



# HABITAT III POLICY PAPER

## 1 – RIGHT TO THE CITY AND CITIES FOR ALL

29 February 2016

*(unedited version)*





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## EXECUTIVE SUMMARY

This Policy Paper provides the framework for the New Urban Agenda (NUA) which will be discussed in the United Nations Conference on Housing and Sustainable Urban Development - Habitat III. The Right to the City should be considered as a new paradigm for urban development that seeks to address the major challenges in cities and human settlements of rapid urbanization, poverty reduction, social exclusion, and environmental risk that call for decisive actions and new policy priorities by national, regional, and local governments.

The Policy Paper unpacks the Right to the City through examining three pillars: **Spatially Just Resource Distribution, Political Agency, and Socio, Economic and Cultural Diversity**. It further identifies several core thematic cross-cutting challenges that the Right to the City confronts when being implemented: urban spatial strategies, urban governance, urban economy, social aspects, and urban environment. Each pillar is then addressed in detail by identifying its main issues:

*Pillar 1:* Land for housing and livelihoods, and the de-commodification of urban space; urban commons, public space, and biodiversity; access to basic services and infrastructure, and controlling pollution; unplanned and informal settlements habitation; resilience, climate change, disaster and risk management;

*Pillar 2:* inclusive governance; inclusive urban planning; citizenship; enabling participation, transparency, and democratization;

*Pillar 3:* recognition of social actors – including gender- for migration and refugees; embracing identity, cultural practice, diversity, and heritage; safer cities, livelihoods, wellbeing, and welfare; poverty risk and employment vulnerabilities; inclusive economy and solidarity economy.

Each pillar is then developed with concrete recommendations –namely transformations– to overcome the issues at hand and specifies key actions needed to achieve these goals under each of the three pillars.

Accomplishing an inclusive urban agenda requires the active engagement of key actors -such as central and local governments; academia; civil society organizations; private sector; micro, small, and medium enterprises; the informal non-corporate sector; social movements, among others- in order to transform the existing policy priorities into palpable and sustainable actions.

To ensure the implementation and evaluation of this new policy framework, the document proposes the inclusion of proper financing and monitoring components throughout the three pillars. Furthermore, in foresight, it reflects on the required institutional strategy that will facilitate implementation mechanisms for the NUA in a post Habitat III phase.





## 1. VISION AND FRAMEWORK OF THE POLICY PAPER'S CONTRIBUTION TO THE NEW URBAN AGENDA

### **The Right to the City at the Heart of the New Urban Agenda**

Despite the global policy commitments undertaken by states and other key actors since Habitat I and Habitat II (the Habitat Agenda), the current urban development model failed to address the problems of urban poverty and social exclusion that are endemic in many cities today. As more than half of the world's population now lives in cities, increasing to two thirds by 2050, Habitat III provides a unique opportunity for the NUA to enhance and extend human rights perspectives in their application to cities and human settlements, and embrace a shift in the predominant urban pattern in order to minimize socio-spatial injustices, enhance equity, socio-spatial inclusion, political participation and a decent life for all inhabitants.

The Right to the City is a new paradigm that provides an alternative framework to re-think cities and urbanization. It envisions the effective fulfillment of all internationally agreed human rights, sustainable development objectives as expressed through the Sustainable Development Goals, and the commitments of the Habitat Agenda. Against this framework, it nevertheless brings a new dimension to serve as foundation for the NUA based on an understanding of the city as a place that strives to guarantee a decent and full life for all inhabitants.

### **1.2 Principles and Approaches of the Right to the City**

The Right to the City encompasses all civil, political, economic, social, cultural, and environmental rights as enshrined in existing international human rights treaties, covenants, and conventions. In accordance with the Vienna Declaration (1993), it calls for a universal, interdependent, and interrelated implementation to human rights.

Building on internationally recognized human rights, the Right to the City considers cities themselves as commons, envisaging respect and protection of human rights for all; full exercise of citizenship for all inhabitants; the social dimension of land, property, and urban assets in cities and human settlements; transparent and accountable political participation and management of cities; inclusive economies, with rights to work and secure livelihoods; responsible and sustainable management of the commons (natural environment, built and historic environment, cultural assets, energy supplies, etc.); sufficient, accessible and quality public spaces and community facilities; cities without violence, particularly for women, girls, and disadvantaged groups; the promotion of culture as a lever of social cohesion, social capital, self-expression and identity, memory and heritage, and a balanced relationship between cities and towns within national jurisdictions, and between human settlements and their rural hinterlands.

The Right to the City draws on 50 years of experience and debate, and is set out in existing international<sup>i</sup> and regional<sup>ii</sup> human rights treaties and instruments. It builds on the commitments of the 1996 Habitat II outcome, the Habitat Agenda that emphasized rural/urban linkages and the need to apply human rights standards in human settlements<sup>iii</sup>. The Right to the City it has also been operationalized in global compacts,<sup>iv</sup> national legislation,<sup>v</sup> and city charters<sup>vi</sup> around the world for example in Brazil and Ecuador:





*“the right to urban land, housing, environmental sanitation, urban infrastructure, transportation, and public services to work and leisure for current and future generations,” and as “[the right to] democratic administration [of cities] by means of participation of the population and of the representative associations of the various community groups in the conception, implementation, and monitoring of urban development projects, plans, and programs” (Art. 2.1 and II of Brazil's City Statute, 2001).*

*“the right of people to a safe and healthy habitat, and to adequate and decent housing regardless of their social and economic status” and “to fully enjoy the city and its public spaces on the basis of the principles of sustainability, social justice, respect for different urban cultures, and a balance between the urban and the rural. Exercising the Right to the City is [further] based on the democratic management of the city, on the social and environmental function of property and of the city, and on the full exercise of citizenship” (Art. 30 and 31 of Ecuador's Constitution, 2008).*

According to these definitions, the Right to the City is a collective and diffuse right that belongs to all inhabitants, both present and future generations, analogous to the right to environment enshrined in international agreements on sustainable development<sup>vii</sup>, which states interpret through their own national laws and jurisdiction.

This approach is consistent with other rights that have been enshrined in international legal instruments and national laws, such as those related to gender equality<sup>viii</sup>, and the diversity of cultural expressions<sup>ix</sup> or World Heritage. The latter, which is particularly relevant from the Right to the City perspective, seeks collective protection of cultural and natural heritage of outstanding universal value considered as World Cultural and Natural Heritage<sup>x</sup>, and is augmented by instruments safeguarding Intangible Cultural Heritage.<sup>xi</sup> Maintaining the Habitat II commitments as a core baseline means accepting ‘the right to the city within a human rights habitat’. That calls for regional or country-specific targets and experience-based indicators in implementation.

Implicit in the Right to the City is the recognition that urban space and its functions are both contributors to and expressions of social and gender exclusion, and thus the need to address spatial exclusion. Against this framework, the Right to the City envisions: ensuring that all inhabitants have the capacity to access the urban resources, services, goods, and opportunities of city life; enabling effective citizen participation in local policies with responsibility; enabling governments to ensure just distribution of resources, and acknowledging socio-cultural diversity as a source of social enhancement.

In terms of implementation, the Right to the City calls for the strategic alliance of key urban actors, including all inhabitants that needs to be trans-scalar and take place at the global, national, and local level. The Right to the City further calls for an enhanced role for all citizens, particularly women, marginalized groups, and the urban poor.

### **1.3 Defining the Right to the City**

The Right to the City is thus defined as the right of all inhabitants present and future, to occupy, use and produce just, inclusive and sustainable cities, defined as a common good essential to the quality of life. The Right to the City further implies responsibilities on governments and people to claim, defend, and promote this right. The City as a common good contains the following components:





- **A city free of discrimination** based on gender, age, health status, income, nationality, ethnicity, migratory condition, or political, religious or sexual orientation.
- **A city of inclusive citizenship** in which all inhabitants, whether permanent or transitional, are considered as citizens and granted equal rights; e.g. women, those living in poverty or situations of environmental risk, informal economy workers, ethnic and religious groups, LGBT persons, the differently abled, children, youth, the elderly, migrants, refugees, street dwellers, victims of violence and indigenous peoples.
- **A city with enhanced political participation** in the definition, implementation, monitoring, and budgeting of urban policies and spatial planning in order to strengthen the transparency, effectiveness and inclusion of the diversity of inhabitants and their organizations.
- **A city fulfilling its social functions**, that is, ensuring equitable access for all to shelter, goods, services and urban opportunities, particularly for women and other marginalized groups; a city that prioritizes the collectively defined public interest, ensuring a socially just and environmentally balanced use of urban and rural spaces.
- **A city with quality public spaces** that enhances social interactions and political participation, promotes socio-cultural expressions, embraces diversity, and fosters social cohesion; a city where public spaces contribute to building safer cities and to meeting the needs of inhabitants.
- **A city of gender equality** which adopts all necessary measures to combat discrimination in all its forms against women, men, and LGBT people in political, social, economic and cultural terms; a city which takes all appropriate measures to ensure the full development of women, to guarantee them equality in the exercise and fulfillment of fundamental human rights, and a life free of violence.
- **A city with cultural diversity**, which respects, protects, and promotes the diverse livelihoods, customs, memory, identities, expressions, and socio-cultural forms of its inhabitants.
- **A city with inclusive economies** that ensures access to secure livelihoods and decent work for all inhabitants, that gives room to other economies, such as solidarity economy, sharing economy, circular economy, and **that acknowledges the role of women in the care economy**.
- **A city as a system within the settlement and common ecosystem** that respects rural-urban linkages, and protects biodiversity, natural habitats, and surrounding ecosystems, and supports city-regions, city-town cooperation, and connectivity.

In many jurisdictions, these components are already protected by national, regional or local laws. However, in combination they are at the origin of the conceptualization of the Right to the City as both a collective and diffuse right. The co-responsibility of governments and citizens is to claim, defend, and promote this right.

It is recognized that the term 'right to the city' translates well into some languages but is more difficult in others, and that it applies to all human settlements, not just cities. From a *legal perspective*, many aspects of the Right to the City already have legal protection, e.g. the natural environment (i.e. urban parks, forests or rivers), tangible and intangible cultural heritage (i.e. historic buildings, monuments or neighborhoods, cultural expressions) or public spaces, among others.





As a *collective right*, it pertains to the diversity of all inhabitants on the basis of their common interest. As a *diffuse right*, the Right to the City belongs to present and future generations; it is indivisible and not subject to exclusive use or appropriation.

The Right to the City as a diffuse right can be exercised in every metropolis, city, village, or town that is institutionally organized as local administrative unit with district, municipal or metropolitan character. It includes the urban space as well as the rural or semi-rural surroundings that form part of its territory.

#### **1.4 Pillars of the Right to the City**

The Right to the City has an interdependent and cross-cutting structure based on **three pillars** that support what this new paradigm represents for the NUA. Each pillar encompasses several issues and priorities for cities, and they act as an umbrella for the discussion of five cross-cutting thematic areas: **Urban Spatial Strategies, Urban Governance, Urban Economy, Social Aspects, and Environmental Aspects.**

**The Right to the City = Spatially Just Resource Distribution + Political Agency + Socio, Economic and Cultural Diversity**

##### ***Pillar 1: Spatially Just Resource Distribution***

The *Right to the City* envisions a socially and spatially just distribution and planning of material resources, ensuring good living conditions across the human settlement continuum. These resources, accessible in both formal and informal sectors and areas, are defined by acceptable quality standards, and include: public space and the urban commons; investments in basic infrastructures and services (e.g. water, electricity, waste, and sanitation); appropriate, accessible and affordable transportation options; appropriate and dignified housing and settlements; equitable livelihoods, opportunities, and decent jobs, including solidarity and circular economy initiatives; education; healthcare; and investments in the preservation of ecosystems and biodiversity, and in climate change protection. This pillar envisions all inhabitants, particularly women, as caretakers and as protagonists in the delivery and enjoyment of these resources for a full life. In this respect, it also requires recognition and specific measures targeting marginalized groups (e.g. young people, migrants and refugees, informal workers, and the differently abled).

##### ***Pillar 2: Political Agency***

The *Right to the City* is realized only when structures, processes, and policies enable all inhabitants as social and political actors to exercise the full content and meaning of citizenship. In this regard, specific policies are required to ensure that women, as well as marginalized groups, have effective access to political agency. Together with all levels of government, the inhabitants of all settlements - including temporary and transitional dwellers- are protagonists in (re)making and shaping their living environment. This process takes place to a standard that fully meets the everyday needs and aspirations of inhabitants, and which is able to confront the challenges faced by settlements. In this way, this pillar lessens the relatively high control by capital and state elites over decisions regarding the organization and management of the city and its spaces, and reconfigures urban space, land, and property in a manner that maximizes use-value for all inhabitants. It requires transparency, accountability, and the democratization of data for decision making and the allocation of opportunities and resources.







**Pillar 3: Socio, Economic and Cultural Diversity**

The *Right to the City* fully embraces diversity and difference in gender, identity, ethnicity, religion, heritage, collective memory, cultural and economic practice, and socio-cultural expression. This pillar calls for the recognition of culture, neighboring, and stake-holding as a lever for social cohesion, social capital, innovation, safer cities, self-expression, and identity. It requires that the city creates possibilities of encounter, interactions, and active connections, in which reciprocal relations and mutual understanding advances a renewed form of urban life. It requires respecting and valorizing all religions, ethnicities, cultures, economies and customs. It also envisions the promotion of artistic expressions as a means to unlock social potential and creativity, and to build community and solidarity. Central to city life is also the use of urban space, particularly for women in their reproductive and productive work. This pillar calls finally for the need to acknowledge recreation and leisure as part of a full life.

**2. POLICY CHALLENGES**

**2.1 Cross-Cutting Thematic Areas: The Core Challenges**

This section examines the challenges across the five cross-cutting themes, before mapping these onto the three pillars of the Right to the City.

<i>Urban spatial strategies</i>	<i>Urban governance</i>	<i>Urban economy</i>	<i>Social aspects</i>	<i>Urban environment</i>
<i>Access for all to the resources and opportunities of city life</i>	<i>Access for all to transparent and inclusive urban governance</i>	<i>Economic rights as a core component of the Right to the City</i>	<i>Right to safety, security, and wellbeing</i>	<i>Access for all to resilient cities encompassing biodiverse and unpolluted urban environments</i>
Spatial strategies and urban planning practices have a profound impact on people’s experience of city life and on social integration and inclusion <sup>xii</sup> . Participatory planning can prioritize environmentally just and socially-inclusive urban development, and respond to the needs for shelter, livelihoods, and urban services of the vulnerable and marginalized people. Improved access to public space, transport, and green environments can foster cultural diversity, integration, and urban resilience. Urban planning could benefit the urban poor in zones of poverty and informal settlements by celebrating the vibrant mixed-used areas as vital contributions to urban housing, economies, and services <sup>xiii</sup> .	The <i>Right to the City</i> recognizes the role of inhabitants in participating to shape the city, and a city constituted as a local political community that ensures adequate living conditions and peaceful coexistence between peoples and the government. Part of this recognition goes beyond ensuring free and fair local government elections <sup>xiv</sup> , and entails the meaningful participation of people in the governance processes of a city. The Right to the City recognizes the value of disagreement and debate, and enjoins all with the task of collectively shaping and making the city <sup>xv</sup> . In this context local government has a central role in the promotion, protection, and guarantee of human rights in the city.	The realization of the Right to the City as a concept that recognizes the dignity of every human being <sup>xvi</sup> is dependent on each and every person’s ability to enjoy the economic opportunities that cities have to offer. Yet the current trend toward increased concentration of income, resources, and power in cities has left large segments of the population excluded from the rewards and benefits of growth. <sup>xvii</sup> Worldwide, 1.5 billion people currently live in multi-dimensional poverty. <sup>xviii</sup> And many of them are employed: the International Labour Organization estimates that one third of all workers – around 839 million – cannot earn enough to lift themselves and their families out of poverty. <sup>xix</sup>	The social aspect of the Right to the City locates people and communities in society <sup>xx</sup> . It highlights identity and heritage along with gender, youth, aging, disability, migration, and refugee status. It encompasses issues of culture, neighbouring, and stake-holding. This focus is premised on the view that human interaction and/or social exchange are critical for embracing the complexity and contestations of urban life and for its socially sustainable organization and management <sup>xxi</sup> . The social aspect appreciates that the question of identity has become challenging and requires new collective responses. It recognizes that the promotion of social integration, harmony, and cohesion are important values, which are played out in the social arena <sup>18</sup> .	<i>Right to the City</i> approach has a comprehensive understanding of the key role that protection of biodiversity and natural resources in every urban settlement will have, in the near future, to face the growing challenges produced by the climate change, to manage city pollution, and to create the appropriate conditions for the living. To do this, ecological, geographical, geological, and climate conditions of each urban environment should be considered as remarkable attributes and taken into account when planning the cities. This approach should include landscape design, storm water management, soil quality, environmental restoration, green infrastructure, and territorial matters as aspects that do affect the Right to the City.







## 2.2 Mapping the Thematic Challenges onto Right to the City Pillars

### ***Pillar 1: Spatially Just Resource Distribution***

#### **Issue 1.1: Land for housing and livelihoods, and the de-commodification of urban space**

Access to adequate and affordable housing for all is one of the most critical challenges facing cities today. Major cities experience severe housing shortages while housing provision is largely driven by speculative land and property development practices, and tends to be geographically and socially concentrated, creating exclusive islands of good quality of life for few side-by-side with areas of residential disadvantage. In parallel, there is a growing challenge of degrading housing, basic infrastructure, and local amenities beyond these major urban territories. Housing policy is largely concerned with numbers of units built, and mortgage finance rather than with housing and residential inequalities. Home ownership has been supported as the principal tenure through policies and private sector supply, to the exclusion of the urban poor. Rental housing must be a policy priority and recognize the value of popular investment in urban housing (e.g. in informal and unplanned settlements). A critical problem has been the marketization of urban space disregarding the social function of land and housing. There is thus an urgent need to: challenge land speculation linked to gentrification and economic growth<sup>xxiii</sup>, accommodate housing needs through diverse housing tenure choices, and ensure a continuum of affordable and adequate housing (including socially produced and community-led housing). The role of women in housing programs must be central at both local and national levels, and the government must recognize the existence of innovative and successful experiences led by women. Housing policy should prioritize secure housing tenure and recognize the importance of the home both as a place for living and a place of work and income-generation.

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#### **Issue 1.2: Urban commons, public space, and biodiversity**

The character of a city is defined by its streets and public spaces<sup>xxiv</sup>. From squares and boulevards to neighbourhood gardens and children's playgrounds, public space frames the city's image. Public space takes many forms, including parks, sidewalks, footpaths, marketplaces, but also edge space, waterfronts or beaches – often important spaces for the urban poor<sup>xxv</sup>. The amount and quality of public space is critical, but its value may be limited by poor management or exclusionary policing such as restricting access for young people, the urban poor, and urban livelihoods. The privatization of the ownership and management of public space undermines its social, political, and economic value as a core asset in cities, particularly for the urban poor. Public space should be recognized as key locus for social, political, and cultural expression, and a space for inclusion and equity in the multicultural cities of the 21<sup>st</sup> century. Safe, secure access for women and children is critical. Historic city centres should be celebrated and protected as central to urban heritage and identity. The natural resources of cities are also a key asset for biodiversity and human enjoyment -including rivers, coastal zones, forested areas and open green land- and should be protected and safeguarded.

#### **Issue 1.3: Access to basic services and infrastructure, and controlling pollution**

The coverage of basic infrastructure and services is very uneven. The growth of major cities also puts a substantial pressure on their existing infrastructure, creating infrastructure shortages. Informal settlements exist, with limited or no access to basic infrastructure, although small-scale affordable community-managed infrastructure projects are being implemented across the globe. Some





settlements at the national level have limited scope of services and often degrading infrastructure. Ensuring environmental quality of potable water, effective solid waste disposal to promote re-use and recycling, safe sanitation for communities, including understanding the specific needs of women and children for safe water and sanitation is a priority. Mobility is also key to ensure affordable and accessible travel by least polluting modes. Air and water quality and noise pollution are critical challenges for metropolitan areas, and there is a critical need for better disposal of hazardous waste.

#### **Issue 1.4: Unplanned and informal settlements - Habitation**

Informal settlements vary according to underlying practices and a country's specific socio-cultural, political-institutional, and regulatory context. They have different challenges and needs that require place-specific responses. The factors behind these settlements' formation are multidimensional, and commonly related to: structural economic changes and poverty, rapid urbanization and migration to major cities in search of jobs and life opportunities, civil conflicts, and systematic changes in housing, spatial and urban planning, and land management fields.

In the recent decade, the living conditions of slum dwellers in many countries have been noticeably improved through international targets, dedicated systematic national policies, budget allocations, and integrated participatory actions<sup>xxvi</sup>. Such upgrading practices should instead be uniformly applied across regions and cities and supported with systematic measures to prevent their future formation. Positive improvements are threatened by persistent socio-spatial inequalities manifested in both city and regional contexts.

While slums may not be present in the context of countries with developed and emerging market economies, distinctive concentration of poor housing and degraded infrastructure, local services, and amenities can be found there in almost every city and region. Yet unplanned and informal settlements have the significant advantage of mixed land use. Slum residents may be cash-poor but may have remarkable resourcefulness embedded in social safety nets that support livelihoods and informal employment. The combination of social and physical structures of slums offers additional support mechanisms – for example, proximity to jobs and markets, flexibility to extend shelters using their own labor, possibilities to carry out ground-level home-based work activities (such as trade, services, or small agricultural activities).

#### **Issue 1.5: Resilience, climate change, disaster and risk management**

Building resilience in cities and urban areas that can cope with sudden shocks (flooding, tropical storms or earthquakes or the longer term trends inherent in climate change) and create safe living environments free from pollution is a key element of the Right to the City. Adaptation to threats from climate change and other natural processes must be a priority for people who live in vulnerable areas. Reducing energy consumption is critical, through developing production and consumption models that provide alternatives to a carbon-based fossil-fuel economy, and energy-efficient housing and buildings. Challenges include acknowledging and diminishing the urban heat island effect; conserving and recycling water; conserving the natural resilience of the urban landscape, e.g. wetlands and waterways for flood retention, and not building in disaster-prone locations. Local governments have a core role to play in post-disaster recovery, training in disaster risk reduction, and climate change adaptation is critical for governments and residents of areas at risk.





## **Pillar 2: Political Agency**

### **Issue 2.1: Inclusive governance**

Governance structures are the most formal spaces in which the making of a city takes place. If put in operation ensuring effective and equal participation of all stakeholders, especially civil society, they contribute in ensuring that the making of a city is fair and just for all. They contain the policies that guide the city, the legislation that governs the city, as well as the democratic institutions that defend the Right to the City.

There is a need to diminish the structural barriers for enabling the Right to the City in urban governance. These include: a tendency to 'top down' governance, lack of structures and processes to support effective negotiation and participation, and lack of local government representation at key international fora (e.g. Habitat III). There are particular challenges for the governance and management of large metropolitan areas, such as institutional fragmentation, to ensure the delivery of coordinated multilevel governance across diverse cities and regions. It is imperative to involve poor inhabitants -particularly those in disadvantaged groups- in all programs that may affect their quality of life.

### **Issue 2.2: Inclusive urban planning**

Managing urban features and the physical form of cities is a central challenge for urban governments to ensure social, cultural, and economic inclusion, and protection of common assets for all city inhabitants.

Urban settlements are influenced by powerful forces, including resource constraints, pressures of population growth and change, sea-level rise and climate change, and economic instability, which must be addressed if cities are to be environmentally safe, economically secure, and socially inclusive. Proposed solutions include: achieving balanced development between major cities and smaller settlements; balancing urban-rural linkages; tackling urban sprawl, achieving diverse, socially integrated neighbourhoods; ensuring that urban renewal does not create fragmented, socially-segregated cities; enabling mobility for all urban residents; tackling water, air and land pollution; promoting green infrastructure, promoting urban resilience, and the ability to tackle climate change; and ensuring food security in cities.

### **Issue 2.3: Citizenship**

A core dimension of the Right to the City is a 'City of Inclusive Citizenship,' which means the recognition of all inhabitants – whether permanent or transitional, living in legal or informal condition – as legal citizens of the city.

The concept of Cities for All recognizes that the city comprises multiple actors, including urban inhabitants, civil and third sector organizations, governments, and the private sector. Increasingly, national and international actors also play an important role in cities. Not all actors have an equal say in the city, and some may exert greater influence on the making of the city than others. Some contributions may have a positive impact; others may not.

The challenge is to create effective participation in all city place-making and governance processes through: integrating the needs of multiple social actors; prioritizing the needs of vulnerable and





marginalized groups; embedding participatory and sustainable urban development processes in all governance mechanisms; enabling socially responsible private sector participation; supporting civil society participation (including NGOs, grassroots groups, community-based organizations, etc.); fostering co-responsibility of participating actors; promoting integrated governance and capacity building for key government staff, and promoting deliberative urban processes.

#### **Issue 2.4: Enabling participation, transparency, and democratization**

The government of urban settings is highly complex. Such a complexity requires coordinated efforts across spheres of government and the involvement of different stakeholders including a central role for local or metropolitan governments and networking with local stakeholders. Transparency and accountability in urban processes is the golden thread that binds together actors and structures in the city, and the processes that make and shape the city. Processes should aim to humanize the city and enable its opportunities. The key challenges include: lack of transparency in financial and political processes; lack of inclusive and participatory strategic urban planning and policy making; lack of an integrated vision among government sectors and actors; a biased policy making; lack of effective monitoring involving urban residents, especially vulnerable and marginalized groups; weak social demographic evidence-based policy making; and an inexistent national system of social standards.

#### **Issue 2.5: Recognition of gender, social actors, migration and refugees**

History demonstrates that diversity is a challenge for sustained inclusion of different groups in the city. Tackling diversity may demand the creation of systems that ensure equity, safety, physical security, economic wellbeing, and cultural identity of marginalized groups, including migrants and refugees.

All decision-making on public service delivery and urban planning – including policy making and financing – must include women’s participation as full and equal citizens, and recognize that equitable, affordable, accessible, quality gender-responsive public services are central to gender equality and guaranteeing women’s rights in the city – including in ending violence against women in public and urban spaces. Youth inequalities are manifested through discrimination in the access to education, differentiated levels of employment and livelihood opportunities, lack of participation in decision making, and prejudice against sexual preferences.

Yet these groups, among some others, continue to suffer from social, cultural, political, and economic anxieties. The key challenges resulting from their status as “other” and weak connection to the city include: lack of opportunities and resources to sufficiently enjoy the benefits of urban life; limited access to basic necessities, including decent housing, education and healthcare; discrimination, language, and cultural barriers. Yet refugees and migrants, for example, contrary to popular belief, are vectors of opportunities for the hosting society, as they bring new skills and knowledge, new networks of contacts and new workforce, a critical need for some countries with aging population. They also bring cultural, social, and religious diversity to the city, and greatly contribute to the wealth of the cities and of their regions of origin.





### ***Pillar 3: Socio, Economic and Cultural Diversity***

#### **Issue 3.1: Livelihoods, wellbeing, and welfare**

Urbanization models that privilege economic growth over human wellbeing undermine the Right to the City. Few existing economic development strategies avoid the negative consequences of growth – including displacement, environmental degradation, and social conflict, among others – and few prioritize human dignity, wellbeing, livelihoods, and solidarity. The importance of social capital (including education, employment, and culture), especially in low-income urban areas, is not fully recognized as an engine for wellbeing. This wellbeing should superpose purely economic growth objectives.

There are many challenges facing urban populations in developing secure livelihoods: lack of public policies and financial investment in low-income urban areas to foster social capital; lack of acknowledgement of the potential of the solidarity economy and non-financial initiatives; lack of protection for urban jobs; the constant threats of forced evictions from places to work; lack of a secure and safe place to work; and lack of basic services at work, including water, sanitation, electricity, and shelter. The production exploration of the green economy in cities has yet to be fully developed.

#### **Issue 3.2: Poverty risk and employment vulnerabilities**

The Right to the City places wellbeing as central for overcoming persistent and multidimensional urban poverty in developed and developing countries. Three core dimensions of wellbeing include: meeting universal human needs; achieving socially meaningful goals in different cultural, social, and economic contexts; and increasing happiness and quality of life. Public policies that define or create neighborhoods as poor, whether through intent or neglect, prevent the realization of basic rights to dignity and equality. The ghettoization of space is compounded by pervasive employment vulnerabilities among women, migrants, excluded racial and ethnic communities, and others whose voices and contributions to urban life are not well recognized. Deficits in physical safety and security in certain urban areas compound these vulnerabilities.

There are many challenges which poor people in cities face: erosion of the urban commons and loss of common assets such as green space; limited access to leisure, sports and recreation facilities for young and old urban populations, especially in poor urban areas; lack of protection to low-income urban dwellers; social inequality and injustice; insecure access to housing, education, cultural and social services; lack of acknowledgement of the economic contributions of the urban informal sector; hazardous sites for housing and work; hostile spaces for people who are disabled or elderly (e.g. public spaces, public transportation, public buildings, etc.).

#### **Issue 3.3: Inclusive economy and solidarity economy**

Decent work and secure livelihoods are central to the concept of inclusive cities. Yet informal employment – including all workers who do not enjoy social protection through their work – accounts for half or more of total non-agricultural employment in developing regions. Informal livelihoods are devalued in urban planning and policymaking; women, young people, and other vulnerable groups (e.g. migrants, elderly, LGBT and people with disabilities) face significant barriers to entry; and solidarity economy principles are ignored in economic policy.





Challenges include: the lack of decent work and secure livelihoods; lack of understanding of residence as a coping strategy; lack of entrepreneurial support programs; need for housing credit for women-headed households; and lack of government support for grassroots-led local housing programs. There is a critical need to: empower women in labor markets; value informal economies and livelihoods; build government capacity to foster community engagement; and support the creation of job opportunities for young people in low-income and marginalized communities; and develop employment programs for people with disabilities.

#### **Issue 3.4: Embracing identity, cultural practice, diversity, and heritage**

Cultural heritage, identity, and diversity are the common heritage of humanity, and a source of identity, exchange, innovation and creativity, central to the Right to the City, and integral to the richness and quality of modern urban life. Culture is defined through various international conventions to include built heritage and artifacts, and also the intangible heritage of practices, representations, expressions, knowledge, skills, and the associated instruments, objects, artifacts, and cultural spaces communities recognized as part of their cultural heritage.

Challenges include: the erosion of heritage and cultural identities; insufficient support for cultural diversity and visibility of ethnic communities in the city; pressures of internal and regional migration; scarce public policies for cultural expression; lack of acknowledgment on the role of public space in fostering art and culture, and in strengthening social diversity and vibrancy; limited accessibility and affordability of cultural amenities and activities, and the neglect of community-based cultural and artistic initiatives.

#### **Issue 3.5: Safer cities**

The right to safety and security is a key dimension of the Right to the City, but is undermined by ongoing crime and violence in cities, disproportionately affecting vulnerable populations, particularly women and girls. In more extreme fragile or conflict-affected settings, cities may witness failures in local government, and a collapse of local services and economies, resulting in increasing insecurity, poverty, and hunger.

The challenges include: lack of safety in cities, the increase of public violence particularly against women and girls; ghettoization and territorial segregation of urban space; lack of policy-defined neighborhood (re-evaluation of the definition of black neighborhoods as poor); social isolation and alienation; hostility towards migrants, refugees, and internally displaced people; the impacts of violent conflict and criminality in cities; the exposure of children to violence; unsafe neighborhoods associated with social problems; unsafe public transport, particularly at night; lack of (sufficient) public lighting in poor areas, and prejudices against the urban poor, migrants or ethnic groups as perpetrators of crime; criminalization of public space occupants, particularly street dwellers; lack of effective access to justice.







### 3. PRIORITIZING POLICY OPTIONS – TRANSFORMATIVE ACTIONS FOR THE NEW URBAN AGENDA

This section presents the Transformative Actions recommended by the Policy Unit for inclusion in the NUA:

#### 3.1 Pillar 1: Spatially Just Resource Distribution

##### *Transformation 1.1: Land for housing and livelihoods, and the de-commodification of urban space*

Recognizing the human need for access to land for shelter and livelihoods, and through national mechanisms enshrining the Right to the City in policy and practice, the social function of property (space, housing and habitat) is valued, and a constitutionally-protected right to adequate housing established that, together with a reformed property rights system, will act as a legal barrier against forced evictions.<sup>xxvii</sup>

##### *Key Actions:*

The Right to the City values the social function of land understood as the use and enjoyment of land by inhabitants to perform all the activities which are necessary to have a full and decent life, thereby prioritizing the human experience of land and habitation. It recognizes a legal form to protect the right of access to adequate housing, which, together with a reformed property rights system, aims to act as a legal barrier against forced evictions.

- To recognize in urban policy the ‘social function of property (space, housing and habitat)’ as meaning ‘all non-market processes carried out under inhabitants’ initiative, management and control, that generate and/or improve adequate living space, housing or other physical urban assets.
- To establish and progressively realize the right to adequate housing in policy and legislative frameworks and ensure it mainstreams availability of needed services, affordability, habitability, and accessibility for all and especially the most poor, vulnerable, and minority groups, while also addressing aspects of participation, non-discrimination, security of tenure, transparency, and accountability.
- To recognize Land Use Planning Principles as essential to the efficient and sustainable utilization and management of land in land use policies or land policies.
- To recognize housing tenure types other than freehold ownership, reflecting the various needs and preferences of different groups, namely leaseholds, condominiums, cooperatives, shared leaseholds, and especially various forms of rental housing. A continuum of tenure types should be available to all providing adequate security of tenure in order to guarantee the welfare of households and stimulate housing incremental improvements and expansion.
- To recognize the bundle of property rights, hence the need for the continuum of land ownership and occupancy rights in Land Policies and legislative frameworks
- To recognize that housing issues are closely related to human rights. Therefore, forced evictions are a violation of human rights principles and ensure that national legal and judicial







systems align with human rights treaty obligations to protect against forced evictions from shelter or livelihoods; protection for the vulnerable, especially women; where eviction is completely unavoidable, establish safeguards to ensure: genuine consultation with affected people, including access to legal representation, reasonable notice of eviction, information on the reasons for evictions; and provision of alternative accommodation that continues to facilitate wellbeing and employment.

- To encourage innovative and more inclusive housing finance systems including through incentives to housing finance providers who lend to low-income groups and alternative financial institutions for low-cost housing.
- To ensure co-responsibility between public and private sector for the provision of social housing.
- To strengthen the nexus between housing and urban planning practice in particular through improving the linkages between housing, accessibility, and livelihood in cities.
- To formulate policies that promote mixed land-use, planned city extensions or urban in-fills combined with better transport infrastructure to improve access to housing in well-located areas and livelihood opportunities for low-income groups, as well as to mitigate urban hazards and health risks.
- To develop new spatial forms for cities to promote decent job creation. Urban areas that are higher in density and well connected; integrate work/livelihood and housing; reduce transport costs; and facilitate job creation.
- To ensure that housing management (in multi-family housing estates) and the utility service provision are appropriate and affordable, with support for community-led and non-profit models of housing management.
- To use urban planning mechanisms to capture increases in land value, redistribute this towards social housing and public space provision, and minimize vacant property rates.

### ***Transformation 1.2: Urban commons, public space, and biodiversity***

Core domains of the urban commons protected, including public space and biodiverse urban environments, and ecosystems as assets for sustainable and healthy urban environments and livelihoods.

*Key Actions:*

#### **Public space**

- To provide cities and local governments the capacity to design the network of public space as part of their development plans to ensure form, function, and connectivity of the city as a whole.
- To celebrate the diverse role of public space for political representation, social inclusion,





recreational enjoyment, economic/livelihoods and wellbeing, and cultural expression.

- To work with communities in urban design to foster social inclusion, celebrate multiculturalism, and enable urban livelihoods, thus creating rich, vibrant spaces in the urban commons at neighborhood levels.
- To implement laws and regulations that establish enabling systems to create, revitalize, manage, and maintain public space, including participatory processes to define their use and manage access to public spaces.
- To protect the quality and quantity of public space in unplanned areas and informal settlements.
- To assure public spaces are free from violence, particularly against women and young people
- To reduce the trend of privatization of public space to ensure that all residents can access amenities and infrastructure in their place of residency.

#### **Urban environments and ecosystems**

- To protect green spaces, urban forests, waterfronts and shorelines, and all elements of the urban ecosystem given that they directly contribute to public health and increase the quality of life of inhabitants.
- To invest in “green infrastructure” (e.g. parks, greening of pedestrian corridors, and conscious planting of trees) as one of the ways to embrace an ecosystems approach in city management.
- To promote development that is embedded in the principle of resource-efficiency to combine greater productivity and innovation with lower costs and reduced environmental impact. Through resource efficiency, cities will be able to sustainably manage and use resources throughout their life cycle, from extraction, transport, transformation, consumption to the disposal of waste, in order to avoid scarcity and harmful environmental impacts.
- To recognize that cities depend on the flow of ecosystem services and custodianship of ecosystems, outside their boundaries as well as those within them. Therefore, cities need to partner with “upstream” managers of natural resources, hence promoting conservation or restoration of ecosystems as cost-effective options for adaptation to climate change, and reduction of disaster risk.
- To improve air quality and reduce noise pollution by: providing incentives for people to use clean-energy powered vehicles; promoting non-motorized forms of transport; acquiring more clean-energy public-transport vehicles; reducing industrial atmospheric pollution; eliminating ozone-depleting refrigerants; regulating to improve energy efficiency for housing, industry, and transport.





- To reduce energy consumption by: eliminating fossil fuel consumption; developing affordable and accessible alternative energy supplies; and promoting green technologies and building codes.
- To reduce construction impacts by: promoting policies to reduce construction impacts; developing locally appropriate construction codes; using locally sourced materials; and consulting with communities affected by major construction projects.

### ***Transformation 1.3: Access to basic services and infrastructure, and controlling pollution***

Cities and urban regions in which all communities -despite location, time of formation, and socio-economic and gender profile- enjoy good quality social and utility infrastructure and services systems that are affordable and of appropriate social and environmental standard. These systems ensure that individual and community everyday needs are met within an acceptable distance and at or above the minimum statutory level and include: public transport, water and sewerage, energy sources, and public spaces, as well as essential community services (schools, shops, healthcare, but also facilities for families and children). These systems are developed based on collaborative infrastructure plans, effective partnership between the relevant public bodies, service providers and community groups, under the leadership of local governments. Cities and urban regions are polycentric, meaning they provide services, job opportunities, amenities, and quality public services throughout the whole urban fabric, including informal settlements, considerably diminishing mobility needs. Non-motorized transportation, clean energy, and a reduction of pollution by private industries are consolidated.

#### *Key actions:*

- To understand the linkage between availability, accessibility, affordability, and adequacy of basic services for the realization of human rights. Basic services are central to the realization of a wide range of human rights, including water, sanitation, housing, health and education. It is therefore crucial to ensure that these services: are available and physically accessible to all or are affordable to all; are culturally adapted to various groups of the populations; do not discriminate in their access or delivery and are safe to use for all, including for women and children
- To develop policies and programs with and for inhabitants; they should prioritize based on those with most need, and be mindful of the gender issues surrounding them.
- To comprehensively reform urban infrastructure policies in cities to improve the enabling environment for investment; to avoid the privatization of public services; to create more effective incentives for greater efficiencies in supply and consumption, as well as the payment of services; to impose more effective methods for infrastructure planning and service delivery by state, regional, and municipal governments and public utilities; to create stronger model regulatory frameworks on the basis of the principles of general interest and sustainability in service provision and infrastructure investments; to remove institutional rigidities and create space to attract and enable the private sector, NGOs, community groups and households to play a greater role in financing a service provision.





- To implement an effective, well-coordinated and integrated infrastructure planning system that recognizes that new planning approaches and technologies will support progress in reducing the unit costs of infrastructure provision, improving efficiency and quality, ensuring that services are aligned with urban plans, including an optimal expansion of infrastructure to support the urbanization process. Recognize that new coordination mechanisms are emerging: inter-municipal cooperation, legal incentives for cooperation, planning and development agencies, cost sharing arrangements for metro-wide service delivery, metropolitan development funds, coordinated tax agreements, pool financing, improved linkages between national and local governments' programs and policies to ensure efficiency and reduce imbalances.
- To develop new business models, technological innovations and strategic partnerships. Rapid urbanization has increased the scope and complexity of service provision. New business models are now needed to integrate the strengths and capacities of the public sector, private companies, NGOs, and community-based organizations.

#### ***Transformation 1.4: Unplanned and informal settlements habitation***

Unplanned and informal settlements are celebrated as vibrant mixed-use areas and recognized as a legitimate part of the city through policies and mapping that confirm the rights of all. These are made possible by an equitable resource allocation.

##### *Key Actions:*

- To recognize the challenge of unplanned and informal settlements through the mainstreaming of human rights-based approaches to addressing the needs and rights of occupants.
- To provide an enabling environment to develop and implement the appropriate policies and plans to trigger change and improvement for, and in partnership with, poor inhabitants in the informal settlements for those states working with regional and municipal governments.
- To recognize the location and categories of unplanned or informal settlements, where: 1) inhabitants have no security of tenure for their land or dwellings; 2) neighborhoods lack good quality basic services; 3) housing may not comply with planning or building regulations, or may be situated in hazardous areas; and 4) informal management practices may persist even where tenure has been regularized, perpetuating exclusion.
- To understand the nature of exclusion in unplanned or informal settlements, considering the 'five household deprivations' (i.e. lack of clear water, no sanitation, overcrowding, a precarious building, and insecure tenure leading to threat of eviction) with a focus on women and marginalized groups.
- To place housing at the center: seek to fulfill the right to adequate housing for all through in-situ upgrading, provision of basic trunk infrastructure, and enabling community-led development.





- To develop city-wide strategies and programs to improve the lives of poor inhabitants – this should include efforts to: 1) capitalize on the broader city and regional agglomeration economies; 2) utilize innovative financing options and taxes; 3) ensure equitable land management approaches; 4) recognize the multiple forms (formal and informal) of livelihood and employment generation activities, and facilitate their development especially for marginalized groups; 5) improve and reintegrate informal settlements with trunk infrastructure and basic services via integrative planning and design; 6) clarify the administrative responsibility of peri-urban areas; and 7) address the impact of conflict and undertake risk-sensitive land use planning to avoid exposing the urban poor to environmental hazards.
- To develop local government capacity and integrated institutional arrangements to address the challenges of unplanned/informal settlements, in partnership with poor inhabitants.
- To consider appropriate long term financial investment and inclusive financing options.
- To support community-led upgrading initiatives, supported by appropriate regulations and technologies.
- To support open-source co-produced knowledge (e.g. cadastral mapping, by gender, age, occupation, etc.).

#### ***Transformation 1.5: Resilience, climate change, disaster and risk management***

Urban planning and city infrastructure should incorporate coordination between environmental aspects, risk management, and a landscape approach as a way to improve the resilience of cities. Cities and human settlements ought to be resilient to the effects of climate change, natural disasters or natural phenomena (i.e. rising of sea level). Communities living in vulnerable or fragile areas should be involved in their relocation to safe and suitable neighborhoods. National governments, in coordination with women and local governments as key actors, need to enhance city infrastructures, including green ones, as well as appropriate capacity building and training.

#### ***Key actions:***

- To focus on urban planning and design to create compact, connected, integrated, and inclusive cities that promote efficiency of services, systems, the built environment and resource use that consequently results in transformative, change-enabling, low-carbon, energy-efficient, risk-informed, and resilient urban development pathways.
- To institutionalize an appropriate legislative, policy and regulatory framework, which is crucial in enhancing resiliency, mitigating climate change, resource efficiency, and sustainability.
- To develop a framework that promotes low carbon and resiliency-oriented urban development.
- To recognize the inter-connectedness of economic and resilience/climate benefit from infrastructures (i.e. drainage, sanitation, electricity and transport systems and services that





contribute to adaptation), hence promoting an integrated and holistic approach to urban development. Therefore, cities need to develop mechanisms/instruments to promote coherence across systems, sectors, and organizations related to their policies, plans, programs, processes, and investments in urban resilience.

- To recognize the need to leverage city planning instruments to reduce existing risk and prevent the creation of new risks while preparing for climate and disaster risks. Some of these actions include: strengthening technical and scientific capacity to capitalize on and consolidate existing knowledge; building the knowledge of government officials at all levels, civil society, communities, and volunteers, as well as the private sector, through sharing experiences, lessons learned, good practices, training and education; developing mechanisms to allow for the monitoring, assessment, and reporting on the progress towards building urban resilience.

### **3.2 Pillar 2: Political Agency**

#### ***Transformation 2.1: Inclusive governance***

Within the legal and judicial systems of each country, the Right to the City is established as a legal or policy paradigm that forms the foundation for urban governance, legislation, policy, and practice. Governance processes and structures ensure an equal say of all participating stakeholders, and remain under public leadership.

#### *Key Actions:*

- To include the Right to the City in the NUA as a new urban paradigm, as outlined above. The main mechanisms for state or city governments to adopt the Right to the City, or its elements include: legislation, city charters and political and citizenship compacts
- To strengthen the capacities and accountability mechanisms of cities through – adequate organizational and institutional structures, effective financing systems and procedures to enhance domestic public resource mobilization, promote strategic participatory urban planning, and manage sustainable urban development.
- For central governments to promote effective decentralized framework to unlock urban and regional governance, with clear distribution of powers, responsibilities, and resources, allowing for stronger multi-level governance and collaborative relations between different levels of government, based on the principle of subsidiarity.
- To enhance policies to support broader partnerships in local governance, including co-production of services and public goods, involving the private sector and local communities, integrating the informal sector in the urban fabric, and collectively bridging institutional and resource gaps.
- To implement territorial approach in governance arrangements for macro-regional and regional territories by supporting middle-size cities and urban-rural collaboration: development of strategies and plans, and coordination mechanisms between local





governments.

- To promote use of technologies for innovative public management, participation, and accountability to reduce urban environmental impacts, improve data disaggregation at local level to support local planning and monitoring of urban development, and encourage citizen participation and accountability. The use of data will be protected from private use and specific judicial remedies are put in place to deal with abuses.

### ***Transformation 2.2: Inclusive urban planning***

The Right to the City is a key cross-cutting planning paradigm in all relevant urban planning legislation, policy, and practice that incorporates participatory co-production of all planning interventions, involving public, private and all urban inhabitants, with a specific focus on disadvantaged and marginalized communities.

#### *Key Actions:*

- To invest in innovative urban planning solutions that address existing challenges without infringing on the rights of inhabitants.
- To promote integrated urban planning policy across all levels of government with explicit recognition of human rights treaty obligations.
- To promote spatial strategies and national urban policies that ensure a regional and cross-sector approach to human settlement planning, which address the problems of metropolitan regions and of secondary cities, towns and rural communities across the human settlements continuum.
- To adopt participatory co-production of planning interventions involving all urban inhabitants and actors, with specific initiatives to include disadvantaged and marginalized communities.
- To include principles of gender equality in all urban planning and policies.
- To adopt innovative and inclusive planning solutions for unplanned and informal locations.
- To support innovative and community-led initiatives in the upgrading of informal and unplanned settlements.
- To invest in transparent, accessible open-source, and community-driven data and mapping, and integrate this with existing data sources.
- To invest in open-source mapping and innovative planning solutions that encompasses unplanned locations for housing and livelihoods.
- To progressively implement the universal right of access to quality basic services.
- To include strategies of public services with gender perspective to secure the grassroots







women participation in the policies elaboration and assignment of budget processes.

The right to mobility should be embedded in all transport planning and provision that prioritize walking and cycling, public and collective transport, especially for the transport-excluded and urban poor.

### ***Transformation 2.3: Citizenship***

Develop a clear relationship, based on mutual co-existence of all inhabitants, be it permanent, temporary or transitional which are granted equal rights, e.g. women, those living in poverty or situations of environmental risk, informal economy workers, ethnic and religious groups, LGBT people, the differently abled, children, youth, the elderly, migrants, refugees, street dwellers, victims of violence, and indigenous peoples.

#### *Key Actions:*

- To review legal systems to ensure that they establish new status and criteria for citizenship.<sup>xxviii</sup>
- To establish systems and processes that benchmark participation of the reviewed citizenship.
- To develop mechanisms that ensure that disadvantaged inhabitants have an equal say in participatory processes.
- To establish human rights monitoring mechanisms, such as local ombudsmen, non-discrimination offices, or human rights city committees.

### ***Transformation 2.4: Enabling participation, transparency, and democratization***

Create a space that allows for fair representation and effective participation of all urban actors, especially women, for better decision-making in the city. Specific measures are put in place to ensure equal participation to traditionally marginalized groups. Broader notions of accountability, transparency, and access to information are embedded and integral to the making and shaping of the city.

#### *Key actions:*

- To create decision-making support tools that ensure the proactive participation of a multiplicity of actors.
- To establish and protect spaces and institutional structures that effectively support negotiation between government and all urban actors.
- To develop mechanisms that ensure that disadvantaged inhabitants have an equal say in participatory processes.
- To enhance inhabitants' participation through training, access to grants in transparent





conditions or by strengthening the dialogue between civil society organizations and governments.

- To enable different forms of participation: use of public spaces, online fora, or public and community-based media.
- To work to integrate and build capacity among social actors and the informal sector in local governance through innovations.
- To promote transparency in financial, administrative and political governance processes.

### ***Transformation 2.5 Recognition of gender, social actors - Migration and Refugees***

Create systems that ensure equality, safety, physical security, economic wellbeing, and cultural identity of migrants and refugees.

#### *Key actions:*

- To develop training programs for women to increase and improve their participation and leadership.
- To ensure access to public services and justice for all social actors, especially for women and the traditional marginalized groups.
- To implement access to migrant and refugees' areas for diagnosis and monitoring issues such as living conditions, etc.
- To fight prejudice against marginalized; acknowledge the contribution of migrants to local economy, culture, history, and value their identities as part of the city.
- To implement better policing of areas where migrants and refugees reside.
- To implement city plans for migrants and refugees in terms of housing, education, as well as economic activities.

### **3.3 Pillar 3: Socio, Economic and Cultural Diversity**

#### ***Transformation 3.1: Livelihoods, wellbeing, and welfare***

The creation and production of decent work and secure livelihoods for all with equal access to social protection and full recognition of the positive contributions of all livelihoods and the activities that support livelihoods.

#### *Key Actions:*

- To develop policies and enact legislation that protects and promotes decent work and secure livelihoods for both women and men in the formal and informal economies. To enact locally a living minimum wage; enact basic workplace protections that accommodate the care responsibilities especially of women workers; implement programs that facilitate the access





of all workers to national social protection systems; establish dispute resolution mechanisms for workers to challenge predatory practices.

- To develop policies and enact legislation that protects existing livelihoods. To formally recognize the contributions to jobs and the urban economy of the urban working poor; recognize formalization of enterprises and jobs as a gradual process – earnings and sources of livelihood should not be disrupted.
- To develop legislation and policies that effectively protects all urban workers from evictions, harassment and discrimination at their workplace. To formally recognize workplaces as existing spaces used for work (e.g. public space, natural markets, private homes, and urban settlements); recognize all workers' claims to their right to work; recognize workers' rights to organize and to collective bargaining in the context of employment practices; support the creation of negotiation platforms for both formal and informal workers including the self-employed; build the capacity of local governments to respect basic human rights and to protect the dignity of the urban working poor.

### ***Transformation 3.2: Poverty risk and employment vulnerabilities***

Recognize and prioritize the creation of decent employment opportunities in both the formal and informal sector as one of the most fundamental pathways to alleviate poverty.

#### *Key Actions:*

- To formulate and implement policies and strategies that are responsive to the needs of the majority of the urban poor, including women and vulnerable groups, enabling them to engage in the formal and informal economies (e.g. through incentives, tax exemptions, access to affordable financial services, setting quotas for youth and women to access government jobs and procurement).
- To prioritize infrastructure development to improve working conditions and enhance growth of both formal and informal sectors (e.g. markets, public spaces, access to basic services), emphasizing proximity and accessibility.
- To establish or strengthen institutions that build capacities among women and the vulnerable with marketable skills to enhance their employability in the formal and informal sectors.
- To formulate, implement and/or enforce labor laws and regulations that protect urban workers from exploitation (allows workers negotiations, ensures dignity of the urban workers, and adheres to basic human rights like social security); and ensure safety standards.
- To promote public-private sector partnerships for job opportunities addressed to those without decent work or employment.
- To formulate and implement social protection systems (regulations, laws, programs) to





assure universal protection (e.g. health and sickness benefit) particularly for the more vulnerable.

- To formulate and implement policies that allow migrants and refugees access to decent work to support self-sufficiency but without undermining the local jobs market.
- To establish programs to empower women and young people in accessing decent work and finance.

### ***Transformation 3.3: Inclusive economy and solidarity economy***

The creation, recognition, and promotion of a broad and diversified set of economic, social and spatial practices, including collective activities in the production of habitat (housing, infrastructure, etc.) and other material and non-material goods, services, solidarity credit, exchange, fair trade, and solidarity consumption.

#### *Key Actions:*

- To develop policies and enact legislation that formally recognize the existence, contributions, and potential of the solidarity economy, and other innovative economic practices (e.g. the care economy, sharing economy or circular economy with waste pickers as protagonists of this ladder).
- To support the development of solidarity economy activities including collective credit systems, service provision, and production of goods, exchange, fair trade, and collective consumption.
- To enact programs that allocate space and resources to: a) promote collective credit, services, production and consumption; and b) promote exchange (e.g. time banks) and fair trade.
- To develop policies and enact legislation that prioritize human dignity, wellbeing, and livelihoods through solidarity economy activities.
- To recognize the potential of movements and initiatives that strive to develop alternative models of housing provision (e.g. cooperatives, co-housing etc.) and management to provide support for advancing these initiatives on a wider scale (institutional, legal, financial, organizational).

### ***Transformation 3.4: Embracing identity, cultural practice, diversity, and heritage***

Urban cultural policies and practices that recognize values and celebrates diversity in the multicultural city; support cultural practice, creativity, and distinct identities; and protect tangible and intangible cultural heritage.

#### *Key actions:*

- To enhance local culture, and recognize cultural diversity as an effective way to mitigate





urban conflict and violence, foster tolerance, social innovation, preserve social fabrics, and promote pluralism.

- To incorporate new forms of culture promoted by and for specific groups, including women, migrants, the urban poor and new urban groups (urban tribes, LGBT groups, and others).
- To foster urban art and culture as a means to develop new collective imaginaries and new urban futures (e.g. graffiti).
- To promote culturally-sensitive development processes to protect heritage and build resilient and inclusive cities, particularly in public spaces, neighborhoods, and contribute to safety.
- To foster civil society empowerment to acknowledge and value tangible and intangible heritage.
- To develop a sense of ownership by all groups of inhabitants in the urban commons, including culture and heritage, as settings for all urban human expressions.

### ***Transformation 3.5: Safer cities***

Cities exist without violence and without discrimination against women, ethnic or religious minorities, and other identity groups, and with secure transport and public spaces.

#### *Key Actions:*

- To develop knowledge and collect rigorous, consistent data on forms of violence, by sex, age and territories, in cities to support policies and actions.
- To establish 'safe city' urban observatories as core centers for knowledge in tackling crime and violence.
- To incorporate violence-mitigation measures into all planning and design of the urban commons (public space, etc.).
- To adopt a multi-level and multi-sectorial approach to address the diverse causes of crime and violence, including violence against women.
- To ensure accessible and safe public space, streets, and public transport as key to building safer cities, provide public lighting and night public transportation.
- To develop community-based approaches to promoting social cohesion, preventing and controlling violence and criminality, including violence against women.
- To build capacities and train police and security forces on human rights approaches, and issues of poverty and gender, in addressing violence and criminality.
- To fight prejudice against the urban poor, ethnic groups, and young people as perpetrators





of crime through public policy and the media.

- To incorporate inclusion and non-violence against children, women, and youth in security agendas.
- To provide job opportunities, apprenticeships, education, and cultural activities, for young people as a means to fight their incorporation to criminal gangs.
- To promote culturally sensitive actions and processes in public spaces and communities to support inclusion and vitality in the city.
- To combat sectarian, ethnic or political violence through peace-building initiatives.
- To combat the creation of gated communities and privatization of public space as symbols of privilege and exclusion.

#### 4. KEY ACTORS FOR ACTION – ENABLING INSTITUTIONS

The Right to the City entails both rights and responsibilities for all urban actors to participate in the protection of common urban assets. Citizens have a responsibility to participate in the making and shaping of the city, as well as in open governance processes to claim and implement the Right to the City; and national, regional and local governments have the responsibility to ensure spatially just and equitable distribution of the resources available, political participation and socio-economic diversity within locally agreed interpretations of the Right to the City. Key actors in this partnership approach include:

- Citizens, groups, communities and their representative organizations, including residents associations, NGOs, trade unions, worker organizations, and other interest groups, who have a critical role to express and facilitate their common interests. Particularly important is the support and empowerment of organizations of those normally marginalized in urban groups (e.g. women; the urban poor, ethnic minorities, etc.).
- National, state, and regional governments need to focus on enabling legislative frameworks to consolidate and strengthen relevant elements already in place. Some states have even developed constitutional provisions to provide the highest legal foundation to the RCA-CA. Information-sharing on participatory and rights-based practice is an important government role.
- Local governments are central to establishing a strategic vision and operational framework to implement the Right to the City. Cities have adopted many different approaches, for example through City Charters; participatory budgeting and urban planning; social and spatial inclusion of migrants and ethnic minority communities or sector-based programs (see Annex 1). A critical role for local governments is to ensure transparent and participatory program-planning, decision-making, program implementation, and policy monitoring. Developing co-produced knowledge with local communities is important. Establishing a specialized local government department for the Right to the City to promote inclusionary agendas, and foster





their implementation is important. Local governments should also ensure that local procurement processes do not exclude the livelihoods of the poor.

- The private sector provides much of the funding on which urban development depends. Working in partnership with all tiers of government, innovative mechanisms are needed to prioritize social investment objectives, so that the wider benefit of ensuring inclusive approaches to development is fully valued in investment project.
- Academia, including schools, colleges and universities play a key role in as centers for innovation and experimentation.

Cross-cutting institutions and networks should operate both vertically (e.g. between tiers of government, or national and local associations, across sectors) and across the four core interest groups above. Social media can create new spaces of engagement and mobilization, and are now becoming much more available to many urban residents.

## 5. POLICY DESIGN, IMPLEMENTATION AND MONITORING

### 5.1 Monitoring and indicators

This section identifies indicators for each of the three pillars and their elements as stated in this policy paper. These indicators and metrics are suggestions. They are intended to provide the general tone and direction in which cities and their regions should craft metrics specific to their conditions and needs. Many of these metrics should be routinely collected by nations and cities. In such cases it is suggested that these results are consolidated by appropriate Right to the City monitoring entities and compiled to understand their collective impact.

#### *Pillar 1: Spatially Just Resource Distribution*

##### **1.1. Access to essential basic services and infrastructure**

Metrics indicating access to basic services and infrastructure are broken down into the following infrastructure specific metrics:

- Transportation - Number of riders by mode, cost of ridership, travel time, safety indexes, frequency, service levels and number of peak and off peak riders
- Water- Service frequency, water quality, wastage, areas and populations covered
- Sanitation - Areas and populations covered, toilets per capita, cleanliness indexes, bacterial levels, treatment facilities, water management metrics, watershed health (including ground water and aquifer levels)
- Electricity - Grid and distribution quality, coverage, cost of access and reliability, safety
- Communications - Coverage, speed of access, bandwidth, access to smart devices, cost of access, internet security, internet literacy levels, information penetration metrics

##### **1.2. Land, adequate housing, and property development, urban commons, and public space**

There are many diverse indicators that reveal how well policies that strive for equity, fairness and







transparency are performing: These include, property reform metrics, home ownership and tenure, audits of vacant urban land, the percentage of social housing, accessibility to housing and related services, and housing eviction data. Public and open space is best measured through assessments of per capita public space (active and passive) and its accessibility.

### **1.3. Informal settlements – Habitation**

It is difficult to obtain reliable and consistent metrics on informal settlements. One measure is the size of municipal budget allocations for unplanned and informal settlement upgrades, but these need to be backed up with metrics that confirm the effective deployment of these allocations. Supporting metrics that spatially map consumption and infrastructure (hard and soft) in informal settlements are also useful. These maps need to be made accessible and comprehensible to all including residents.

### **1.4. Climate change, management and protection of risk areas**

Metrics relating to climate change can be characterized as anticipatory or projected, event driven and post event. In each circumstance, the indicators expose various outcomes that impact vulnerable and segments that are often unique to every city. Metrics that identify vulnerability are: at risk populations (by category of event and risk exposure), environmentally dangerous territories and similar threatened areas. The related and common indicators are the determination of safety zones, evacuation areas, and related protocols.

## ***Pillar 2: Political Agency***

### **2.1. Inclusive governance structures – inclusive urban planning**

The best ways to monitor desired outcomes will be the shared involvement of civic institutions, and community organizations together with appropriate implementation and monitoring mechanisms. Examples include: the creation of development tools that make complex urban data easy to comprehend and read.

## ***Pillar 3: Socio, Economic and cultural diversity***

### **3.1. Livelihood and wellbeing**

Well-being indicators are not standardized or easy to correlate across geographies and social conditions. In general, living wage related metrics for both the formal and informal sectors are useful. Other metrics include: child and elderly care related metrics, earnings spent on welfare, as well as social behavior related metrics. These may include: social protections like health, pensions, and formal/informal employment, workplace protection metrics, dispute resolution mechanisms and harassment data.

### **3.2. Poverty risk and employment vulnerabilities**

Indicators may include: urban youth unemployment profiles, access to financial services for women & young people and the Gini-coefficient measuring inequalities within cities, living wage and income security metrics, disaggregated by sex and formal/informal employment and share of women in top and bottom earnings quintiles.





### 3.3. Inclusive economy and solidarity economy

A solidarity economy is one that seeks to increase quality of life through non-profit endeavors. Inclusiveness and solidarity are however difficult to measure. New metrics that identify the effectiveness of non-profit institutions will be needed.

### 3.4. Embracing identity, cultural practice, diversity, and heritage

The primary new indicators that will need to be developed to address these concerns will be ways to measure group identity, diversity and cultural variety, and local decision-making and representation metrics.

### 3.5. Safe cities

There are many existing safety indicators currently in use by cities. These include metrics of: crime & gender violence, and public space safety metrics. Cities also routinely undertake audits of anti-violence and policies for public space, streets, and transport.

## 5.2 Financing the key transformations

This section covers suggested mechanisms for financing urban policy initiatives associated with the RCA-CA. They are not exhaustive. Their purpose is to illustrate the kind of financial support mechanisms that are likely to help achieve the desired goals. The financial mechanisms identified are intended to reflect what is possible today. Actual financial mechanisms, means and opportunities will need to be location specific and derived from the realities of their governance and political systems.

Effective implementation of the Right to the City requires strong local governments with sufficient financial capacity. In this regard, it is important to enhance decentralization processes that make sure political competences and financial resources are transferred to the local level. Endogenous financial mechanisms also include fiscal redistribution through municipal taxes.

Cities and their urban regions need to find ways to collect fair taxes due for municipal services and to retain such revenue. Taxes should not be regressive (i.e. put an undue burden on the poor). They need to instigate fair pricing strategies for housing to maximize affordability and access in areas where such housing is fully integrated with other basic services.

From a social corporate responsibility perspective, the private sector should also engage in this effort. Private-public partnerships, for instance, can be effective financial tools, provided their management and monitoring remain public and allow social control. In contexts of weak local governments, cooperation and aid has provided financial mechanisms to implement the Right to the City. Several areas of financing are relevant.

*National funding:* Effective national taxation of individuals and businesses which reaches a high proportion of the population will remain a key form of funding.

*Managing municipal budgets:* Local government revenue generated through land and property rates; user fees; levies; local taxes, are likely to be the best source. Several principles are key: timely





central-local transfers based on agreed, transparent funding formulae; transparent and participatory budgeting; gender-sensitive budget analyses; informal economy-budget analyses; and targeting financing instruments based on need analyses. Effective land and property taxation is likely to remain a central resource. Subsidiarity is an important mechanism to keep the revenue generated in the urban centers in which they are generated.

*Basics services:* Funding basic services requires huge and reliable financial outlays. Funding sources need deep pockets and long-term agreements to assure continuity and consistency throughout the investment period. Servicing the debt for such financing also needs to be tailored to the capacity of the beneficiaries to contribute.

Several financial means may be considered: targeted location specific municipal financing (bonds), pension funds, national or regional development banks, new or supplemental development charges, tax free or discounted investment incentives and tax increment financing (adapted to address new and atypical infrastructure investments) are the usual ways to raise the large capital required. Depending upon the kind of infrastructure being improved, other sources of infrastructure investment capital may come in the form of strategic partnerships with foundations, institutional grants, local, regional, as well as national funding initiatives. These sources may be further supplemented by agreements with cooperatives and public-private partnerships, impact and social investment mechanisms, and to a lesser degree, crowd and social funding and micro-financing for local initiatives. To be successful all of these investments will require public management and oversight, particularly of innovative financing instruments.

*Social and impact investment, and innovative financing:* There are many well-established and emerging forms of social investment, which prioritize the social return over the investment income. Established mechanisms include cooperatives; micro-finance including micro-loans for housing upgrades and business enterprise development; start-up support financing for enterprises; special programs and government loans and grants for vulnerable groups; bridge-funding for community-led upgrading; crowd-funding and foundations, institutional and charitable grants (noting that grant-funding is not a sustainable long-term funding source).

*Environmental and resilience investment:* It will be important to using pricing mechanisms to encourage socially responsible urban processes, e.g. taxing polluting activities, and encouraging development mechanisms to protect natural assets, shorelines etc. Green funds designed in application of COP21 negotiations and should also be accessible for local and regional governments are also a way of financing the implementation of these issues.

*Private finance:* initiatives include: public private partnerships; bank funding; tax free or discounted investment incentives; tax increment financing (adapted to address new and atypical infrastructure investments).

### **5.3 Strategic aspects for monitoring the new urban agenda post Habitat III**

#### **Monitoring and follow-up**

Local governments and their local, national and global association, civil society organizations, and specific UN organizations (UNHCR - United Nations Refugees Agency, the UN Office of the High





Commissioner on Human Rights, UN-Habitat) should be the ones in charge for monitoring the implementation of the New Urban Agenda. UN-Habitat should be further strengthened within the UN system and a specific UN Commissioner for the Right to the City should be created.

Some priority actions to be undertaken could be:

- To build an implementation roadmap and a Global Action Plan for the Right to the City.
- To develop awareness raising campaigns.
- Capacity building and peer-to-peer learning activities, targeting governments (local, regional, and national), civil society, and the private sector.
- To undertake dissemination initiatives.
- To set up an International Observatory for the Right to the City as a global tool to gather information (i.e. best practices, legal frameworks, case studies) and to foster the Right to the City implementation.
- To design monitoring mechanisms.
- To creating specific indicators or indexes to measure the achievement of Right to the City (without prejudice to using existing metrics, such as SDGs indicators or the city prosperity index).
- To develop indicators of socio-spatial (in)justice in living conditions to provide a good decision-making tool for public policies.
- To create an International Forum on the Right to the City aiming at gathering all relevant stakeholders committed to push the right to the city agenda (including global organizations, all levels of government, civil society, and the socially responsible private sector).
- To entrust UN Regional Commissions with the task of preparing the Action Plan for the Right to the City in their region.
- To develop a guide with key contacts on available and effective solutions dealing with various aspects of Right to the City and their effect on cities around the globe.
- To have periodic reports on the state of the Right to the City at local, regional, and national levels.
- UN commissions may also consider the possibility of developing a non-legally binding document to provide further support for member states that aspire towards inclusive human rights based settlement development.





## 6. CONCLUSION

The Right to the City addresses the challenges of rapid urbanization – especially acute in Asia, Africa, and Latin America – increasing inequality, segregation and poor living conditions, and the effects of environmental pollution and climate change, which reaffirm the necessity to use a new paradigm for sustainable and inclusive urbanization.

The Right to the City provides an alternative framework to re-think cities and thus should be the lynchpin of the NUA and is defined as the right of all inhabitants, present and future, to occupy, use and produce just, inclusive and sustainable cities, defined as a common good essential to the quality of life. The Right to the City further implies responsibilities on governments and people to claim, defend, and promote this right.

It is recognized that the term 'right to the city' translates well into some languages but is more difficult in others, and that it applies to all metropolis, city, village, or town, including their rural or semi-rural surroundings. The topic allows for a diversity of concepts and disciplinary perspectives, which the expert group itself reflected. However, there is wider consensus of the need to address the challenges contained in this document as a new paradigm that should guide policies and actions implemented by governments in view of building *Cities for All* against the principles of equality, social justice, participation and sustainability.

This paper brings forward a new understanding of the city as a common good containing nine components: a city free of discrimination; a city of inclusive citizenship; a city with enhanced political participation; a city fulfilling its social functions; a city with quality public spaces; a city of gender equality; a city with cultural diversity; a city with inclusive economies, and a city of inclusive environments. These nine components are supported by three pillars: *Spatially Just Resource Distribution, Political Agency, and Socio, Economic and Cultural Diversity*.

States can integrate these components through their own national laws and jurisdiction, consistent with the nature of their treaty obligations, and norms of international law. Many examples of good practice are already found. Recognizing these achievements, the challenge remains to use the Right to the City as a paradigm and draw on all its components in order to adopt a holistic approach to its operationalization. This paper aims to provide suggestions to guide policies and actions towards this goal. Considering the challenge that supposes a legal and institutional implementation of the Right to the City as a new collective and diffuse right, above all it is important to rescue the substantive recommendations contained in this paper.





## APPENDIX I: CASE STUDIES

Appendix I gives case studies of initiatives inspired either directly by the Right to the City, by a human rights' based approach, or through a strong social inclusion and participation agenda. Best practices may be implemented through a wide range of instruments, including: national constitutions; legislation; urban spatial plans; economic strategies; social compacts, city charters and many other approaches. The list was supplied by Policy Unit members, and is not a comprehensive review. There are many other examples too numerous to list here.

For legal definitions explicitly referring to the Right to the City see Annex II, including the Brazil City Statute, 2001; Constitution of Ecuador, 2008; World Charter for the Right to the City, 2005, and the Global Charter-Agenda for Human Rights in the City, 2011.

### Case Studies

**Australia:** In Port Phillip, the Community Pulse programme involves community members in setting benchmarks, measuring, and analyzing long-term trends to help prevent the aspects that they love about their neighborhoods from being lost. The indicators stretch across environmental, both natural (penguins) and built (affordable housing), social (Smiles per Hour), economic (cost of groceries), and cultural (local icons) environments and build evidence to stimulate political and community action.

**Brazil:** Brazil's City Statute (2001) enshrines the right to the city and was inspired by the National Urban Reform Movement, a platform gathering civil society organizations and social movements. The Act expands on Chapter II of the Constitution and establishes the creation of the Ministry of Cities. Brazil is one of the few countries in the world having explicitly adopted the right to the city (together with Ecuador). The objective of the City Statute is to give municipal governments the power to foster the utilization of underused or vacant lots that are important for city development. In this regard, it requires municipal governments to create specific legislation to apply this tool through their master plans. The law also regulates the use of vacant lots in social interest zones (ZEIS 2 and ZEIS 3) and on the perimeter of the urban center. Owners are further subject to a progressive tax, and after a 5-year period, if the site is not developed and occupied, it can be expropriated.

**Brazil:** São Paulo's Participatory council, created by Municipal Decree nº 54.156 of 2013, is an autonomous civil society organization recognized by the municipality as an instance of people's representation in each district of the city. Its role is to exercise the right to social control and thus monitors public spending and policies. It also represents the needs of diverse areas of the municipality. There is also a council for immigrants.

**Bulgaria:** The city of Blagoevgrad has developed an innovative employment policy that provides jobs to people at the pre-retirement age, consisting of the delivery of social services to the elderly, to people with disabilities and with risk of social exclusion.

**Canada:** In January 2006, the City of Montreal adopted a city charter, Charte Montréalaise des Droits et des Responsabilités, which binds all elected officials and employees of the city and its agencies, to adopt the charter's principles. The charter has seven themes: democratic life, economic and social life, cultural life, leisure and sport, environment and sustainable development, security and municipal services.

**Canada:** various cities in Canada have developed and implemented a system of indicators to







measure the social inclusion impact of libraries. Although this is not explicitly linked to the Right to the City, it serves as a reference point for developing public service indicators.

Chile: In 2014 the government of Chile enacted a National Policy for Urban Development that considers five pillars to guide the future of Chilean cities: 1. Social Integration, 2. Economic Development, 3. Identity and Heritage, 4. Environmental Balance, 5. Institutional Framework and Governance. This policy was the result of a participatory process that last two years and now is under implementation. To make this, the Government creates a National Council of Urban Development made up of representatives from Public world, Academics, Professionals and Civil Society.

China: The 2015 report *Progress in China's Human Rights 2014*, issued by the Information office of the State Council (the People's Republic of China), sets out a Right to Development, stating that '*In 2014 the Chinese government promoted development concepts and innovation systems, adopted effective measures to guarantee citizens' access to fair development, had more people to share the fruit of reform and development, and better protected the people's economic, social and cultural rights*'.

Nongmingong are a special group of people in China, termed the 'floating population', with household registration in rural areas, but living in urban areas with limited access to state services. The central government is seeking to address the problem, and the 2014 human rights report also states that, '*By the end of 2014 the total number of migrant workers in China was 273.95 million. Governments at all levels endeavored to stabilize and increase employment as well as business development for migrant workers, thus effectively guaranteeing their legitimate labor rights and interests. The central government formulated the Plan to Raise the Vocational Skills of Migrant Workers... It gave full play to the important role of the trade unions and other rights-protection organizations for safeguarding workers' rights, provided various kinds of employment services to more than five million people, and helped one million people sign labor contracts with a duration of over one year*'.

Colombia: Bogotá's Land-use Plan (2012-2016) seeks to create a city that reduces segregation and discrimination, puts people at the heart of the development process, confronts climate change, and defends and strengthens the public interest. New residential development should reserve a minimum of 20% for social housing, rising to 30%. A nested social, economic and environmental plan should be produced every 4 years.

Colombia: Medellín's Integral Urban Program emphasizes the role of the public sector as facilitator of development.

Ecuador: Ecuador's 2008 constitution includes much-heralded 'rights to nature' and in Arts 30 and 31 a 'right to enjoy the city' (see Annex II).

Egypt: the 2014 Constitution guarantees several specific rights, notably in Art.78, '*citizens' right to adequate, safe and healthy housing in a manner that preserves human dignity and achieves social justice*'. Art.78 also requires the state to regulate the use of state land and provide basic services within the framework of comprehensive urban planning serving cities and villages.

France: *Le droit au logement opposable* (DALO) (enforceable right to housing) is a recognised social







right, enshrined in the preamble to the 1946 Constitution, and reaffirmed in a series of laws. The Quilliot Act of June 1982 called housing a ‘fundamental right’, and the Besson Act of May 1990 provides that, ‘*guaranteeing the right to housing is a duty of solidarity on the whole nation*’, and enacts legislation to protect tenants in relation to owners. Although the right is not enforceable in court, defining the possibility for everyone to have decent housing has been strengthened in 2008 with the law on the right to enforceable housing, that created an obligation for the state to provide housing solutions for the most vulnerable, considered as public priority by mediation committees (evicted families, homeless...). The right to housing is also enshrined through the public rental housing program, and actions to fight subs-standard housing.

France: City-level policies include: an integrated approach; realignment of urban strategies to focus on economic and social regeneration in declining areas, and developing political and conceptual learning from these experiences, e.g. using legislation to strengthen people’s effective participation in spatial planning. The policies were first put in place after unrest in the 1980s to focus on areas with high indices of deprivation. The cross-cutting approach combines initiatives on employment, literacy, socio-cultural activities, and anti-discrimination. The program covers almost 700 districts in the country and is updated every three years. A recent evaluation recommended strengthened citizen empowerment, and participatory policy definition, now being developed through a citizen’s committee called *Coordination Pas Sans Nous* (No Coordination Without Us).

France: The Department of Seine Saint Denis created observatories on violence against women and on discrimination against young people.

Germany: The *Stadtwerke* framework allowed many municipalities to municipalize energy production and consumption, by direct public management or through user cooperatives. In many cases, this way of managing public assets improved quality and access to services, enhanced renewable energy production and created resources for the commons.

India: In 2011, the UNESCO India New Delhi Office chaired a debate on the value of the Right to the City in the Indian context, with the aim of discussing the Right to the City approach and evaluating its analytical and pragmatic value for Indian cities.

India: In 2014, India passed a federal law, that seeks protect the livelihoods of street vendors, and to establish a participatory mechanism for regulating street vending. This significant piece of enabling legislation was passed as a result of long-term activism by street vendor organizations and others.

Italy: The gradual privatization of water services has been resisted through a strong popular movement and local government resistance, which overturned national government initiatives to privatize water utilities. The *Forum Italiano dei Movimenti per l’Acqua* (Italian Water Movements Forum), set up in March 2006, saw water as a common good. Privatization was rejected in national referendum in 2011, in which 27 million Italians voted.

Kenya: The principle of participation is enshrined in many places in the 2010 Constitution of Kenya, e.g. in relation to: s.10, national values and principles of governance; s.69, obligations in respect of the environment; s.118, access to parliament; s.174, articles on devolved government; s.184, which provides for, ‘*participation by residents in the governance of urban areas and cities*’; s.196, relating to public participation and county assembly powers, and many other provisions.





Malawi has developed a local justice system based on mediation and protection of human rights.

Mexico: In 2009, the government of the Federal District signed the [\*Carta de la Ciudad de México por el Derecho a la Ciudad\*](#) (Mexico City Charter for the Right to the City). This was the culmination of a three-year advocacy process led by the Urban Popular Movement (*Movimiento Urbano Popular*), with support from the Habitat International Coalition-Latin America (HIC-AL), the Mexico City Commission for Human Rights and the Coalition of Civil Society Organizations for Economic, Social and Cultural Rights (*Espacio DESC*).

Mexico: The Community Neighborhood Improvement Program of Mexico City has the exercise of the Right to the City as one of its main goals. It was initially driven by civil society organizations in Mexico City, and later adopted by the local government.

South Africa: The 1996 Constitution states under the Bill of Rights on Property, s.25, that: *‘the public interest includes the nation’s commitment to land reform and to reforms that that bring about equitable access to all South Africa’s natural resources; property is not limited to land, and on Housing, s.26, that: ‘everyone has the right to have access to adequate housing; the state must take reasonable legislative and other measures, within its available resources, to achieve the progressive realization of this right’, and that: ‘no legislation may permit arbitrary eviction’.*

Republic of Korea: The capital Seoul has developed a complex human rights system, consisting of several municipal ordinances, mechanisms to protect and promote human rights, a Human Rights Action Plan and municipal staff training. Three ordinances have been adopted: on human rights; the rights of persons with disabilities, and protecting the rights of children and youth. Unusually, the Seoul Metropolitan Government has sought to institutionalize rights through creating: a Human Rights Division with a budget of almost USD 1 million, a Committee on Human Rights; a local ombudsperson; a Citizen Jury, and the Seoul Action Plan on Human Rights.

Republic of Korea: Gwangju is known as one of key leading human rights cities in Korea. Following the adoption of the Human Rights Ordinance in 2009, the first of its kind in Korea, a human rights office was created with a full-scale municipal human rights action plan accompanied by a set of 100 human rights indicators. In 2012 the city adopted the *Gwangju Human Rights Charter*, and in 2013 created a human rights ombudsman. In 2014 the municipal government adopted the *Gwangju Compact, Guiding Principles for a Human Rights City* with 10 core principles (including the right to the city). Since 2011, Gwangju has hosted the World Human Rights Cities Forum.

Russia: Moscow City Charter was adopted in 1995 with recent amendments in 2014. It is the supreme local law, a constitution of Moscow city that defines: the legal status and authorities of the city of Moscow; principles of political power and local self-government; the city’s administrative-territorial division; property and land relations between the federal government, the city and its administrative districts; and principles of city budgeting and finance. The Charter establishes the legal status and authorities of the Moscow Duma (city legislative body) and the executive body (Moscow Government). Direct democracy is performed through referenda, elections, petitions etc. The Charter also has provisions for the performance of the functions of the capital city and for Moscow’s interregional and international relations

Russia: Rostov-on-Don City Duma adopted the Charter of Rostov-on-Don City in 1997 (amended in 2015). The Charter affirms the implementation of individual and collective rights of citizens to self-





governance of urban life as well as other rights established by the country's constitution and legal acts and acts of Rostov oblast (state). It defines membership in urban community based on national citizenship. It reaffirms citizens' rights to a safe and healthy living environment, to local self-governance and political participation, and to free access to socio-cultural resources, education, protection of rights of people with disabilities and pensioners, equal rights for different nationalities.

Russia: Several other cities have adopted city charters. *The Charter of Kazan City* was adopted in 2005, amended in 2015. The Charter affirms the right of citizens to local self-government realized through the mechanisms of referenda, elections, legislative initiatives, public hearings, public meetings, etc. Other charters include: *The Charter of the City of Novosibirsk*, adopted in 2007 (amended in 2015); Omsk City Charter was adopted by the City Council in 1995 (amended in 2015), and Ufa City Charter was adopted in 2005 (amended in 2015).

Spain: The Province of Barcelona (*Diputació de Barcelona*) has played a key role with its 311 municipalities in fostering the adoption and implementation of the *European Charter for the Safeguarding of Human Rights in the city (Saint Denis, 2000)*, drafted as part of the preparatory work for the conference on *Cities for Human Rights*, held in 1998 on the 50<sup>th</sup> anniversary of the *Universal Declaration of Human Rights*. Furthermore, since 2015, the Region of Catalonia has adopted a law to protect inhabitants against evictions and insecurity, which forbids the cut-off of electricity and gas, and creates a framework for local government to protect people against forced evictions.

Tanzania: In Tanzania land is held in trust for the people by the president. The Ubungu Darajani study is an interesting example of joint action by the national government, local authority, owners and tenants in the area, and academics, to create a land use plan and policies that guarantee security of tenure for citizens.

Uruguay: The city of Montevideo's economic development policies see better jobs as the core of social integration, and seek to strengthen inclusion, democracy, and the solidarity economy. The Department of Economic Development and Regional Integration is helping develop a national road map to support cooperatives and social initiative, supported by the third tier of local government.

### **Global Compacts**

World Charter for the Right to the City, 2005: Inspired by the European Charter for Safeguarding of Human Rights in the City, the *World Charter for the Right to the City* was first proposed in Porto Alegre in 2002 at the World Social Forum (WSF). The aim was, in the light of increasing urbanization, to establish effective principles and monitoring mechanisms for the fulfillment of human rights in cities. The World Charter was debated at subsequent WSFs until the 2005 was agreed.

United Cities and Local Governments: UCLG (CGLU) represents and defends the interests of local governments on the world stage. Its *Committee on Social Inclusion, Participatory Democracy and Human Rights* (CISDP) has developed a position on social inclusion, set out in the document *For a World of Inclusive Cities*, and the *Global Charter-Agenda for Human Rights in the City*, adopted by UCLG at the 2011 World Council in Florence, which aims to promote and strengthen the human rights of all the inhabitants of all cities in the world.





## APPENDIX II: PRINCIPAL TEXTS ON THE *RIGHT TO THE CITY*

Appendix II sets out the four of the principles texts from which the framework and definition of the Right to the City developed by Policy Unit 1 has been drawn.

### 1. **Brazil's City Statute (2001)**

Brazil's City Statute (2001) was inspired by the National Urban Reform Movement, a broad-based social movement that campaigned for an urban focus in the country's new constitution adopted in 1988. Chapter II of the constitution on urban policy was expanded through the Brazil City Statute in 2001 that created the Ministry of Cities. Brazil is one of the few countries in the world with a city statute.

Article 2º. I and II defines the right to the city as a general guideline for the purpose of guiding urban policy to give order to the full development of the social functions of the city and of urban property.

*Article 2º. Urban policy is aimed at ordaining the full development of the social functions of the city and urban property, subject to the following general guidelines:*

*I. The right to sustainable cities is understood as the right to urban land, housing, environmental sanitation, urban infrastructure, transportation and public services, to work and leisure for current and future generations;*

*II. Democratic administration by means of participation of the population and of the representative associations of the various segments of the community in the formulation, execution and monitoring of urban development projects, plans and programs.*

This definition brings understanding of a diffuse right that includes the right of present and future generations, adopting by analogy the definition of sustainable development which includes the right to an environment that must be preserved for present and future generations.

### 2. **Ecuador's Constitution (2008)**

Ecuador's 2008 constitution includes much-heralded 'rights to nature' and in Arts 30 and 31 a 'right to enjoy the city'.

*Article 30. Persons have the right to a safe and healthy habitat and adequate and decent housing, regardless of their social and economic status.*

*Article 31. Persons have the right to fully enjoy the city and its public spaces, on the basis of principles of sustainability, social justice, respect for different urban cultures and a balance between the urban and rural sectors. Exercising the right to the city is based on the democratic management of the city, with respect to the social and environmental function of property and the city and with the full exercise of citizenship.*

### 3. **World Charter for the Right to the City (2005)**

The World Charter suggests how city inhabitants may exercise the Right to the City, e.g in Article 1, Item 1: through a, 'city free of discrimination based on gender, age, health status, income,





*nationality, ethnicity, migratory condition, or political, religious or sexual orientation, and to preserve cultural memory and identity'. Thus the city is like a culturally rich and diversified collective space that pertains to all its inhabitants".*

Article 1, Item 2: defines the Right to the City as *"the equitable usufruct of cities within the principles of sustainability, democracy, equity, and social justice. It is the collective right of the inhabitants of cities, in particular of the vulnerable and marginalized groups, that confers upon them legitimacy of action and organization, based on their uses and customs, with the objective to achieve full exercise of the right to free self-determination and an adequate standard of living".*

#### **4. Global Charter-Agenda for Human Rights in the City (2011)**

The *Global Charter-Agenda for Human Rights in the City* adopted by United Cities and Local Governments in 2011 aims to promote and strengthen the human rights of all the inhabitants of all cities in the world.

##### Article 1. The Right to the City

- a) *All city inhabitants have the right to a city constituted as a local political community that ensures adequate living conditions for all the people, and provides good coexistence among all its inhabitants, and between them and the local authority.*
- b) *Every man and woman benefits from all rights enunciated in the present Charter-Agenda and are fully-fledged actors in the life of the city.*
- c) *All city inhabitants have the right to participate in the configuration and coordination of territory as a basic space and foundation for peaceful life and coexistence.*
- d) *All city inhabitants have the right to available spaces and resources allowing them to be active citizens. The working and common spaces shall be respectful of everyone's values and of the value of pluralism.*





## APPENDIX III: SUMMARY OF RELEVANT ISSUES PAPERS

Appendix III summarizes key elements from the four issues papers relevant to Policy Unit 1. The full text of issues papers can be found at: <https://www.habitat3.org/the-new-urban-agenda/issue-papers>

### Issue Paper 1: Inclusive Cities

The Issue Paper provides a very clear framework on existing challenges of the current urbanization model from the perspective of social inclusion, including the very essential paradox of cities: on the one hand, they are major incubators of opportunities and connections between individuals and groups, which in principle enhances access to services, social bonding, diversity and empowerment processes; and on the other, they are sites undergoing some the most exacerbated conditions of inequalities (i.e. precarious human settlements or socially/economically excluded peripheries). Moreover, the document extensively refers to the multidimensional character of exclusion and the intersection of the various “forms of inequalities in the social, legal, spatial, cultural, political and environmental spheres”. To counteract these problems, it suitably identifies as levers of change: granting equal access to quality basic services, strengthening participation and accountability in policy-making and tackling the impact of spatial exclusion.

However, the Issue Paper also raises a problematic issue from the perspective of the Right to the City. While it acknowledges that the current urban development model is problematic, as it is based on competition, business attractiveness and commodification/speculation of land -which is at the origin of severe forms of exclusions, it also brings forward the concept of “inclusive growth”. This term seems to evoke that the present model based on growth is inevitable and that the only room for man oeuvre is to try to make it somehow compatible with social inclusion. Unfortunately, inclusion is not always compatible with development goals. Fostering inclusive cities often entails making political decisions that prioritize urban dweller’s wellbeing over profit. Therefore, it is critical to ask whether the current urbanization model is not a key obstacle for the goal of inclusive cities. Against this background, the Right to the City brings forward a new paradigm that calls for a sustainable urban pattern on the basis of equity, empowerment and social justice, both for present and future generations. It thus prioritizes urban dweller’s wellbeing over market interests. This is why it has such a huge potential in building inclusive cities.

Some additional aspects worth highlighting from the Right to the City perspective are:

- The need to deal not only with cities, but with human settlements as a whole. The New Habitat Agenda is an opportunity to question whether today’s massive urbanization is sustainable. This implies thinking of urban problems in a holistic way, also paying attention to the link with rural areas.
- Although spatial exclusion is tackled, some important territorial aspects are missing. First, the fact that spatial exclusion leads to a fragmentation of the urban space. This phenomenon is not only the result of the marginalization and ghettoization of the poor, but also of the enclosure of the wealthiest in gated communities or privatized public spaces. Second, a metropolitan approach to inclusive cities calls for the implementation of metropolitan social inclusion policies and institutional cooperation in order to ensure







territorial equity, that is, an adequate level of social inclusion within a same metropolitan area, avoiding the concentration of social exclusion in certain parts of the urban continuum.

- It is key to go beyond the idea of improving urban spatial connection -as proposed by the Issue Paper, and actually work to build polycentric cities where services, job opportunities, amenities and quality public services are available throughout the whole urban fabric, including informal settlements. All neighbourhoods and areas of the city should provide all is needed to have a full and dignified life. Therefore, the primary goal of inclusive cities should be improving urban strategic planning on the basis of polycentrism, rather than spatial connection.
- Regarding social actors, women and certain marginalised groups are dealt with in the document. These groups should indeed be granted a voice in policy-making, as it is properly evoked. But it is important to bear in mind that enhancing their social inclusion not only entails ensuring they play a role in participation processes, but also –and very importantly, it implies tailoring specific measures and policies to guarantee they have full access to all universally recognised human rights. A further element related to social actors which needs to be addressed is the criminalization of occupants of public spaces, such as street dwellers or informal economy workers, who remain invisible throughout the paper.
- The link between environmental justice and social inclusion is missing, whereas poor or marginalized communities tend to be located in environmental risk areas.
- Finally, from the perspective of financing inclusive cities, it is important to highlight that public policies and public investments are key, as well as sufficient financial decentralization, consolidated state transfers based on fair criteria to ensure territorial equity and the establishment of a progressive local tax system.

### **Issue Paper 2: Migration and Refugees in Urban Areas**

The Issue Paper on Migration is well illustrated with facts and data. It also partly deals with the topic from a human-rights based approach, which is essential from the Right to the City perspective. However, the cultural dimension underlying the topic is missing. It has to be noted that migration is at the origin of the rich cultural diversity of cities and human settlements, which is both a challenge and an asset. As a challenge, it compels us to learn the values of respect and conviviality. It also calls for an enhanced capacity to fight discrimination and segregation, which from an urban point of view should be translated into mixed-used neighbourhoods and equal access to basic services, among others. As an asset, migration and cultural diversity enhances cross-fertilization, mutual learning and creativity. The Right to the City is concerned with these dimensions, and envisions the embracement and valorization of differences, while looking at socio-cultural diversity as a component of urban life that plays a key role in unlocking social potential.

### **Issue Paper 3: Safer Cities**

The Issue Paper on Safer Cities accurately grasps the complexity of crime and violence in urban settings. It not only refers to policy measures aimed at dealing with existing unsafely, but also pays







attention to its roots and causes, and points at several measures to prevent them. Identified key drivers cover a wide range of policy recommendations to be made to governments, including citizens' empowerment and participation, multi-level and multi-sectorial governance, inclusive urban planning, slum upgrading, the rule of law and human rights mainstreaming. However, from the Right to the City perspective, the mapping lacks one important element to be stressed: the problematic relationship between the police and disadvantaged communities, that is, the excessive use of force by personnel involved in law enforcement while performing their official duties, especially in marginalized areas. Without any doubt, this phenomenon reflects the inequalities and discrimination existing in societies towards poor groups, which in some cases state forces reproduce. Hence the importance to prompt governments to ensure policing and security provision on the basis of equity, safety and access to justice for all; to frame policing in human rights standards; and to ensure police officials accountability.

#### **Issue Paper 4: Urban Culture and Heritage**

In line with recent debates on sustainable development, the Issue Paper on Urban Culture and Heritage reinforces the idea that culture is one of the key pillars of sustainability, together with environment, society and economy. While there some are references to the role of culture in 'rehumanising' cities and making them more resilient and inclusive, the paper seems to concentrate mainly on the nexus between heritage, urban regeneration and tourism, and between the cultural and creative industries, employment and economic development. However, from the Right to the City perspective, it is also important to emphasize the importance of accessible, decentralized and well-resourced cultural infrastructures (not only museums, but also art schools, libraries or theatres); to the relationship between culture and education (i.e. how formal and non-formal education and lifelong learning should embrace cultural diversity and integrate artistic and cultural education); to the relationship between culture and knowledge (i.e. how cultural participation may enhance individual and collective knowledge and social capital); and to the role of culture in fostering social inclusion and cohesion (i.e., how intercultural dialogues provide the basis for mutual understanding and the valorization of differences).





#### **APPENDIX IV: RELEVANT (DRAFT) TARGETS IN THE 2015 SDGs**

1. End poverty in all its forms everywhere

1.3. Implement nationally appropriate social protection systems and measures for all, including floors, and by 2030 achieve substantial coverage of the poor and the vulnerable.

1.4. By 2030, ensure that all men and women, in particular the poor and the vulnerable, have equal rights to economic resources, as well as access to basic services, ownership and control over land and other forms of property, inheritance, natural resources, appropriate new technology and financial services, including microfinance.

1.5 By 2030, build the resilience of the poor and those in vulnerable situations and reduce their exposure and vulnerability to climate-related extreme events and other economic, social and environmental shocks and disasters

4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all

4.4 By 2030, increase by [x] per cent the number of youth and adults who have relevant skills, including technical and vocational skills, for employment, decent jobs and entrepreneurship

5. Achieve gender equality and empower all women and girls

5.1 End all forms of discrimination against all women and girls everywhere

5a. Undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws.

5.b Enhance the use of enabling technology, in particular information and communications technology, to promote the empowerment of women

5.c Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels

8. Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all

8.3. Promote development-oriented policies that support productive activities, decent job creation, entrepreneurship, creativity and innovation, and encourage the formalization and growth of micro-, small- and medium-sized enterprises, including through access to financial services.

8.5. By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value.

8.8. Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment.

9. Build resilient infrastructure, promote inclusive and sustainable industrialization and foster





innovation

9.1. Develop quality, reliable, sustainable and resilient infrastructure, including regional and transborder infrastructure, to support economic development and human wellbeing, with a focus on affordable and equitable access for all.

10. Reduce inequality within and among countries

10.1. By 2030, progressively achieve and sustain income growth of the bottom 40 per cent of the population at a rate higher than the national average.

10.6 Ensure enhanced representation and voice for developing countries in decision-making in global international economic and financial institutions in order to deliver more effective, credible, accountable and legitimate institutions

10.7 Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies

11. Make cities and human settlements inclusive, safe, resilient and sustainable

11.3 By 2030, enhance inclusive and sustainable urbanization and capacity for participatory, integrated and sustainable human settlement planning and management in all countries

11.4 Strengthen efforts to protect and safeguard the world's cultural and natural heritage

11.7 By 2030, provide universal access to safe, inclusive and accessible, green and public spaces, in particular for women and children, older persons and persons with disabilities

11.7 By 2030, provide universal access to safe, inclusive and accessible, green and public spaces, in particular for women and children, older persons and persons with disabilities

11.a Support positive economic, social and environmental links between urban, peri-urban and rural areas by strengthening national and regional development planning

11.b By 2020, increase by [x] per cent the number of cities and human settlements adopting and implementing integrated policies and plans towards inclusion, resource efficiency, mitigation and adaptation to climate change, resilience to disasters, develop and implement, in line with the forthcoming Hyogo Framework, holistic disaster risk management at all levels





## APPENDIX V: KEY REFERENCE DOCUMENTS

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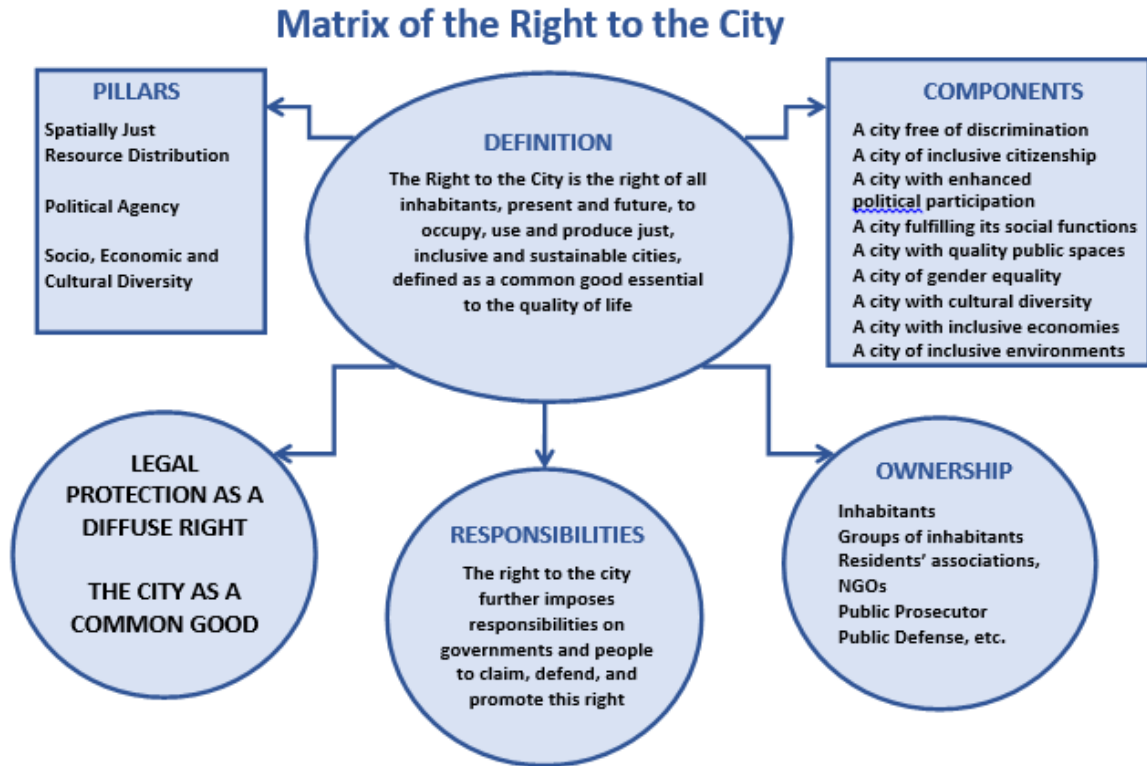
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APPENDIX VI: MATRIX OF THE RIGHT TO THE CITY







## ENDNOTES

<sup>i</sup>International instruments include:

Universal Declaration of Human Rights (1948)

International Covenant on Economic, Social and Cultural Rights (1966)

International Covenant on Civil and Political Rights (1966)

International Convention on the Elimination of All Forms of Racial Discrimination (1968)

Convention on the Elimination of All Forms of Discrimination Against Women (1979)

Convention on the rights of the Child (1989), International Convention on the Protection of the Rights of All Migrant Workers (1977)

Convention relating to the Status of Refugees (1951)

Vienna Declaration and Programme of Action (1993) on universality and indivisibility of human rights

<sup>ii</sup> Regional instruments include:

American Convention on Human Rights (1969)

European Convention on Human Rights (1950)

African Charter on Human and Peoples' Rights (1981)

<sup>iii</sup> The Habitat Agenda, 1996, <http://unhabitat.org/wp-content/uploads/2014/07/The-Habitat-Agenda-Istanbul-Declaration-on-Human-Settlements-2006.pdf>

<sup>iv</sup> Global compacts include:

World Charter for the Right to the City (2005)

Rio de Janeiro Manifesto on the Right to the City (World Urban Forum, 2010)

Global Platform for the Right to the City Action Plan and Thematic Axes (2014)

Gwangju Guiding Principles for a Human Right City (2014)

<sup>v</sup> National legislation, e.g.: Brazil's City Statute (2001) and Ecuador's Constitution (2008)

<sup>vi</sup> City charters include:

European Charter for the Safeguarding of Human Rights in the City (Saint Denis, 2000)

Mexico City Charter for the Right to the City (2010)

Global Charter-Agenda for Human Rights in the City (UCLG, 2011)

<sup>vii</sup> I.e. the Rio Declaration on Environment and Development (1992).

<sup>viii</sup> EU (2000) *The European Charter for Women in the City*; and Barcelona (2004) *Charter for Women's Right to the City* (Barcelona 2004)

<sup>ix</sup> See the *Convention on the Protection and Promotion of the Diversity of Cultural Expressions* (2005).

<sup>x</sup> Under Art. 11 of the Convention Concerning the Protection of the World Cultural and Natural Heritage, the following cities have been declared so: Potosí, Bolivia (2014), Old City of Jerusalem and its Walls (1982), Ancient City of Damascus, Syrian Arab Republic (2013), Liverpool – Maritime Mercantile City, United Kingdom of Great Britain and Northern Ireland (2012), and Old City of Sana'a, Yemen (2015).

<sup>xi</sup> Art. 2 and 11 of the Convention for the Safeguarding of the Intangible Cultural Heritage refer to the protection of spaces, including urban and rural areas. Intangible Cultural Heritage of Humanity include some areas of the following cities: Yaaral and Degal, Mali (2008); Palenque de San Basilio, Colombia (2008); Cordova, Spain (2012), Majlis, United Arab Emirates; Saudi Arabia, Oman, Qatar (2015).

<sup>xii</sup> UN-Habitat (2015) *Habitat III Issue Paper on Urban and Spatial Planning and Design*, <http://unhabitat.org/issue-papers-and-policy-units/>

<sup>xiii</sup> UN-Habitat (2009) *Planning Sustainable Cities: Global Report on Human Settlements 2009*, <http://unhabitat.org/books/global-report-on-human-settlements-2009-planning-sustainable-cities-policy-direction-abridged-edition/>

<sup>xiv</sup> As Article VIII of the World Charter on the Right to the City (2004) points out, this is still a critical aspect of the Right to the City.

<sup>xv</sup> Borja, J. (2010) 'Democracy in Search of the Future City' in A Sugranyes & C Mathivet *Cities for All: Proposals and Experiences towards the Right to the City*, pp. 29-30





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- <sup>xvi</sup> UCLG Committee on Social Inclusion, Participatory Democracy and Human Rights, 2011, “Global Charter-Agenda for Human Rights in the City,” Section C, Values and Principles.
- <sup>xvii</sup> Habitat III Issue Paper No. 1, p. 2 and World Charter for the Right to the City, Preamble.
- <sup>xviii</sup> Human Development Report 2015, p. 61.
- <sup>xix</sup> International Labour Organization, 2014 World of Work Report: Developing with Jobs, p. xx.
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- <sup>xxiii</sup> Gentrification needs to be distinguished from community-led transformative regeneration, including areas of a city which may have been impacted negatively by ‘urban decay’. We propose that efforts focus on community-led regeneration.
- <sup>xxiv</sup> UN-Habitat (2015) *Habitat III Issue Paper on Public Space*, <http://unhabitat.org/issue-papers-and-policy-units/>
- <sup>xxv</sup> Brown, A. (ed) (2006) *Contested Space: Street trading, public space and livelihoods in developing cities*, Rugby: ITDG Publishing
- <sup>xxvi</sup> UN-Habitat (2014). Participatory Slum Upgrading Programme, PSUP
- <sup>xxvii</sup> See in this respect Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, *Basic Principles and Guidelines on Development-Based Evictions and Displacement*, Annex 1 of the report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, A/HRC/4/18 (5 February 2007), available at [http://www2.ohchr.org/english/issues/housing/docs/guidelines\\_en.pdf](http://www2.ohchr.org/english/issues/housing/docs/guidelines_en.pdf).
- <sup>xxviii</sup> Approach to be participatory and inclusive of all the people in the new criteria.

