Hall, the inclusive process of devising the Charter and the active role of the Ombudsman are two factors that contribute towards the success of the Montréal Charter (speech to *World Conference on City Development*, Porto Alegre, 2008).

4.4 Emerging World Charters

4.4.1 Global Charter-Agenda for Human Rights in the City

Two parallel initiatives are being debated that directly expand the UN Declaration in the context of cities. The first is a *Global Charter-Agenda for Human Rights in the City*, an initiative of city mayors approved at a meeting of the *Forum of Local Authorities for Social Inclusion*, held during the *World Social Forum, 2005* in Porto Alegre. The Charter-Agenda takes as its starting point ‘human rights in the city’ and it aims at including all sectors of society in a common agenda.

The proposal now has influential support. It was debated at the *2007 World Congress of United Cities and Local Governments*. UCLG was founded in 2004 to promote strong and democratic local self-government, and now has more than 1,000 city members in 95 countries. The Charter-Agenda is being taken forward by the *International Permanent Secretariat, Human Rights and Local Government* (SPIDH 2008), which organizes the biennial *World Forum on Human Rights* in Nantes (France), a forum created by UNESCO SHS in 2004 to develop and strengthen international networks promoting human rights.

The Charter-Agenda will develop a framework in which cities from all over the world commit to the development of inclusive policies for safeguarding human rights at local level, identifying practical local actions that can take forward these commitments. It unifies nine rights as minimum standards to be guaranteed by municipalities. Each right has a specific implementation programme, the overall goal being to create a life in dignity.

4.4.2 Towards a World Charter for the *Right to the City*

The second initiative is the movement to develop a *World Charter on the Right to the City*. The charter has been promoted by a coalition of NGOs, academic and professional groups, and is the product of years of discussion which started in the run-up to the *Earth Summit, 1992* (*United Nations Conference on Environment and Development, 1992*, Rio de Janeiro). In 1995, Habitat International Coalition organized an international forum on environment, poverty and the *right to the city*, and the theme has been taken up in the *World Social Forum* movement (Ortiz 2008: 97, Osorio 2006: 107).

The charter has very different origins from the others discussed here, as it stems from grassroots initiatives rather than a regional or governmental organization. The initiative is oriented toward fighting social exclusion in all forms—economic, territorial, cultural or political. The ambitious proposal combines several of the themes discussed in this report,

proposing a complex approach that requires that human rights be articulated through democratic dimensions. The proposal is not limited to *human rights in the city*, but defines the right as “*the equitable usufruct of cities within the principles of sustainability, democracy, equity and social justice*”, in which the *right to the city* is independent of all recognized rights, conceived as a whole open to incorporation of new rights (Ortiz 2008: 100).



Porto Alegre: leading social change - introduction to the World Conference on the Development of Cities, 2008.
Photo: Porto Alegre City Council

4.5 Instruments for Inclusion

As these examples show, international institutions are actively exploring approaches based on rights, responsibilities and governance to promote safety and security, improve quality of life and strengthen urban livelihoods, in order to ensure more *inclusive cities*.

Human rights in cities derive from international and/or regional human rights instruments and the rights and responsibilities they enshrine. This approach is reflected, for example in the language of the *European Charter for Safeguarding Human Rights in the City* and the *European Charter for Equality of Women and Men in Local Life*. These Charters reframe demands for democratic governance, accessible housing and infrastructure, and inclusive urban economies in the language of human rights and through a rights-based approach.

The *Global Charter-Agenda on Human Rights in the City* proposes a new instrument that builds international human rights, providing a framework within which human rights are implemented, although it does not create new rights. The city creates a space for fulfilling human rights and for constructing *inclusive cities*. Developed through participation, the charter-agenda is an instrument of derived rights. The focus on implementation will add a new dimension to the debate. The *World Charter for the Right to the City* would go further, with a specific link between human rights and democracy to define the new *right to the city*.

Meanwhile, national and city governments are experimenting. The Montréal Charter is a wide-reaching policy document by a city administration, set within the context of wider debate in Canada. It forms a far-reaching contract between a city government and its people; whether it is robust enough to withstand political change remains to be seen. The *Brazil City Statute* is the first tool that reflects on the *right to the city* in national legislation. Its implementation is part of radical social and governance changes in Brazil, which affect the operations of municipal finance, strategic planning and local democracy, and represent a fundamental and far-reaching experiment in the extension of rights.

5. Themes and Debates on the Right to the City

5.1 Developing the Themes

Although the *right to the city* was conceived as a right for all inhabitants, the challenge now is exploring how this plays out in practice—whose rights, to what aspects of ‘the city’? Human rights have often been seen as a national issue, but the UNESCO UN-HABITAT project is exploring new dimensions and different entry points at city level. Section 5 explores four broad themes emerging from the UNESCO UN-HABITAT project: local democracy and urban governance; social inclusion and decent and dignified existence for marginalized groups; urban cultural diversity and religious freedoms, and rights to urban services.

5.2 Local Democracy and Urban Governance— Rights and Responsibilities for Cities and Inhabitants

Good city governance is crucial to the urban poor. Governments can help reduce poverty and inequality through strategies that support initiatives of the poor, but repressive policies and actions can also exacerbate poverty (Devas 2004). Many city dwellers in Africa, Asia and Latin America live in conditions of extreme poverty, and rapid growth of cities has led to an increasing urbanization of poverty. International action has addressed poverty reduction (e.g. World Bank 2001 and Poverty Reduction Strategy Papers), but urban poverty is pervasive and largely unacknowledged: cities in sub-Saharan Africa have some of the highest levels of urban poverty and in some countries more than half the urban population is classified as poor, while in Latin America—the most urbanized developing region—more poor people now live in cities than in rural areas (UN-HABITAT 2006).

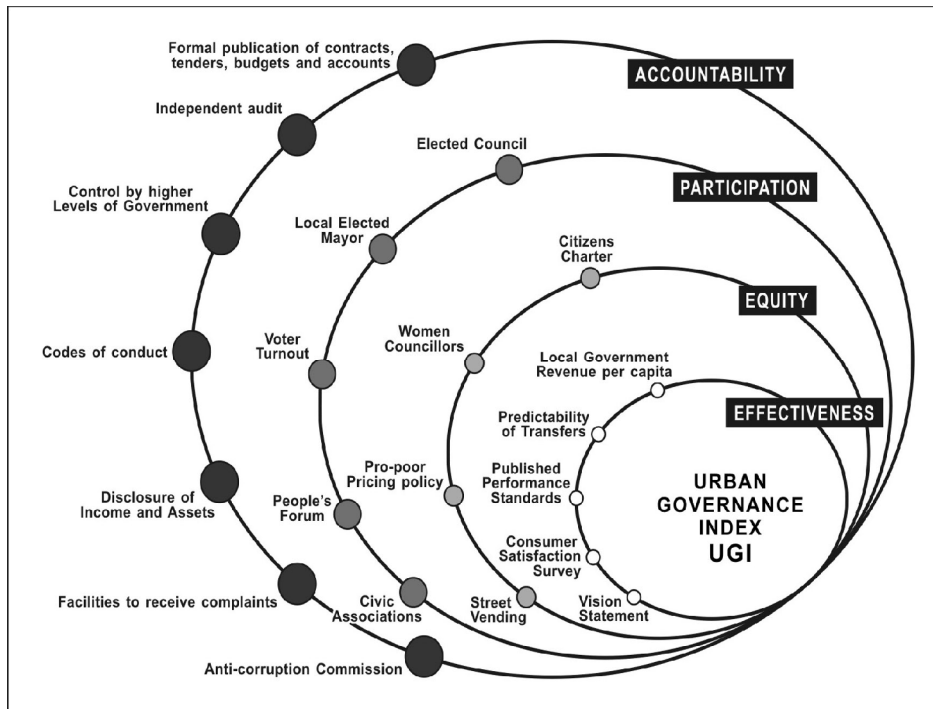
UN-HABITAT’s *Global Campaign on Urban Governance* promotes the theme of the *inclusive city*—a city that promotes growth and equity whilst empowering citizens to participate fully in the opportunities it offers (UN-HABITAT 2008a, 2008b). The *right to the city* will be a topic of advocacy in the campaign. UN-HABITAT is developing indicators of good governance, to help cities identify the state of urban governance in their administration and to develop strategies for improving residents’ quality of life and access to decision-making. The global *Good Urban Governance Index* (UGI) uses existing urban indicators both to enable international comparisons of urban governance, and to help city administrations develop tools to increase transparency, promote participation, eliminate slums and secure tenure for the urban poor.

The index is built on the four axes outlined below and illustrated in **Figure 2**:

- *effectiveness*: e.g. efficiency in financial management, delivery of services and responsiveness to citizens’ concerns;
- *equity*: e.g. including unbiased access to the basic necessities of urban life, and pro-poor policy for vulnerable populations;
- *participation*: e.g. through strong local representative democracies, free and fair municipal elections, and participatory decision-making processes;

- accountability: e.g. transparency in operation of local government, responsiveness to central government and citizens, and promotion of integrity (Taylor 2006).

Figure 2: The four axes of the Urban Governance Index, Source: Taylor 2006



Cross-city comparisons are often difficult because of difficulties of compiling relevant and comparable data, or because the effective urban area spreads beyond city administrative boundaries, and any measure has limitations, but the UGI holds promise for making explicit the relationship between local administrations and citizens with the aim of promoting transparent and responsible government.

5.3 Decent and Dignified Existence within Cities

5.3.1 Women and the City

In cities throughout the world, millions of women live in poverty, deprivation or insecurity. Women may be threatened at home, discriminated against at work, and denied access to inheritance or education. In many countries women are trafficked to work as prostitutes or may suffer personal violence in conflict or war.

Recognizing that the denial of human rights occurs in all regions of the world, in 1979 the UN General Assembly adopted the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) (UN 1979), which defines discrimination against women as:

“...any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women,of human rights and fundamental freedoms”.

Many international organizations champion human rights for women, led by UNIFEM, the United Nations' women's fund, which strives to reduce feminized poverty, end violence against women, reduce HIV/AIDS infections among women and girls, and achieve gender equality in democratic governance (UNIFEM 2008). An early initiative was the 1994 *European Charter for Women in the City*, a European Commission action-research project, which promoted emancipated philosophies in town planning, housing and services, arguing that 'the city is an organized memory' and that 'women are the forgotten ones in history', the Charter has helped raise gender awareness in EU structural policy (City and Shelter 2004).



A banner produced by the Huairou Commission, 2006

Women's rights are also integral to the *Habitat Agenda*, agreed by 171 nations at the 1996 UN-HABITAT *City Summit* in Istanbul. The document recognizes that persistent poverty and discrimination mean that women face particular constraints in accessing shelter and influencing decision-making, but that their empowerment has a central role to play in eradicating poverty and contributing to sustainable human settlements (Article 15). It promotes gender equality in all human settlements development (Articles 40, 46) (UN-HABITAT 1996). Women's rights are now enshrined in MDG3, which aims to 'promote gender equality and empower women', monitored through the ratio of boys to girls in education, the share of women in non-agricultural wage employment, and the proportion of seats held by women in national parliaments (UN 2000).

The strong gender emphasis in the *Habitat Agenda* stemmed partly from lobbying by the Huairou Commission, the global coalition of 'grassroots women' and their networks, which gave evidence to the UNESCO UN-HABITAT project. The Commission was named after the city Huairou in China where it began at the *Fourth World Conference on Women* in Beijing, 1995. 'Grassroots women' are often marginalized in international decision making by poverty, language, custom and family burdens, yet their role is crucial in both urban and rural areas (Huairou 2008).

The Commission's four campaigns cover governance, HIV/AIDS, disaster, housing and peace-building, and the Commission is evolving a wide range of strategies to reform property laws and give women and men equal rights to housing. As Fides-Bagasao (2008) argued, 'As administrators, academics, businesswomen, technicians, activists, community members, mayors and other politicians, women are involved in the effort to transform our world'



The Self-Employed Women's Association in Ahmedabad supports street vendors

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(Fides-Bagasao 2008: 120). Women, particularly 'grassroots women', are seen as central to achieving the MDGs, and the Commission argues that grassroots and indigenous women are key experts in development.

5.3.2 Migrants in the City

The theme of migration is considered so central to the UNESCO UN-HABITAT project that a UNESCO Chair on *Urban Policies and Social/Spatial Integration of International Migrants* was established in 2008. Its current holder, Marcello Balbo, has written widely on the topic.

Globalization has dramatically enhanced the free movement of goods and commerce across borders, but has failed to facilitate the movement of individuals (Balbo 2006: 91). Nevertheless the flow of international migrants between continents and regions is rapidly growing. In 2005, migrants numbered 191 million worldwide, a 23% increase since 1990. The largest increase was registered in high-income countries, but south-south migration is also significant, accommodating an estimated 47% of all migration from the south, or some 74 million people (Ratha and Shaw in Balbo 2008: 127). Internal migration, including the movement of people from rural areas to cities and temporary migration during the off-peak agricultural seasons, is also a significant form of growth in cities.



There are many different migrant communities in Italy

The increasing 'urbanization of migration' is a consequence and a cause of the growth of cities, and cities are now becoming crucibles of peoples, cultures, and traditions (Hamburger 2003 in Balbo 2008: 128). Cities have many advantages for new migrants, providing the best opportunities for access to livelihoods, knowledge and learning, and social networks. However, with limited help from city governments, migrants are often dependent on family or kinship networks for their contacts and shelter.

Migrants are a core component of the urban economy, providing a low-cost flexible workforce in the building sector, services or the urban informal economy, but often working in poor and unprotected conditions on the borderline of legality. Their remittances to rural areas or their countries of origin are a critical source of income for poor households. The World Bank estimates that recorded remittance flows to developing countries were US\$ 251 billion in 2007, an increase of 118% in the five years since 2002, and significantly more than international aid (WB 2008). Much remittance money is unrecorded.

Despite the scale of migration, few cities have explicit migration policies. The social inclusion of migrants is highly variable—depending on their work, religious and educational background, attitudes in the host city, and patterns of settlement (Balbo 2006: 92). There are rarely reliable figures on the numbers of international migrants in cities, and urban policies may not distinguish between the urban poor and migrants. To be effective, city administrations must acknowledge that migrants are diverse, come from different cultural, educational and religious backgrounds and have very different notions of citizenship (Balbo 2008: 130).

Migration raises a central issue for the *right to the city*—i.e. the right for everyone, including international migrants, to access the benefits that the city has to offer, and how best to promote awareness, representation and rights for a transient population (Balbo 2008: 132). For the host community, a challenge is that migrants may have limited commitment to civic engagement. Since migrants belong to communities, contributing much to city life, inclusive policies should address these communities, and inclusion must be as diverse as the communities it embraces (Balbo 2008: 130).

5.3.3 Working in the City

The last 20 years have seen a dramatic increase in the informal economy in the developed and developing world, and evidence to the UNESCO UN-HABITAT project argued for the inclusive cities agenda to embrace the needs of informal workers. The *informal economy* is a term loosely used to embrace an enormous diversity of activity that spans the globe and dominates the economy of many developing cities. It encompasses the rickshaw drivers of Dhaka and Hanoi, *mama lische* (cooked food) vendors in Dar es Salaam, the *kayayoo* (girl porters) in Kumasi, garment workers in Maseru, home-based electronic workers in Kuala Lumpur, or restaurant and shop workers in European cities. Many informal workers work in appalling conditions, working very long hours in polluted environments with very low pay (Brown 2008: 147). Migrants often initially find work in the informal economy.

Informal work is the norm in many sub-Saharan African cities, and now accounts for as much as 60% of urban jobs, contributing significant amounts to national GDP—a study of 145 countries in 2002/03 found that on average shadow economies contributed around 40% of GDP in Africa, Latin America and Eastern Europe, 20% in Asia and 15% in OECD countries (Schneider 2004). The contribution to urban economies is greater, but rarely quantified. Street trade, one of the largest sectors of the informal economy, depends on access to public space, the streets, pavements, verges, vacant lots and other ‘edge space’, but this is a contested domain. Local authorities and business elites often harass or evict traders who are castigated as illegal or criminal. Municipal policy is rarely supportive, and forced evictions are common, destroying earnings and livelihoods and exacerbating poverty (Brown 2008: 149).

The International Labour Organization (ILO) is mandated to set international labour standards, and reports regularly on the informal economy. The *Declaration on Fundamental Principles and Rights at Work* was signed in 1998, and established the principles of freedom of

association and collective bargaining, elimination of forced labour, the abolition of child labour and elimination of employment discrimination (ILO 2002: 39, ILO 2007).



Street traders in Lomé, Togo

An influential session on *Decent Work in the Informal Economy* at the ILO conference in 2002 (ILO 2002) was followed by an international symposium in November 2007 (ILO 2007), which stressed that workers and businesses in the informal economy experience severe disadvantages, working in precarious and vulnerable conditions, and that a comprehensive range of actions is needed to address discrimination and poverty amongst informal workers. These include eliminating the negative aspects of informality while ensuring that opportunities for livelihood and entrepreneurship are not destroyed. The session argued that governments—in particular city governments—have a primary role to play in providing an enabling framework to support informal workers.

Some cities have taken steps to accommodate their informal workers, although experience is mixed. For example, the city council of Durban undertook a major regeneration programme at Warwick Junction, west of the city centre, accommodating an estimated 5-8,000 traders. In 2000 the city council adopted the *Informal Economy Policy*, which recognized that the informal economy is critical to economic development in Durban, and that all work should be considered valuable (Brown 2008: 160). Elsewhere street clearances are common. The right for urban inhabitants to seek legitimate employment is crucial if the marginalized urban poor are to access the benefits of city living. This will only be achieved if municipal governments adopt an enabling approach to support urban livelihoods, which should be a fundamental component of the *right to the city*.

5.4 Urban Cultural Diversity and Religious Freedoms

5.4.1 Cities Against Racism

The global movement of people and increasing multiculturalism of cities has brought into sharp focus issues of diversity and racial discrimination. In 2004, UNESCO's Fight Against Racism and Discrimination Section launched the flagship *International Coalition of Cities*

Against Racism, to stimulate knowledge and learning for city governments in the struggle against racism and discrimination, which focused on a *Ten-Point Plan of Action* (Morohashi 2008). The Plan calls for increasing vigilance against racism, monitoring policies for equality, improving support for victims of discrimination, and promoting equal opportunity in access to urban services.

The commitments cover three broad aspects of city life:

- *The city as an organization*: equal opportunity programmes, staff training on diversity, and encouraging the participation of diverse groups in decision-making;
- *The city as a vehicle for law enforcement*: protecting victims of racist crimes, adoption of a code of practice for law enforcement, education of police officers, and programmes to prevent racist behaviour;
- *The role of the city in building communities respectful of diversity*: improving liaison, financing community initiatives, support of public events promoting social inclusion, prizes for good practice.

City governments in regions throughout the world are leading the campaign to launch regional coalitions of cities against racism. Nuremberg is the lead city in the European coalition, launched 2004, which now has 50 city members; in Africa the coalition was launched in Nairobi in September 2006; in Latin America and the Caribbean, Montevideo is the lead city for a coalition launched in October 2006; in Asia, Bangkok Metropolitan Administration is the lead city for the coalition launched at the *World Congress of United Cities and Local Governments (UCLG)* in October 2007; the Arab Region coalition was launched in June 2008 with Casablanca as lead city, while in North America work on the Canadian coalition is far advanced with 50 potential members (UNESCO 2008).



*Asian Cities acting together: Phnom Penh.
Photo: Jun Morohashi*

The international coalition aims to create an innovative platform of exchange amongst city administrations, an inspirational space for interaction. For example, London—a leading city in the European coalition—has set up a *London Race Hate Crime Forum* to coordinate agencies responsible for dealing with hate crimes, and seeks to help black and ethnic minority communities deal with criminality within their community (Jasper 2006).

5.4.2 Religious Freedom and Coexistence

Why should cities care about religious issues? And how should they deal with them? Should the *right to the city* encompass the freedom to practise religion, and harmonious relations between diverse faith groups? These questions were posed by Francesc Rovira to the UNESCO UN-HABITAT project. He argued that clear separation between Church and State, and the enjoyment of freedom of conscience, are the cornerstones of democratic societies, and that his experience as coordinator of the Interreligious Centre of Barcelona (**Box 3**) indicates that good local policies regarding religions can have significant outcomes for inclusiveness (Rovira 2008:52).

Box 3: The Interreligious Centre of Barcelona

The Interreligious Centre of Barcelona is a Barcelona-based NGO, a service supported by the City Council of Barcelona, that works to strengthen relations between the Catalan culture and UN Agencies. Created in 1984, it established official relations with UNESCO in 1993, and has had consultative status on the UN Economic and Social Council since 2003. Since 2005 it has been run by UNESCOCAT, the UNESCO Centre of Catalonia. The Centre supports the work of UNESCO in education, culture and environment, with a strong focus on the protection and promotion of religious and cultural understanding, harmony and cooperation (Torredeflot 2006). The Centre is open to all religious organizations and to individuals, with a view to guaranteeing the exercise of the right to religious freedom in the lay city. The Centre serves as a 'window' to religious or philosophical groups that want to interact with the municipality particularly on religious affairs; it promotes education and dialogue and can mediate in situations of interreligious tension (Torredeflot 2006).

Religion can create conflict, but religious communities can also make significant contributions to society, supporting social networks, promoting civic values, undertaking voluntary work, and making legitimate constructive criticism. While some people fear that recognition of religious diversity reinforces difference, it is argued that neglecting difference may result in groups seeing local government as hostile or repressive (Rovira 2008: 55).

5.5 Rights to Urban Services—the Case of Water

Access to basic services is a fundamental requirement for achieving liberty, choice and freedom inherent in the *right to the city*. One example presented to the UNESCO UN-HABITAT project was that of water. In 2000 the World Health Organization estimated that 1.1 billion people did not have access to an improved water supply, and 2.4 billion people were without sanitation. Lack of adequate sanitation is the primary cause of water contamination and diseases linked to poor water quality (WHO 2000, UNHSP 2006), and the continuing contamination, depletion and unequal distribution of water in urban areas is exacerbating poverty and ill health (CESCR 2002, Rakodi *et al* 1996). While the *right to the city* is a broader concept than simply rights to urban services, nevertheless basic services are a core necessity if communities are to access the benefits discussed above. The UNESCO UN-HABITAT project looked at urban water supplies as one of the most essential of human needs in cities.

Millennium Development Goal 7 sets the target of reducing by half the proportion of people without sustainable access to safe drinking water and basic sanitation (UN 2000), and was reinforced by the *Johannesburg Declaration 2002*, adopted at the *World Summit on Sustainable Development*, which sought to halve the proportion of people without basic sanitation by 2015.

In 2002 the UN Committee on Economic, Social and Cultural Rights, made the following commitment as a legal basis of the right to water:

“The human right to water entitles everyone to sufficient, safe, acceptable, physically accessible and affordable water for personal and domestic uses. An adequate amount of safe water is necessary to prevent death from dehydration, to reduce the risk of water-related disease and to provide for consumption, cooking, personal and domestic hygienic requirements” (CESCR 2000, Article 2).

The ‘right to water’ applies both to its availability and quality (Article 12) and contains both freedoms and entitlements; the freedom to predictable, uncontaminated supplies, and the entitlement to a water management system without discrimination (Article 10) (CESCR 2000). The UN General Assembly declared 2003 as the International Year of Freshwater, supported by 148 countries.

Also in 2002, under the remit of UNESCO’s *International Hydrological Programme*, a new task force on *Urban Water Conflicts* was created, which has contributed to the UNESCO UN-HABITAT project (Barraqué 2008). The task force arose out of debates over problems of access to water services in cities, affordability and the ‘right’ to water, the public/private debate in extraction and provision, and the ‘environmental footprint’ of water.

Access to water and the fulfilment of the ‘right to water’ in cities is highly context specific. In European cities the commodification of water supply is widely accepted, but is contested in cities where large numbers of people are too poor to pay. Many cities in emerging countries are experiencing dramatic shortages of water because of ageing infrastructure and inadequate long-term maintenance. Water conflicts are complex and may arise from a combination of economic, environmental or social problems (Barraqué 2008). In promoting the *right to water* in cities, it is crucial to understand and more clearly define water conflicts within an integrated and cross-disciplinary framework, and to facilitate a range of solutions regarding supply and water management to guarantee city populations reliable, affordable access to water.

6. Taking forward the *Right to the City*

6.1 Towards a *Right to the City*

The increasing importance of cities as drivers of economic growth and centres of culture, knowledge and learning, and the parallel urbanization of poverty, migration and violence, herald the need for fundamental changes in the style and approach to urban governance if massive social exclusion is to be avoided. The *right to the city* presents a radical paradigm within which such conceptual changes could be made.

Five main axes within the paradigm reoccurred within the interpretations of the *right to the city* explored through the UNESCO UN-HABITAT project:

1. *The 'right to the city' is different from 'rights in the city'*—it does not grant specific rights, but enables all inhabitants and communities—whether women or men, established residents or incomers—to access in liberty and freedom the benefits of city life; it also confers responsibilities on city inhabitants to support governments in facilitating those rights;
2. *Transparency, equity and efficiency in city administrations*—city governments have a crucial role in addressing urban poverty and exclusion; the right to the city implies a contract between city governments and inhabitants that governments will work to ensure efficiency and equitable delivery of services and allocation of resources, particularly for disadvantaged people? the poor, elderly, or migrants;
3. *Participation and respect in local democratic decision-making*—is central to the *right to the city*; there is an onus on city governments to encourage dialogue and explore citizen empowerment through participatory approaches to the identification of needs and distribution of resources, and on inhabitants to embrace participation;
4. *Recognition of diversity in economic, social and cultural life*—cities are dynamic centres of culture and the *right to the city* entails embracing the diversity of economic and social life—the cultural, linguistic and religious differences of today's multicultural cities, and supporting the development of knowledge and learning;
5. *Reducing poverty, social exclusion and urban violence?* the *right to the city* also embraces the struggle to reduce poverty and secure livelihoods for the urban poor, recognizing the social value of the public and private spaces of the city, for example in securing tenure for informal settlements. It also promotes human rights, including safety in the streets, access to justice and security.

The paradigm will be interpreted differently in different national, political and cultural contexts, but the fundamental philosophy remains the same—enabling all city inhabitants to access to the full the opportunities of urban life.

6.2 Promoting *Urban Policies and the 'Right to the City'*

How do city governments take forward the *right to the city* agenda? What are the challenges in turning its principles into practice, and in monitoring the outcomes for city inhabitants? And how can *inclusive city* initiatives achieve longevity beyond the term of a particular administration or mayor? This section draws together some of the themes and approaches discussed above and good practice illustrated in the appendices to make four core recommendations:

1. Drawing together existing strands

Most cities are already pursuing initiatives that contribute towards good practice in promoting the *right to the city*, for example strategies to improve services or ensure equity of access. In addition, civil society organisations often work towards inclusion for their members, for example international or local NGOs, faith groups, workers' unions, community area groups or civil society organizations. The first step is to assess and extend their remit:

a) *Understand existing instruments*—these may include human and rights-based by-laws, or commitments by government agencies that support inhabitants' rights;

b) *Support existing initiatives*—particularly initiatives which seek to strengthen rights and inclusion for vulnerable groups, including those established by local governments or communities.

2. Defining the essential elements for a *right to the city* agenda

The next step is to define a local interpretation of the *inclusive city* paradigm, and the core principles which underpin the concept of the *right to the city*. These draw on fundamental values of equity, equality, social justice, rights and freedoms, as elaborated in the recent UNDESA Expert Group on social inclusion, supported by UNESCO and UN-HABITAT (UNDESA 2007). The essential elements



Heritage and diversity - Yemen
Photo Marylene Barret

identified by the group include: respect for the rule of law; defined citizens' rights and responsibilities; inclusive, pro-poor policies and programmes; opportunities for participation in civic, cultural and political life; cultural pluralism and respect for diversity; shared common visions, and effective urban management (UNDESA 2007). Although the elements may vary in different cultural and political contexts, all share a common vision of inclusion and social justice.

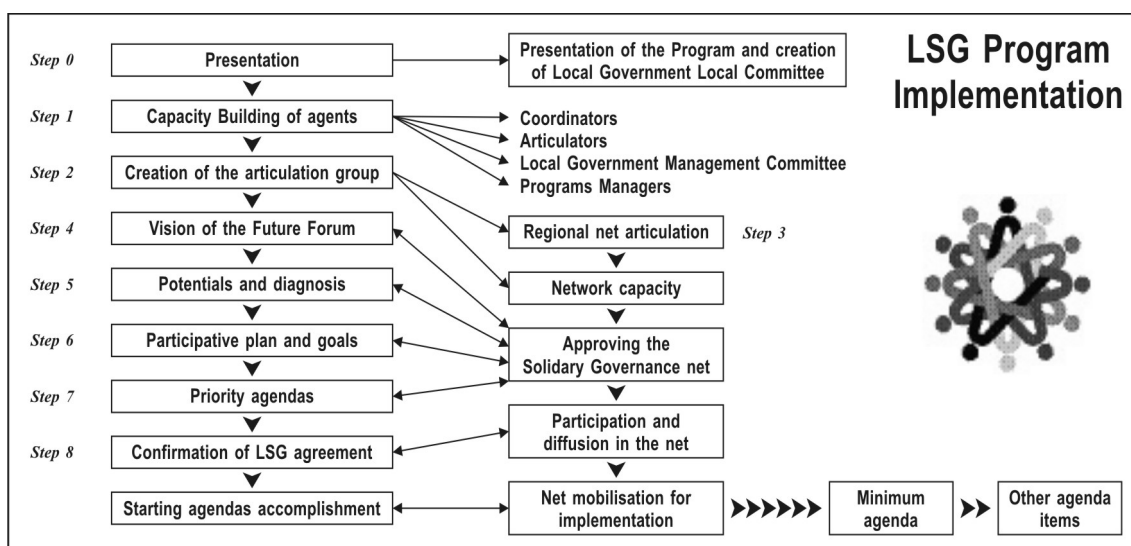
3. Actions to promote inclusion

There is a wealth of international experience on which to draw in turning vision into action, as highlighted by the examples Annex 1 of innovative city initiatives. These have been grouped under five headings, although many are cross cutting.

a) Inclusion initiatives are illustrated through: the European Community's URBACT programme that exchanges experience amongst cities on tackling urban decline, unemployment and poverty; the interfaith dialogue in Badalona, Spain, or the regularisation of the status of rural migrants in urban Shenzhen, China.

b) Governance is rethought through innovative and participatory approaches, as in the annual participatory plan and community budget of Porto Alegre, Brazil (Figure 3). Kuala Lumpur, Malaysia, seeks to create a world-class city for all by promoting good governance, cultural life and opportunity; Russian cities such as Moscow and Kazan have established the principles of self-governance through city charters, while the citizen's pact in Dakar, Senegal, sets out the reciprocal responsibilities of citizen and government.

Figure 3: The Local Solidary Governance programme in Porto Alegre (Busatto 2008)



c) Rights-based approaches are evident in the development of inclusive city policies in Lyon, France, which has adopted a rights-based approach to reducing spatial disparity, and increasing participation through its citizens' forum. Eugene, USA, has set up a human rights project, Stonnington, Australia, has adopted a human rights charter, and Mexico City has set up a human rights directorate.

d) Participation is a theme underlying many of the approaches highlighted here, for example the mayor's open-door sessions in Lokassa, Benin, which led to initiatives to improve environmental quality, and support women and artisans. Interesting participatory initiatives are found in New Zealand, Niger, and Uruguay, and in the mainstreaming of Local Agenda 21 in Marrakech, Morocco.

e) *Planning* can be strengthened through spatial initiatives to link neighbourhoods as in Tolbiac-North, France, to challenge urban decline as in Santiago de Compostela, Spain, or to create a shared vision to stimulate development and reduce poverty, as in Tetouan, Morocco.

Many of these initiatives draw on broad-based consultation with communities, particularly marginalized or disenfranchised communities, to underpin the creation of a vision of the *right to the city*, however true participation is most effective when regular, institutionalized, and linked to specific outcomes. Inspirational leaders also have an important role to play, but are often not in power very long and so sharing experience with others facing similar challenges provides a foundation for innovation.

4. Mechanisms to promote inclusion

The examples here represent mechanisms for implementing the *right to the city*, as illustrated by the Montréal Charter and Brazil *City Statute* (Section 4.3). The Montréal Charter was implemented within about two years, following extensive consultation and legal advice. It forms a contract which influences the work of all departments within the city council, but it is not legally binding. In contrast, the *City Statute* took over ten years to complete and mechanisms for its implementation are still being developed, but as legislation its potential influence is more profound than a city charter. Several of the charters serve as good illustrations of the framework of the *right to the city*, for example *European Charter for the Safeguarding of Human Rights in the City*, and the *Charter of Educating Cities* (Section 4.2). UNESCO has not promoted an additional worldwide charter on the basis that it would overlap with existing instruments, but has sought to highlight city initiatives and tools already in existence. **Annex 2** identifies a wide range of international and national tools and instruments promoting inspired by the concept of the *right to the city*, human rights, urban development or the role of urban planners.

6.3 Barriers to Implementing the *Right to the City*

There are many barriers to implementation of the *right to the city*. One challenge is that the concept and definition of a 'city' varies in different regions and countries; often the boundaries of an effective urban area do not coincide with city administrations, so collaborative working across authorities may be required, or there may be unequal power relations between rich central administrations and poorly-resourced peripheral authorities.

Another problem may be the definition of the urban inhabitant—who is a stakeholder in the *right to the city*? One example is the political constraints to inclusion of minority communities, particularly where newcomers such as international migrants may not have voting rights; the reaction of host communities to migrants is often intolerant and fearful. Changes in a political administration may threaten the continuity of a programme, which can only survive through long-term community commitment. Where a significant proportion of urban inhabitants are poor, communities may have little energy to do more than just survive.

6.4 Conclusion

The *right to the city* was originally a philosophical approach to urban participation and policy. It was developed in a specific context and period of time, where questions such as those regarding gender relations or ethnicity were recent arrivals. Moreover, the interpretation of what the *right to the city* entails differs from place to place, from group to group.

If the concept of the *right to the city* is compared to *human rights in the city*, it is apparent that the *right to the city* holds the seeds of real enfranchisement in cities (Purcell 2002). Both the need to develop an urban politics of the *inhabitant* and of *communities* and the need to negotiate politics at the *urban scale* are emerging themes. However, these needs should be met with an approach that is clearer and gives more practical guidance than the *right to the city* at present entails.



The answers as to how the *right to the city* can influence relations between urban dweller and State, and promote broader access to urban culture and democracy could be based on the entire spectrum of human rights, rather than civil and political rights alone. This could imply moving from a *right to the city* as it is perceived at present, to an approach that combines citizenship and human rights in the urban realm.

As concerns citizenship, the societal ethics which is cultivated through sharing space could be based on human rights. The UN *Universal Declaration of Human Rights*, 1948, could provide a common set of values, to be achieved at the city level, thereby addressing the many aspects and underlying principles of human rights (e.g. the principle of non-discrimination) which are essential to the humane development of *inclusive cities*. *Human rights in the city* as conceived in recent years take this approach, including rights, responsibilities and citizenship in the city.

The UNESCO UN-HABITAT project on *Urban Policies and the Right to the City: Rights, responsibilities and citizenship* has focused debate and highlighted instruments and tools through which the agenda of the *right to the city* can be addressed. The wellspring of interest in this powerful agenda is testimony to its potential in promoting the *inclusive city* as one which embraces all citizens in the benefits of urban life.

Annexes



Annex 1: City Initiatives

This annex explores city initiatives organized according to five themes: inclusion, good governance, human rights/rights-based approaches, participation and urban planning. A number of these were presented to the UNESCO UN-HABITAT project, supplemented with research by the authors and their research team.

1. Inclusion

Migrants in Shenzhen, Guangdong Province, China

The City of Shenzhen has launched a project to change the resident permit system for migrants. The city hopes to cover 5-12 million Chinese migrants by 2009. Any Chinese person aged 16-60 years, who has been working in the city for more than 30 days, owns a property or has been running a business can apply for the resident permit. Application is voluntary and the validity of a residential card is 10 years. The new status provides access to applications for driving licenses and business visas for Hong Kong or Macao, access to compulsory education for children of permit holders and access for families to application for low-cost government housing. This residence permit system seeks to gradually remove the barriers between permanent and (Chinese) migrant populations. It is possible that it could provide an easier way to obtain permanent status in the city in the long term, which could translate into better protection of rights by local government and access to social services. A positive aspect is that access to education and housing, as well as mobility, could improve (China Daily 08/01/2008, p. 8).

URBACT, Europe

URBACT, a European Community Initiative Programme, organizes exchanges amongst European cities, focussing mainly on cities and neighbourhoods facing high levels of unemployment, delinquency and poverty. The URBACT programme benefits from earlier initiatives designed to tackle urban decline, in particular URBAN 1 (1994–1999) which promoted area-based neighbourhood renewal, and URBAN 2 (2000-2006) which developed innovative strategies to regenerate cities and declining urban areas, and URBACT promotes exchanges amongst cities benefiting from URBAN programmes (Drubigny 2008).

Interfaith Dialogue, Badalona, Spain

Badalona is the third largest city in Catalonia, on the outskirts of Barcelona. The community has welcomed migrants from all over Spain, including a community of Spanish gypsies. The neighbourhood of San Roc was built up rapidly in the 1960s to house people displaced by flooding, but attracted many migrants and soon became known as a 'vertical slum'. In 2004 a local activist contacted UNESCOCAT for help in setting up a place of worship for Romanian gypsies, a highly political issue. In the face of this crisis, UNESCOCAT mediated with all the parties to create an interfaith dialogue group to build friendship and positive social action between the religious communities—Catholics, Muslims and protestants (Lheure 2008: 60).

2. Governance

Porto Alegre, Brazil

In parallel with its now famous Participatory Budgeting (Orçamento Participativo—OP), the Porto Alegre City Council has set up a *Local Solidary Governance* programme (LSG). Under OP, municipal capital expenditure for the city is determined through Regional and Thematic assemblies, open to all residents, which propose and prioritise projects for the annual

municipal budget. LSG, introduced since 2004, widens this process to include a participatory plan, a community budget, and partnership agreement in each of the city's 17 regions, transforming Porto Alegre into a 'networked city'—some 12,000 people are expected to take part. LSG is supported by ObservaPoa, an urban observatory which set up a partnership between government agencies and universities (Busatto 2008: 107).

Citizens Charters in India

In India, citizens charters as prepared by government organizations outline municipal functions in relation to citizens, addressing reforms and public grievances to a higher degree than, for example, citizens' participation in urban processes. The following are three examples of City Charters:

- The City of Vishakapatnam (State of Andhra Pradesh) through the Greater Vishakapatnam Municipal Corporation provides a series of municipal functions and responsibilities in its citizens charter (<http://www.gvmc.gov.in/CitizensCharter/CitizensCharter1.html>, accessed August 2008).
- In 1998-1999, the *Citizens Charter of Coimbatore* was published by the City Municipal Corporation of Tamil Nadu in compliance with a Tamil Nadu State Government Order. In addition to municipal functions and responsibilities, it includes statements of commitment and partnering processes with citizens (<http://www.coimbatore-corporation.com/DwnldForms/CitizensCharterEnglish.pdf>, accessed August 2008).
- The *Citizens Charter of New Delhi* is very extensive. It lists the resources and infrastructure provided by the New Delhi Municipal Council, as well as details and response times for a variety of grievance and issues (http://www.ndmc.gov.in/AboutNDMC/Citizens_Charter.pdf, accessed August 2008).

The Kuala Lumpur Structure Plan 2020, Malaysia

In Kuala Lumpur, the Vision of 'A World-Class City' encapsulates the ambition to make a city that will assume a major role for the benefit of all its inhabitants, workers, visitors and investors. The aim is to ensure that, in the creation of a sustainable city, its planning will strike a balance between physical, economic, social and environmental development. The Vision is to create a world-class working, living environment, and business environment and to promote good governance. These ambitions are translated into goals such as creating career opportunities or child care for working mothers; improving transport, communications and information; providing for good quality housing, a safe and clean environment, cultural life and heritage, multi-ethnicity, and an environment oriented towards efficient and equitable use of available financial, organizational and human resources. Governance is related directly to the UN-HABITAT governance agenda of transparency, responsibility, accountability and the adoption of just, effective and efficient administrative practices, as well as the Rio Declaration on sustainability.

(http://www.dbkl.gov.my/pskl2020/english/vision_and_goals_of_kl/index.htm, accessed August 2008)

Russia

The following are samples of City Charters or constitutions in some of Russia's largest cities: Moscow, Kazan, Novosibirsk, Omsk, Rostov-on-Don and Ufa. The City Charters have common features that mainly relate to the organization of city government and administration. Governance is mainly defined as self-governance (of the city), and participation relates mainly to political rights, rather than to the direct involvement of inhabitants in urban processes. Some of the charters also address service provision and responsibilities of local government towards citizens.

Ufa The Ufa City Municipal District Council adopted the *Charter of the Ufa City Municipal District* in 2005 and amended it in 2007. The Charter defines the scope and responsibilities of the local authority; the forms, procedures and guarantees of public participation through referenda, elections, public hearings, legislative initiatives, the 'territorial self-governance', public meetings, a public conference, etc. It defines the structure of local government including the Council and its Chair, the Administration and the Electoral Committee; the status of municipal legal acts; the economic foundations of local self-governance including questions of municipal property management and budgeting; the responsibilities of the local government to people and the state (<http://www.ufacity.info/ufa/ustav.php> (in Russian) accessed August 2008).

Civic and Citizens Pact, Dakar, Senegal

The *Civic and Citizens' Pact of Dakar* was created in 2003 following a broad-based consultation between the Municipality, the two influential CBOs in Dakar, the Collectif des Comités de Développement Local (CCDL) and l'Entente des Mouvements et Associations de Développement (EMAD), and diverse ethnic groups in the city. The Pact, signed by all three main parties, sets out reciprocal responsibilities - the city has agreed to respect the diverse of culture and beliefs of inhabitants, while the CBOs have agreed to act in a socially responsible way (Chambard 2008: 46).

3. Human Rights and Rights-based Approaches

Human Rights City project, Eugene, Oregon, U.S.A

In Eugene, the city has set up a *Human Rights City Project*. One of the goals of its' Human Rights Commission is to '*ensure that human rights are a central part of every City programme*'. In 2006, the Commission put the *Human Rights City Project* on its bi-annual work plan, an action approved by the City Council. The Project explores ways that the City government can implement international human rights standards and principles in its overall operations. The Project entails: research on initiatives being undertaken in other municipalities; opening up a conversation with elected City officials, City managers and staff, and community members; and future proposals for City Council action and ongoing review of the *City of Eugene Human Rights Ordinance* (http://www.humanrightscity.com/Human_Rights_City_Project/Welcome_.html, accessed Sep. 2008)

Human Rights in Stonnington, Victoria, Australia

One example of a tool that is being applied by a city is the *Victoria Charter of Human Rights and Responsibilities*, enacted into law on 26 July 2006. Stonnington '*recognises that everyone has the same human rights entitlement to allow them to participate in, and contribute to, society and our community*' and '*that all persons have equal rights in the provision of, and access to, Council services and facilities*. Moreover, *the Victorian Charter of Human Rights and Responsibilities is a law that protects the human rights of all people in Victoria*'.

The charter provides protection for individuals, not corporations. Complementary to other legislation, the purpose of the twenty rights outlined in the charter is to '*assist all people to live with freedom, respect, equality and dignity*'. As concerns the relations between the city and urban dwellers the charter '*requires all public authorities and their employees to act compatibly with human rights in the delivery of services and when making decisions*'. There is no additional right to legal action for a breach of the charter, its focus is on getting things right at a planning and policy stage—anticipating and preventing human rights infringements (<http://www.stonnington.vic.gov.au/www/html/2790-charter-of-human-rights.asp>, accessed August 2008).

Rights-based Approaches in Lyon, France

The City of Lyon has adopted a rights-based approach to the development of inclusive city policies, and strives to encourage participation from all city dwellers. City policy is developing along two axes: first reducing spatial disparity through urban renewal, transport, and economic development; and second encouraging participation and debate through a citizens' forum, the Council of Development (Conseil de Développement), which has worked with elected members and city officers to prepare the 2005 Local Agenda 21, and 2003 Participatory Charter of Greater Lyon (Laréal 2008: 37).

Complaints Mechanisms, Mexico City, Mexico

In Mexico City, the human rights general directorate assures legality and the respect for human rights and ensures that human rights obligations are met. One of the main tasks of the general directorate is to receive and handle human rights complaints (<http://www.pgjdf.gob.mx/derechoshumanos/funciones/index.php>, accessed September 2008).

4. Participation

Open-door Participation in Lokossa, Benin

In December 2005, the municipality of Lokossa initiated an experiment in local democracy which aimed to bring the municipality closer to its citizens. For several days the mayor and town hall officials held an open-door session for residents. Five strands of consultation emerged: NGOs and residents' associations representing communities throughout the city; a group tackling environmental quality; community elders; women of Lokossa, and artisans (Chambard 2008: 47).

Inclusion, Participation and Local Government, New Zealand

The Report *Quality of Life in Twelve of New Zealand's Cities 2007* among other aspects addresses participation and local government. *Te Tiriti o Waitangi*, the Treaty of Waitangi, establishes the rights of Maori in Aotearoa/New Zealand and it is the foundation of relationships between government and *tangata whenua*. The Local Government Act (2002) requires local governments to foster the capacity of and provide opportunities for the Maori to contribute to decision-making processes, and the Resource Management Act (1991) established the promotion and protection of Maori interests in natural and physical resources.

One of the purposes of local government is to enable democratic local decision making, which is important to the promotion of the social, economic, environmental and cultural well-being of communities. Since 2006, 12 city councils have strengthened their relationship and engagement with *tangata whenua* to incorporate Maori perspectives into policy, planning and operations. Most of the cities have agreements, and some have created mechanisms for regular consultation and units to support the process. The idea of this initiative is that effective civil and political systems allow communities to be governed in a way that promotes justice and fairness and supports people's quality of life. (<http://www.bigcities.govt.nz/>, accessed August 2008)

Municipalities of Niger

Niamey, capital of Niger and host to the 5th Francophone Games, has experienced rapid growth - with only 3,000 inhabitants in 1954 it now has around 1.2 million people, creating significant problems of access to basic services of sanitation, water or education. The government has adopted a policy of *Habitat for All: 2000-2015*, which seeks to address local

problems through 'action-research'. The commitment to local democracy and introduction of local elections in 2004 for the 265 communes of Niger, has provided an opportunity for the Organization of Nigerien Municipalities (Organisation de Municipalités du Niger) to work towards strengthening education, health and social inclusion (Seydou 2006: 133).

Children's Participation in Urban Development

The *Growing up in Cities Project* is a project that demonstrates how accessing children's knowledge can provide precious insight into their daily realities and a powerful lever for improvement of urban life. Carried out in a wide range of urban settings around the world, including both developing and industrialized cities, the project was both action-oriented and research-based. Based on children's participation, the latest phase of the project was carried out in the cities of Amman, Bangalore, Buenos Aires, Caracas, Gothenburg, Hanoi, Johannesburg, Melbourne, Northampton, Oakland, Papua New Guinea, Trondheim, Saida and Warsaw. The Manual for Participation *Creating Better Cities with Children and Youth* demonstrates how human rights and children's rights can be enforced (www.unesco.org/shs, www.unesco.org/publishing, accessed September 2008).

Participatory Budgeting, Montevideo, Uruguay

In Montevideo, participatory budgeting is part of municipal policy. In 2007, the 42 projects and services chosen by the citizens were mainly advertised in public spaces and community centres and included the improvement of health clinics, creation of traffic lights and lighting in general, establishments of ramps for handicapped, road repairs, and informed the capital programme. Other cities that undertake participatory budgeting include San José (Costa Rica) and Porto Alegre (Brazil) (<http://www.montevideo.gub.uy/descentra/pp.htm>, accessed August 2008).

Local Agenda 21 in Marrakech, Morocco

From 2003, the Municipality of Marrakech started a Local Agenda 21 process, with assistance from UN-HABITAT. The process creates an effective planning tool, based on widespread consultation with elected councillors, technical experts, residents' associations and the private sector. In 2003, a city environmental profile was drawn up, and working groups set up around three themes: water conservation; heritage preservation, and tourism development. The second consultation led to the agreement of a *Pact Urbaine* (an Urban Pact), in which each agency sets out its contribution to the Local Agenda 21 process (Chambard 2008: 47).

5. Planning

Tolbiac-North Neighbourhood in Paris, France

The current Master Plan (*Plan d'Aménagement de Zone* (PAZ)) for the 13th arrondissement in Paris on the Left Bank of the River Seine creates a new vision for the city in the prestige French National Library area. The two districts of Tolbiac 1 and 3 form an important frontage onto the river, where the design aim is to integrate the an appropriate setting for the library with a typical Parisian neighbourhood. The design seeks to unify the two districts, establish an architectural dialogue between the library and its surrounds, create a river frontage accessible at different scales, and link the adjoining neighbourhoods with the river bank (Schweitzer 2006: 151).

Urban Revitalization in Santiago de Compostela, Spain

Santiago de Compostela is a UNESCO World Heritage Site and famous centre for pilgrimage. A project was initiated at the end of the 1980s to address problems of urban decline and visitor management and breathe life back into the historic city. Two planning instruments were adopted, the General Urban Development Plan, and the Special Protection Plan for the Historic City. The project sought to maintain social diversity, and to preserve public spaces as places of meeting, culture, and relationship. Extensive work was undertaken to support city businesses and improve the housing stock, and of the 6,700 dwellings in the urban core, and some 87% are now inhabited (Sanchez Bugallo 2006: 113).

Promoting an Agenda for Intermediate Towns—Lleida, Spain

Intermediate cities (CIMES) such as Lleida, have an important role in both global and local level, and Lleida is leading an international working group on intermediate cities, set up in 1998. The Lleida Declaration, highlights the need for political decentralization, more comparative research, and relevant planning and architectural approaches. In Lleida three urban development approaches for CIMES are being piloted: adopting a strategic planning approach; presenting this clearly to support participatory planning; and encouraging a regional dialogue (Llop-Torné 2006: 139, Sàez 2008: 26).

Strategic Planning in Tetouan, Morocco

The Strategic Urban Development of Great Tetouan (SUD) is supported by Cities Alliance and USAID/Morocco. Local government decentralization in Morocco was implemented in 1976, but planning had remained a largely administrative process. Greater Tetouan in Northern Morocco is a gateway to the country, with major port, road and rail infrastructure. Through participation of a wide range of actors the aim was to create a shared strategic vision for the city, with action plans to stimulate development, reduce poverty, and upgrade informal neighbourhoods, and to build local capacity in strategic urban planning, as a pilot for cities throughout Morocco (Ameur 2006: 123).

Annex 2: International, Regional & National Instruments & Tools

The following is a non-exhaustive list of instruments and tools that may be found in various regions of the world. The list comprises some legal instruments, but places more emphasis on covering a variety of instruments and tools that are either inspired by the concept of *the right to the city*, human rights, urban development or even the role of urban planners. The list is organized into five categories:

- a. *International instruments*: It is useful to list some of the international instruments, which have been developed by member states of the United Nations and its specialized agencies (and similar entities), and that have inspired regional and other tools that are applicable at the city, local government or municipal levels.
- b. *International tools*: These are examples of international tools that have been developed either by UN organizations, the Commonwealth, or networks and associations with an interest in urban issues.
- c. *Regional instruments*: Regional instruments have been devised by regional unions, such as the African Union, the Council of Europe or other similar entities.
- d. *Regional tools*: Regional tools include charters by planning associations and charters that do not have status as hard law.
- e. Finally, some national instruments have been included.

a. International Instruments

International Instrument	By and Date	Source
Universal Declaration of Human Rights (UDHR)	United Nations 1948	http://www.un.org/events/humanrights/udhr60/declaration.shtml , accessed Aug. 2008
International Covenant on Civil and Political Rights (ICCPR)	United Nations 1966 (1976)	http://www2.ohchr.org/English/law/ccpr.htm accessed Sep. 2008
International Covenant on Economic, Social and Cultural Rights (ICESCR)	United Nations 1966 (1976)	www.unhcr.ch/html/menu3/b/a_cescr.htm accessed Sep 2008
Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)	United Nations 1979	http://www.un.org/womenwatch/daw/cedaw/text/Convention.htm#article14 , accessed Aug. 2008
Millennium Development Goals	United Nations 2000	http://www.un.org/millenniumgoals/# accessed Aug 2008
Beijing Platform for Action	United Nations et al. 1995	www.un.org/womenswatch/daw/beijingplatform accessed Sep. 2008
International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families	International Organization of Migration 1993 (2003)	http://www.unhcr.ch/html/menu3/b/m_mwtcoc.htm accessed Sep. 2008
Declaration on Fundamental Principles and Rights at Work	ILO, International Labour Organization, 1998	http://www.ilo.org/dyn/declaris/Declarationweb.IndexPage accessed Sep. 2008
Universal Declaration on Cultural Diversity	UNESCO, 2001	http://portal.unesco.org/culture/en/ev.php_URL_ID=13066&URL_DO=DO_TOPIC&URL_SECTION=201.html , accessed Aug. 2008

International Instrument	By and Date	Source
Convention on the Protection and Promotion of the Diversity of Cultural Expressions	UNESCO, 2005	http://portal.unesco.org/en/ev.php-URL_ID=31038&URL_DO=DO_Topic&URL_SECTION=201.htm accessed Sep. 2008
World Declaration on Education for All	UNESCO, 1990	www.unesco.org/education/efa/ed_for_all/background/jomtien_declaration.shtml accessed Sep. 2008

b. International Tools

International Tool	By and Year	Source
International Coalition of Cities against Racism	UNESCO , 2008	http://portal.unesco.org/shs/en/ev.php-URL_ID=3061&URL_DO=DO_Topic&URL_SECTION=201.html accessed Sep. 2008
Global Campaign on Urban Governance	UN-HABITAT, 1999	www.unhabitat.org/categories.asp?catid=25 accessed Sep. 2008
Urban Governance Index	UN-HABITAT, (2002)	www.unhabitat.org/downloads/docs/2232_80970_UGIndex.doc accessed Sep. 2008
International Charter of Educating Cities	AIEC/IAVE, 1990 (1994, 2004)	http://www.bcn.es/edcities/eng/carta/charter_educating.pdf accessed Aug. 2008
The Aberdeen Agenda: Commonwealth Principles on Good Practices for Local Democracy and Good Governance	2006, the Commonwealth Local Government Forum (CLGF)	The Aberdeen Agenda www.thecommonwealth.org CLGF www.clgf.org.uk both accessed Aug. 2008

c. Regional Instruments

Region	Tool	By and Year	Source
Africa	The African Charter on Human and Peoples Rights	African Union, 1981 (1996)	www.african-union.org/official_documents/Treaties_20%Conventions_20%Protocols_20%/Banjul20%Charter.pdf accessed Aug. 2008
	Protocol on the Rights of Women in Africa	African Union 1995	http://www.achpr.org/english/women/protocolwomen.pdf accessed Oct. 2008
The Americas	American Convention on Human Rights "Pact of San José, Costa Rica"	Organization of American States (1969)	http://oas.org/juridico/English/treaties/b-32.html accessed Sep. 2008
	Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights. <i>Protocol of San Salvador</i>	Organization of American States 1988 (1999)	http://oas.org/juridico/English/treaties/a-52.html accessed Sep. 2008

Region	Tool	By and Year	Source
Europe	The European Convention of Human Rights and additional Protocols	Council of Europe, 1950	http://www.echr.coe.int/ECHR/EN/Header/Basic+texts/Basic+Texts/The+European+Convention+on+Human+Rights+and+its+Protocols/ accessed Sep. 2008
	The European Social Charter	Council of Europe 1966 (1996)	www.coe.int/t/dghl/monitoring/socialcharter/default_en.asp accessed Sep. 2008
	The Leipzig Charter on Sustainable European Cities	2007, Ministers responsible for urban development in Member States of the EU	http://www.enku.org/researchservices/dossiers/index.html accessed Sep. 2008
Middle East and North Africa	The Cairo Declaration on Human rights in Islam	Nineteenth Islamic Conference, 1990	http://www1.umn.edu/humanrts/instree/cairodeclaration.html , accessed Aug. 2008

d. Regional Tools

Region	Title	By and Year	Source
Africa	The <i>Déclaration de Yaoundé</i> , made at the World Days of Urbanism	Organizations of urban professionals, urban schools and training schools from Africa, North Africa, the Commonwealth and France, 2007	www.minduh.gov.cm/documents/declaration_yaounde091107.pdf accessed Sep. 2008
Europe	The Charter of European Cities and Towns towards Sustainability	Local Governments in Europe, 1994	www.aalborgplus10.dk/media/charter_english.pdf accessed Sep. 2008
	The European Urban Charter I	Council of Europe Standing Conference of Local and Regional Authorities, 1992	http://urban.nl/en accessed Sep. 2008
	The European Urban Charter II A manifesto for a New Urbanity	Congress of Local and Regional Authorities, 2008	http://urban.nl/en/2008/07/30the-european-urban-charter-ii accessed Sep. 2008
	The European Charter for Equality of Women and Men in Local Life	Municipalities and regions, 2006	www.ccre.org accessed Sep. 2008
	The Athens Charter of 1933	The European Council of Town Planners, 1933	www.getty.edu/conservation/research_resources/charters/charter04 accessed Oct. 2008
	The New Athens Charter of 1998	The European Council of Town Planners, 1998	http://www.byplanlab.dk/english/athen.htm accessed Oct. 2008

Region	Title	By and Year	Source
	The Athens Charter of 2003	The European Council of Town Planners, 2003	http://www.ccu.ectp.org/e/athens accessed Oct. 2008
	European Charter for Safeguarding of Human Rights in Cities	HIC Coalition, 2000	http://www.hic-net.org/documents.asp?PID=649 accessed Sep. 2008

e. National Instruments and Tools

Tools developed nationally and/or by cities for cities, the list includes both agreements and legislation.

Region	City, State, Country	Title and year	Sources
Africa	Senegal, Dakar	Pacte pour le civisme et la citoyenneté, 2003	http://www.aimf.asso.fr/article22.asp?num_menu=1003&num_titre=124#319 accessed Jul. 2008
Asia-Pacific	Stonnington, Victoria, Australia,	The Victorian Charter of Human Rights and Responsibilities, 2006	http://www.stonnington.vic.gov.au/www/html/2790-charter-of-human-rights.asp accessed Aug. 2008 The Victorian Human Rights and Equal Opportunity Commission's website accessed Aug. 2008 http://www.justice.vic.gov.au/humanrights/ accessed Aug. 2008
Latin America	Brazil, all cities of Brazil	The Statute of the City, 2001	http://www.polis.org.br/obras/arquivo_163.pdf accessed Sep. 2008
North America	Montréal, Canada	<i>Montréal Charter of Rights and Responsibilities 2006</i>	http://ville.montreal.qc.ca/portal/page?_pageid=3036.3377687&_dad=portal&_schema=PORTAL , accessed Aug. 2008

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Contacts

Brigitte Colin

Specialist in Architecture and the City
International Migrations and Multiculturalism
Social Science, Research and Policy Division
Sector for Social and Human Sciences
UNESCO, 1, rue Miollis - 75015 Paris, FRANCE
E-mail: b.colin@unesco.org

Paul Taylor

Chief, Office of the Executive Director
UN-HABITAT
P. O. Box 30030
Nairobi 00100, KENYA
E-mail: paul.taylor@unhabitat.org

Alison Brown

School of City & Regional Planning
Cardiff University
Glamorgan Building
Cardiff CF10 3WA UNITED KINGDOM
E-mail: BrownAM@cardiff.ac.uk

Annali Kristiansen

Project Manager
Department for the Rule of Law
Danish Institute for Human Rights
56, Strandgade
1401 Copenhagen K, DENMARK
E-mail: aki@humanrights.dk



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