



Selected Resources

Decentralisation, Local Governance and Human Rights

Human rights in German development policy

BMZ Strategy and Guidelines on human rights in German development policy

The cross-sectoral strategy affirms the central role of human rights in German development policy and contains binding requirements for the implementing agencies; the Guidelines provide guidance on the incorporation of human rights standards and principles, including gender, in programme proposals.

- BMZ Strategy (2011), also drawing a link between human rights and governance issues:
http://www.bmz.de/en/publications/type_of_publication/strategies/Strategiepapier305_04_2011.pdf
- BMZ Guidelines (2013):
http://www.bmz.de/en/zentrales_downloadarchiv/themen_und_schwerpunkte/menschenrechte/Leitfaden_PV_2013_en.pdf

BMZ (2010), Human rights in practice – Fact sheets on a human rights-based approach in development cooperation

Collection of 2-page fact sheets that explain what the human rights-based approach in development cooperation means in general and for all priority sectors of German development cooperation. The fact sheet on decentralisation and municipal development can be found on pages 20-21.

- http://www.bmz.de/en/publications/topics/human_rights/BMZ_Information_Brochure_7_2010e.pdf

BMZ (2014), Managing urbanisation – Towards sustainable cities; an information brochure that refers to human rights on several occasions, especially on pages 17-18.

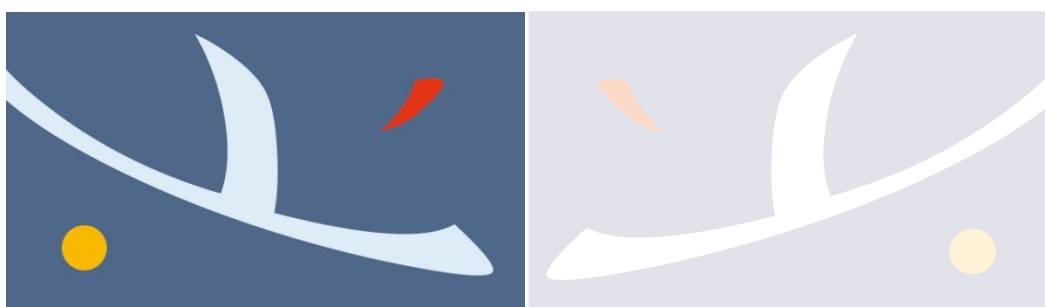
- http://www.bmz.de/en/publications/type_of_publication/information_flyer/information_brochures/Materialie237_Information_Brochure_3_2014.pdf

United Nations reference documents and resources on decentralisation and local governance

International Covenant on Civil and Political Rights (ICCPR), Article 25 (right to political participation), Article 19 (right to freedom of expression), Article 21 (right to freedom of assembly), Article 22 (right to freedom of association), and Article 27 (rights of minorities)

Decentralisation and local governance are closely connected to various civil and political rights, among them those mentioned above.

- <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>



UN Human Rights Committee, General Comment No. 25 on ICCPR Article 25: The right to take part in public affairs (CCPR/C/21/Rev.1/Add.7, 1996)

The treaty bodies, committees of independent experts established under the UN human rights treaties, issue 'General Comments', authoritative interpretations of the provisions of the treaty. The Human Rights Committee, through General Comment No. 25, has interpreted Article 25, specifying the state obligations regarding the right to take part in the conduct of public affairs, voting rights and the right of equal access to public service.

- http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CCPR%2fC%2f21%2fRev.1%2fAdd.7&Lang=en

Further relevant General Comments in the context of local governance comprise General Comments No. 10 and 34 (rights to freedom of opinion and of expression), as well as No. 23 (rights of minorities).

- http://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=8&DocTypeID=11

All states parties are obliged to submit regular reports to the UN Human Rights Committee on the steps taken to implement the rights stipulated by the Covenant. The Committee examines each report and addresses its concerns and recommendations to the state party in the form of 'Concluding Observations'.

- http://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=9&DocTypeID=5

International Covenant on Economic, Social and Cultural Rights (ICESCR), especially Article 11 (right to an adequate standard of living, including the right to water and the right to housing), Article 12 (right to health) and Article 13 (right to education)

The decentralisation of many public services particularly affects economic and social rights, enshrined in the ICESCR.

- <http://www.ohchr.org/EN/ProfessionalInterest/Pages/CESCR.aspx>

UN Committee on Economic, Social and Cultural Rights (CESCR), General Comments related to decentralisation and local governance

Of particular relevance for local governance programmes are General Comments No. 4 (right to housing), No. 7 (right to housing: forced evictions), No. 12 (right to food), No. 13 (right to education), No. 14 (right to health), No. 15 (right to water), No. 18 (right to work) and No 19 (right to social security).

- http://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=9&DocTypeID=11

More on human rights in the context of decentralisation and local governance

Esbern Friis-Hansen/ Helene Maria Kyed (2009), **Participation, decentralization and human rights: A review of approaches for strengthening voice and accountability in local governance**, World Bank/ Danish Institute for International Studies

This report examines the theoretical and practical synergies between three intervention models that are currently being employed to improve local governance in developing countries: (i) democratic decentralisation or devolution; (ii) community participatory approaches; and (iii) human rights-based approaches. The aim of this review is to identify the links, synergies and challenges of an integrative approach to local governance, referring to a number of empirical studies in Africa, Latin America, Asia and Europe. Each case study also highlights a number of context-specific challenges such as available finan-



cial resources, the national policy environment and local conflicts.

- http://subweb.diis.dk/graphics/Subweb/Fremtidens-bistand/Local%20governance%20DIIS%20%20-%20FINAL%202_.pdf

UN Practitioners' Portal on HRBA to Programming – Resources on governance

An extensive collection of resources on human rights-based approaches to programming in relation to governance, e.g. regarding municipal development or responsible governance of tenure.

- <http://hrbportal.org/archives/topics/governance>

GSDRC (2014), Decentralisation and local government, University of Birmingham/ DFID/ The Commonwealth

This guide on decentralisation clarifies the term and its implications, amongst others, in the context of development or fragile contexts. It provides a great selection of resources, reference documents and case studies.

- <http://www.gsdr.org/docs/open/DecLocGov2014.pdf>

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