

Cities and human settlements free from discrimination



Global Platform
for the Right to
the City



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A.

Introduction



Introduction: discrimination, inequities and cities

The “right to the city” is a collective right that should guide the construction of cities and building human settlements for all, regardless of gender, sexual orientation, country of origin, religion, etc. Cities — as places to live in, where potential is developed and different cultures and lifestyles are in direct contact — are where rights are protected, violated, and discriminated. Therefore, in the fight against discrimination, the role of cities — including their governments and its civil society — is essential.

Recently, the political context has raised some debates concerning issues of rights and non-discrimination that were assumed previously to already be generally accepted. The rise of these debates, most of which are promoted by far-right groups, highlight the need to investigate, review, emphasize and re-write some concepts and discussions on non-discrimination. Furthermore, the COVID-19 pandemic shows an effect on our approach to human rights, establishing certain limits and restrictions that could result in discriminations in the public space or access to healthcare, for instance.

Discrimination can happen as consequence of direct actions from public institutions, such as prohibiting women to perform certain activities. Nowadays, some cities have explicit discriminatory practices. However, indirect discrimination is more widespread and act invisibly. Laws and policies which seem universal often include contradictory clauses or result in omissions that actually are discriminatory against certain people or groups.

Considering this scenario, the aim of this thematic paper is to contribute an improvement to the implementation of the right to the city through some conceptual clarification and practical examples and practices in the non-discrimination field. Some of them are cases brought forward to the International Human Rights System, with specific recommendations for governments. Others are experiences from different cities around the world, trying to address the oppression of certain groups inside their territory.

This paper also includes a section of explanations for different dimensions of the non-discrimination principle: the different discrimination clauses, —with a particular focus on gender, age, disabilities, race and ethnicity, and sexual identity and orientation — taking into consideration the axes of discrimination approach; the institutional, spatial and structural discrimination, as well as the theory of intersectionality, as well as the ways in which cities are directly compelled to combat discrimination under International Human Rights law and case law. Some examples of good practices are also included.

Finally, some recommendations are presented in order to connect both the practical examples and the theoretical background, in order to the local governments — in their daily practice — and social movements, when doing advocacy, can go beyond the *lieux communs* and put into place real mechanisms to achieve the right to the city for all.



B. Discrimination in the city: against whom?



Discrimination takes place along a wide variety of axes that can encompass gender, race and ethnicity, disability, nationality, migrant and citizenship status, sexual orientation and identification, age, religion, and social and economic status, amongst others.

Understanding who is being discriminated against, on which grounds, through what historical contexts and lenses, and the specific needs of these groups is crucial in fighting discrimination in the city and how this affects the right to the city for all.

As has been previously stated, the role of cities in the fight against discrimination is essential, considering it is the main scenario where rights are developed, protected, breached, and discriminated against. Lefebvre (1991)

understood urban space as a product of social relations, which presumes that urban space is the physical expression of social disputes. Therefore, **the unequal distributions of power and resources across social relationships that are built in a society can be found in the urban space as well.** Within cities, but not limited to them, these unequal distributions and social constructs take form in the physical spectrum. Consequently, it is **possible to challenge those social constructs by challenging the urban physical space where they occur.**

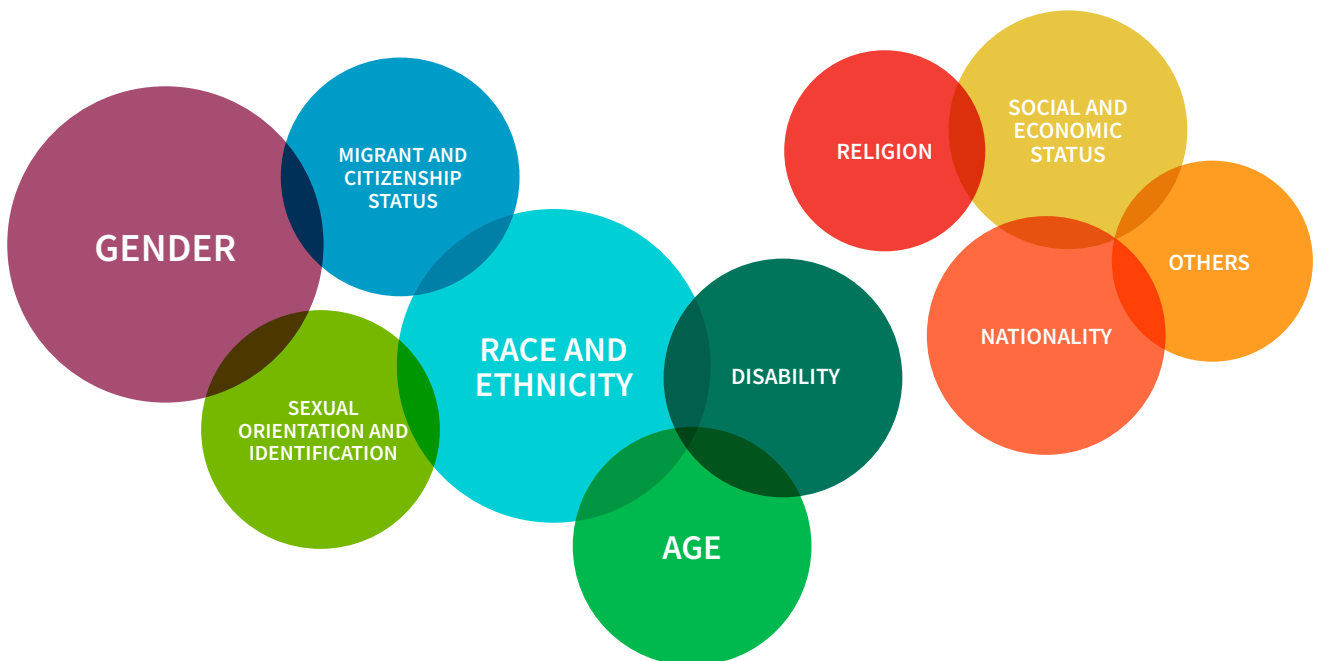


Figure 1: Axes of discrimination, visual representation of possible interaction.

The right to the city also entails the right to enjoy public space without discrimination.

In the struggle for the use of the public space, local authorities must ensure that vulnerable groups have equal enjoyment rights and opportunities, and must also bear in mind that restricting certain practices in public spaces can involve indirect discrimination of vulnerable groups.

For instance, criminalization or restriction of street vending involves the deprivation of income for groups who don't have access to alternative industries or formal employment, such as migrants, women, older persons, subsistence agriculture workers, indigenous peoples, and other ethnic groups.

Several municipalities and regions have gradually enlarged the axes of discrimination which are considered in need of changing. An example of this consideration and consequent expansion is the prohibition of discrimination based on language, found in the **Ordinance number 2160 of Metropolitan Lima (2019)** or the inclusion of **Aporophobia¹ and Ageism² in the Catalan Law of equal treatment and non-discrimination 19/2020**. However, **prohibition of discriminatory practices based on gender, race and ethnicity, and sexual identity and orientation are more often found in municipal acts against discriminatory practices and are therefore understood in this paper as more commonly tackled³**. Therefore, the focus of this section will be to establish these dimensions in discrimination.

PRACTICAL CASES - PUBLIC ADMINISTRATION

Ordinance number 2116 of
Metropolitan Lima 2019

Catalan Law of equal treatment and
non-discrimination 19/2020

However, it must be also taken into account that lack of data collection on the factors that discriminations are based on, which contributes to the marginalization of data on discriminatory practices. Therefore, although the focus of this section will be establish these dimensions of discrimination (gender, race and sexual identity and orientation), the need to collect data on all discrimination axes to know better who is suffering it is urgent, and therefore, there's an emphasis to create appropriate policies.

PRACTICAL CASES - PUBLIC ADMINISTRATION

Municipal Code of Jackson,
Wyoming, US

Law 14187/2010 of the
State of São Paulo, Brazil

LGBTQ anti-discrimination ordinances
in the city of Mandaluyong [698, S-2018],
in the Philippines

LGBTQ anti-discrimination ordinances
in the city of Quezon [QCGFO Ordinance of
2014], in the Philippines

1. Aporophobia is understood as the rejection, contempt or hatred of poor and/or homeless.

2. Ageism is understood as the stereotyping and discrimination against individuals or groups on the basis of age.

3. Some examples are the Chapter 9.26 of the Municipal Code of Jackson, Wyoming, US; Law 14187/2010 of the State of São Paulo, Brazil, which determines that administrative penalties are to be applied for the practice of acts of racial discrimination, and LGBTQ anti-discrimination ordinances in cities of Mandaluyong (698, S-2018) and Quezon (QCGFO Ordinance of 2014) in the Philippines.

People who fall under the different axes of inequality can experience cities in very different ways. For instance, and taking the **gender, patriarchal social structures** into consideration, formal laws and policies like divorce, widowhood, inheritance, and wage discrimination, altogether with gendered roles and social constructs, give men better resources while preventing women from accessing land and from having a political voice in urban planning and demanding specific services. Similarly, the gendered division of labor and wage discrimination make it more difficult for women, particularly those in vulnerable groups, to afford rent, purchase a house, or access automobiles (Inter-American Development Bank, 2020).

It is also necessary to acknowledge the differences in travel patterns between men and women. Inclusive mobility policies need to contemplate preventive actions against gender-based violence on public transportation, where women are more exposed to sexual harassment and are prevented from enjoying equal access to mobility. Furthermore, it is key to involve all women and girls in discussions and decisions regarding the creation of public spaces in their cities which promote safe and inclusive spaces that meet the needs of all citizens. Female residents can give valuable input to policy makers about what is not working and what is limiting their movement

within the city, which should inform the planning of urban interventions and public policies (Inter-American Development Bank, 2020).

Race and ethnicity represent one of the major agents in housing discrimination and segregation across cities (Iceland, 2004). Racial residential segregation in a large scale, which took place at least in North and Latin America (Sabatini, 2006), South Africa (Christopher, 2001), and Nigeria (Oladosu, Bin & Ludin, 2018), inevitably leads to more exiguous access to resources and infrastructures for the non-white communities pushed to peripheral neighborhoods and slums. Non-white communities that are unable to afford housing prices in the urban core are forced to the periphery of metropolitan areas, facing escalating commuting costs (Harvey, 2012). All this clearly intersects with spatial segregation.

When it is considered that neighborhoods are the entry points for citizens, not only for transportation, but also for schools, jobs, healthcare, other local amenities (Schuetz et al., 2018) and, most certainly the right to the city, racial large scale urban segregation can lead to the creation of geographical and infrastructural barriers which result in restrained mobility and denial of access to certain services to determined ethnic groups. Urban-development



Women-only subway car at Rio de Janeiro Metro. During rush hours, only women passengers are allowed in the designated subway car.

fragmentation may limit geographical access among populations living in the peripheral areas of large urban centers, potentially reducing the benefits of living in a large city with a relatively high availability of services, but where resources are unevenly distributed (Mullachery et al., 2021).

Public authorities must also implement policies that prevent violence against vulnerable groups, such as the **LGBTQ+ community**. Despite rising awareness about the need to prohibit discrimination on the basis of sexual orientation and identity, which has resulted in the approval of legal regulation in different cities prohibiting such acts⁴, local authorities must ensure that the LGBTQ+ community enjoys public spaces free from physical and verbal aggression.

Evidently, discrimination in the city is not limited to a number of axes of inequality, nor its solution is to regard them as separate struggles. As aforementioned, axes of discrimination and inequality intersect, and must, therefore, be considered under the intersectionality spectrum. The **intersectional dimensions of inequality** are developed in the following section of this paper.



The right to the city must be regarded as a collective right, insofar as changing the city inevitably depends upon the exercise of a collective power over the processes of urbanization (Harvey, 2012).

Considering the right to the city as a collective human right (Harvey, 2012), which not only the right to not be discriminated is established, but also implies that cities must take into account that discrimination develops within the framework of structures of social inequality affecting broad groups of people in different, overlapping ways. The different scopes of discrimination and its collective approach are developed in the next section.

4. LGBTQ+ anti-discrimination ordinances in cities of Mandaluyong (698, S-2018) and Quezon (QCGFO Ordinance of 2014) in the Philippines; increased legal protection against discrimination in US cities as reported by Newman, K. (2019).

WE WELCOME

ALL RACES AND ETHNICITIES
ALL RELIGIONS
ALL COUNTRIES OF ORIGIN
ALL GENDER IDENTITIES
ALL SEXUAL ORIENTATIONS
ALL ABILITIES AND DISABILITIES
ALL SPOKEN LANGUAGES
ALL AGES
EVERYONE.

WE STAND HERE WITH YOU
YOU ARE SAFE HERE

* Content adapted from the original "We Welcome" sign created by IPRC members Lisa Mangum and Jason Levián

C. Discrimination in the city: how does discrimination happen?



Understanding how discrimination works means determining its scope in society. Discrimination can consider the individual approach, meaning that it affects only one person in a specific case, as well as the collective approach, as mentioned above.

The prohibition of discriminatory treatment as a part of the right to the city should particularly develop this latter collective approach, which includes tackling institutional, spatial, intersectional, and systematic or structural forms of discrimination.

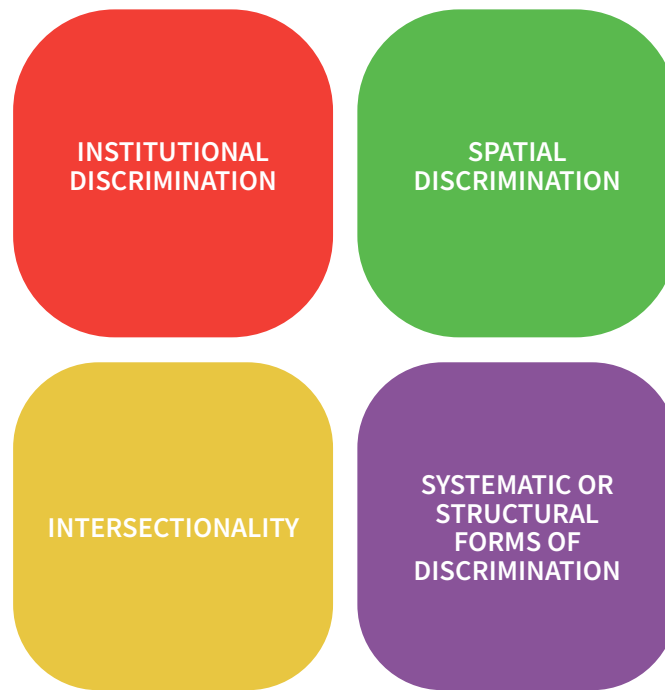


Figure 2: Aspects through which discrimination works, theoretical approach.

Institutional discrimination

Institutional discrimination can be defined as **the existence of norms and the implementation of policies or practices that harm certain groups that suffer from inequalities, both by public and private agents such as companies or employers**. In this latter case, authorities should ensure discrimination does not take place in the private sector as well (for instance, enacting laws penalizing such conducts). When the scope of actions of public administrations is analyzed, these actions can be enforced at

national, regional or local levels. When considering institutional discrimination, it should be noted that the result of the law, policies or practices exercised against minority groups or a group in an unequal position eventually perpetuate and deepen inequality, since the State gives them an amplifying effect.

Institutional discrimination develops through different forms. The first is by **public declarations** from public

authorities, in which they directly or indirectly promote or justify the unequal position of discriminated groups. The second practice happens by **enacting legislation that denies rights** (civil, political or social rights), recognizing them in a conditional manner, or promoting the creation of parallel or separate structures of access and enjoyment of such rights.

Lastly, the third form of exercising institution discrimination is through the **elaboration, projection and implementation of public policies**. These policies can be discriminatory or marginalize groups through the denial of access to public policies. Consider, for example, an educational plan that does not take into account the diversity of sexual orientation or the existence of certain ethnic groups that frequent the school. Institutional discrimination also happens when public policies treat vulnerable groups with paternalistic visions that stagnate the development of their agency and empowerment strategies.

The approaches and strategies to combat institutional discrimination acted through local authorities will depend on many factors. Some examples are the socio-cultural reality of the city, the presence of groups or minorities, the competences attributed to the municipality, and the economic resources available. In any case, multiple strategies can be created. For instance, reviewing plans and public policies to assess the effect they have on groups or minorities to guarantee that their right to the city is fully realized; the development of campaigns to highlight inequalities and discrimination; the involvement of groups and minorities in the development of public policies to assess the discriminatory effect that they may have; or the reviewing of institutional rhetoric, among others.

Spatial discrimination

As aforementioned, the geographic approach to the discriminatory system is particularly relevant in the present discussion and its relation to the right to the city.

The first item to be addressed is the fact that **oppressions are different depending on where they take place**. Individuals or groups may be perceived differently depending on where they are or where they live. For instance, a European woman can suffer some discriminations in a European city, but they will be different discriminations if she is in a rural area in the United States or in a megalopolis in South America (Rodó-Zárate, 2021). The location where the discriminatory action happens is crucial, because it will determine the cultural context, the factors involved or the laws and policies implemented or lacking that regard the discrimination.

More importantly, there is also a specific kind of discrimination based on territorial distribution, called **spatial injustice, which is connected to how resources and access to opportunities are unequally distributed in the cities**. The public transportation network, the cultural and entertainment options and public services should be broadly provided across the whole territory, especially considering areas where the average income is lower and

marginality levels are higher. Social housing should be distributed not only in the poorest neighborhoods, but also in the city center. Furthermore, urban planning is key to decide where to place gardens and parks, and industrial facilities, sewage plants or dumping sites without enforcing discriminatory patterns.

Spatial justice also entails, as well, special attention to center-periphery inequalities.

Usually, decision-makers tend to offer better services, public spaces and healthy environments in high-income areas, where the power resides. Meanwhile, poor areas amass polluting infrastructures and worse-quality services and transportation. These inequalities are a clear expression of spatial discrimination, while, at the same time, they lay the groundwork for further discriminations that develop on the basis of space as well: people are discriminated every day solely based on the neighborhood or city they live in when applying for a job, for example.

Intersectional discrimination

Similarly to what is stated in the GPR2C Thematic Paper: *Inclusive citizenship in cities and human settlements*, the intersectional approach is a fundamental perspective that must be taken into account when addressing discrimination and the right to the city. Intersectional discrimination concerns cases in which **a person or a group is stigmatized or treated in a harmful way due to two or more reasons; in other words, at the intersection of two or more axes of discrimination**. The origins of intersectionality are found in Black feminism and in the assessment that the discrimination suffered by Black women intersects elements of race and gender. Activists and academics such as Kimberlé Crenshaw (1989), Patricia Hill Collins (2002), and the Combahee River Collective (2014) argued that different elements converge in oppressive relationships beyond gender such as race, class, and sexual orientation. These authors stressed that the discriminatory situations experienced by Black women were invalidated, and that discrimination treated from a single axis of inequality or protection ground (race, gender, disability) had as a consequence the limited exposure of only certain aspects of inequality — often focusing on the particularly less privileged members within minorities. The concept of intersectional discrimination is supported by the idea that people can belong to several disadvantaged groups at the same time, suffering aggravated, overlapping and specific forms of discrimination.

with her condition as a minor, a female, a person living in poverty, and a person living with HIV. The discrimination (...) was caused not only by numerous factors, but also arose from a specific form of discrimination that resulted from the intersection of those factors; in other words, if one of those factors had not existed, the discrimination would have been different".

There are also some examples of municipal policies that have included this perspective as well. The **Terrassa City Council (Spain) developed a pilot project** for the incorporation of intersectionality in municipal policies. The Connected Equalities project was created due to the need to find new ways of planning and acting, which would allow it to give responses more adjusted to the diversity of the municipality, in order to promote equality and non-discrimination. As a result of the project, a *practical guide* (Terrassa City Council, 2019) was developed for the incorporation of intersectionality in the public policies of the cities.

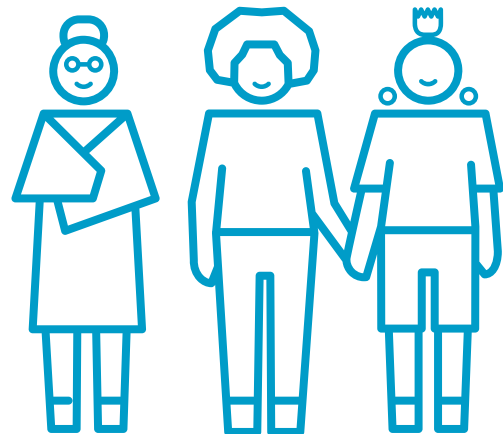
PRACTICAL CASES - CASE LAW

M.S. vs. Denmark, CEDAW
(CEDAW/C/63/D/46/2012)

International case law has taken into account the intersectional perspective of discrimination. Beyond the CEDAW view on **M.W. vs Denmark** exposed in the following section, or the **Inter-American Court of Human Rights, in the case of Gonzalez Lluy et al. V. Ecuador**, regarding a minor infected by HIV blood transfusion that led to a situation of social stigmatization, stated that in this case “numerous factors of vulnerability and risk of discrimination intersected that were associated

PRACTICAL CASES - PUBLIC ADMINISTRATION

Connected equalities project
(Terrassa City Council, Spain)



Intersectional discrimination

Lastly, the systemic discrimination as part of the global difficulties for the right to the city must be addressed. Systemic discrimination refers to its structural component. In this case, it is not a specific practice that discriminates against a certain person in a certain time or situation. **It is about the existence of generalized and widespread practices or regulations in all areas (legal, social, political, economic, etc.) that discriminate against a certain group.** The perception of inferiority is a structuring and organizing principle of society. **Systemic discrimination is a specific manifestation of the power and oppression of a privileged social group over others,** and is a reflection of the inequalities and prejudices affecting groups such as women, the LGTBQ+ community, Roma people, black population, older persons, indigenous peoples, persons with disabilities and migrants, among others.

The existence of systemic discrimination has been recognized by the ICESCR Committee, in its General Comment No. 20 (2009), and the CERD Committee addresses structural discrimination against people of African Descent in its general Recommendation No. 34 (2011).

Regarding the right to the city, the existence of systemic or structural discrimination implies that there should be an obligation to face inequalities and discrimination through a holistic perspective that incorporates all the spaces in which people and groups unfold their lives.

Acting against this type of discrimination **requires cities to review the discriminatory actions that are deeply rooted** in all their management areas, ranging from public policy planning, development and application of regulations or the implementation of practices. An example of this systematic or structural discrimination refers to police arrests. It has been proven that the actions of the local police in cases of street arrest have a discriminatory bias against those groups that have historically suffered

discrimination, and about whom there is an accrual of prejudices. The mistake in this case would be to treat the detentions based on racial or ethnic profiling as specific, anecdotal or isolated acts. On the contrary, the approach needed regarding these cases by the cities must include the structural perspective in such a way that the generalized existence of damage inflicted by security forces is admitted with respect to the groups which suffer from situations of extreme inequality.

In the [Acosta Martínez et al. V. Argentina case](#), the [Inter-American Court of Human Rights](#) included direct obligations towards the city of Buenos Aires in order to avoid discriminatory practices in detentions based on ethnicity. In this case, José Delfín Acosta Martínez, a foreigner and Afro-descendant, was detained by the police and died while in police premises. In his judgment, the Court declared that his arrest and death occurred in a general context of racial discrimination, police violence, and within the use of racial profiling in Argentina. The Inter-American Court includes within the guarantees of non-repetition the obligation to:

“(1) include in the regular training course of the Police of the Autonomous City of Buenos Aires and of the Argentine Federal Police, trainings on the discriminatory nature of racial stereotypes, based on color, nationality or ethnic origin, as well as the use of racial profiling in the application of police capacities to carry out arrests, and raise awareness about the negative impact that their use has on Afro-descendant people, and (2) to implement a mechanism that registers the complaints of people who claim to have been arbitrarily detained, based on racial profiles and a system of registration and statistics on the Afro-descendant population in the country”.



D. The principle of non-discrimination in international law and jurisprudence



International regulation of the principle of non-discrimination in the cities

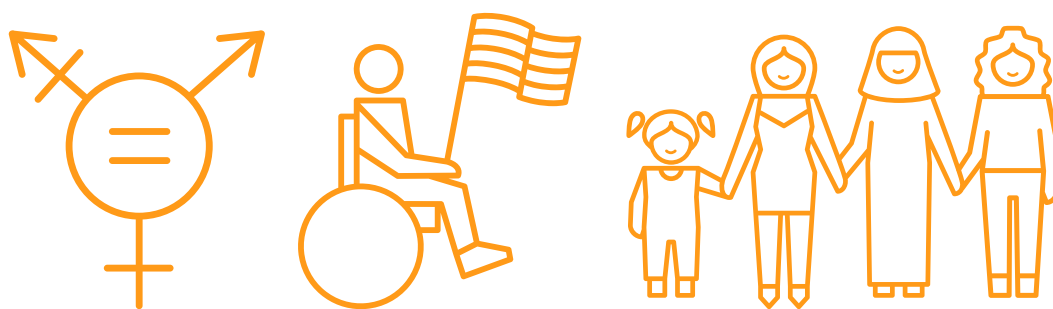
The different ways in which cities are legally involved to guarantee the right of non-discrimination can be divided into three different approaches.

The first, non-discrimination in international law is widely recognized under all international treaties. Recognizing and guaranteeing rights entail the guarantee of non-**discrimination**. Therefore, several international and regional declarations, charters and covenants incorporate clauses prohibiting discriminatory treatment in the exercise of rights recognized in them⁵.

This recognition presupposes a **"first approach"**, in which cities are required, under international law, to enforce the principle of non-discrimination in the exercise of their powers. It is true that the texts refer to or place the responsibility on the States, as, in fact, national governments are the ones who sign international treaties. However, the responsibility derived from these treaties incorporates cities and their governments because **references to States in international human rights law as entities responsible for compliance with non-discrimination encompass all public institutions that are part of such States, including cities and local governments**⁶.

The mandates included in international regulations are to be later developed by city governments. For example, the *International Covenant on Economic, Social and Cultural Rights* (ICESCR) states that the right to education must be recognized and guaranteed without any type of **discrimination**. Cities are therefore held responsible, because it is in their territory where children and teenagers go to school and develop their educational life. Given the plurality of populational groups that inhabit them, including groups which are more likely to face discrimination, cities are directly accountable in the fight against non-discrimination.

Considering this approach, it is necessary to **broaden the focus of cities' competences**. In order to guarantee the right to the city, city councils are often responsible for the management of public infrastructures and educational and health services, for example. This approach assumes that cities must recognize the right to education or health without any type of discrimination, and to act on it when such discrimination takes place. However, cities' commitment to respect human rights comprises the need to go beyond the *vested competences* approach⁷ and expand it towards one in which cities are made to act in all areas of the fight



5. Following this directive, the Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (ICCPR, 1966), the International Covenant on Social, Economic and Cultural Rights (ICESCR, 1976), the American Convention on Human Rights (1969), the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR, 1950), and the European Social Charter or the Charter of Fundamental Rights of the European Union (1965).

6. In fact, in its general comment no. 16, the Committee on Economic, Social and Cultural Rights (CESCR) stressed that "the violation of the rights contained in the Covenant may occur through the direct action, inaction or omission of the States parties or their institutions or agencies at the national and local levels".

7. Under the vested competences approach, the obligations of non-discrimination which are contemplated in international treaties would have to be fulfilled by the States, and not necessarily by the local authorities, if they are not contemplated in the text.

against discrimination, and not only regarding discriminations that take place in the scope of their management competences. In this sense, several cities in the world have officially declared themselves “human rights cities”⁸. Such cities commit to guaranteeing the principle of non-discrimination even when the matter falls under the state’s national or regional competence.

In International Human Rights Law, there is a **second approach** that is more inclusive about the role of cities in the fight for non-discrimination. In this regard, the *International Convention to Fight Against the Elimination of All Forms of Racial Discrimination* (ICERD) expressly incorporates cities. Article 2.c) establishes that “[e]ach State Party shall take effective measures to review governmental, national and local policies, and to amend, rescind or nullify any laws and regulations which have the effect of creating or perpetuating racial discrimination wherever it exists”. This implies a **direct obligation for cities to review transversally how existing policies have or may have a perpetuation effect on existing racial discrimination**, and enacting accordingly in all their fields of action.

This mandate to review the design and implementation of policies and of city regulations must also be extended to other areas where discrimination is systemic and structural, due to historical reasons. In other words, cities must also review their policies and regulations regarding the groups that have historically suffered from exclusion and structural discrimination, and assess to what extent an apparent neutrality or a failure to account for structural exclusions generates a discriminatory act or policy. For example, policies prohibiting or restricting the sale of products on the street can generate discrimination against groups that have suffered and still suffer from exclusion, such as women, migrants, indigenous populations, older persons, persons with disabilities or children. In these cases, cities, instead of prohibiting or penalizing the practice of street vending, should create and apply public policies to re-dignify both the work and the social and cultural contributions of these groups.

Lastly, there is a third approach, which takes a key role within this paper, by which the normative framework of human rights involves local governments directly in the compliance with the obligations derived from them, treating cities as protagonists and the right to the city as a holistic framework.

As it is stated in the Global Platform for the Right to the City (GPR2C) *Thematic Paper Inclusive citizenship in cities and human settlements*, this approach extends beyond the UN framework, and its conception is attributable to the efforts of civil society and local governments aiming at promoting more inclusive urban realities.

For instance, the *World Charter for the Right to the City*, article 1, states that “All persons have the Right to the 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 in conformity with the principles and norms established in this Charter”. Moreover, article 2.3 on equality and non-discrimination explicitly obliges cities to guarantee that their inhabitants do not suffer any kind of discrimination in the exercise of the rights enounced in the charter.

Similarly, the *World Charter-Agenda for Human Rights in the City and the European Charter for the Safeguarding of Human Rights in the City* state that the rights found in these charters should be applied without any kind of discrimination, and that the exercise of these rights must be guaranteed by municipal authorities directly. Therefore, these charters incorporate an approach in which **cities are directly held responsible for the protection**

8. Among them, Rosario (Argentina), the first city of human rights in 1997; Bandung (Indonesia); Barcelona, Spain; Bihac (Bosnia and Herzegovina); Bogotá Colombia; Bongo (Ghana); Mexico City (Mexico); Prince George’s County, Maryland (United States); Copenhagen (Denmark); Graz (Austria); Gwangju (Republic of Korea); Kaohsiung (Chinese Province of Taiwan); Kati (Mali); Korogocho (Kenya); Mogale (South Africa); Montreal (Canada); Nagpur (India); Porto Alegre (Brazil); Saint-Denis (France); Sakai (Japan); Thies (Senegal); Utrecht (The Netherlands); Victoria (Australia). Role of the local administration in the promotion and protection of human rights, Final report of the Advisory Committee of the Human Rights Council.

of rights and freedoms for each and every one of the people who inhabit them, and these anti-discrimination clauses **expand the scope traditionally contained in international treaties**.

Furthermore, the *New Urban Agenda* comprises in its 11th paragraph a **vision that covers cities without discriminations of any kind**, and in its 20th paragraph, it calls

for action **to prevent multiple forms of discrimination** faced, inter alia, by women and girls, children and youth, persons with disabilities, people living with HIV/AIDS, older persons, indigenous peoples and local communities, slum and informal-settlement dwellers, homeless people, workers, smallholder farmers and fishers, refugees, returnees, internally displaced persons and migrants, regardless of their migration status.

International jurisprudence on the principle of non-discrimination involving cities and local authorities

International case law has highlighted these three approaches with various emphasis, focusing mostly on the first approach. International decisions that link the right to the city and the right to not be discriminated thus focus mostly in cases that do not regard cities as directly responsible for non-discrimination, but that envision it as indirectly responsible because they are part of a State.

Despite focusing mainly on the first approach, it is necessary to discuss how international regulations are applying the right to non-discrimination connected to the right to the city. It is essential to explore how case law is evolving in the direction to further develop this paradigm, and to

show the consideration of some important aspects of discrimination in the city, such as intersectionality and the principle of local autonomy.

Regarding the first approach, establishing which cities are required to comply with international regulations as they are embodied within the State party, **the Committee on the Elimination of Racial Discrimination (CERD)** issued a recommendation in its Concluding Observations for Slovakia (CERD/C/SVK9-10) regarding the provision of social housing for Roma communities. Where the State party described the autonomy of local self-governing bodies as a major obstacle to achieving non-discrimination



in access to social housing for the Roma community, the Committee **recommended the State to make sure that the principle of self-governance of local and regional bodies did not hinder its international human rights obligations to promote economic, social and cultural rights of disadvantaged or discriminated groups**. Local governance and autonomy principles cannot therefore serve as an obstacle to equal enjoyment of rights by discriminated groups.

The Committee for Human Rights found the Spanish state to be in breach of its international obligations under the International Covenant of Political and Civil rights when police officers were discovered practicing racial profiling while performing screenings in public spaces in the **Rosalind Williams Lecraft vs. Spain case**⁹. The obligation of police officers, and, therefore, local authorities, to act in agreement with the State's international obligations on non-discrimination was found to be applicable under art.26 of the Covenant. Thus, local authorities are not allowed to discriminate on racial grounds in the exercise of their duties in the cities.

However, the major bulk of case law regarding the right to the city free from discrimination has taken form through multiple recommendations by international bodies with the need to train police officers and justice and local authorities in the scope of UN Conventions and Protocols. In that sense, **the Committee on the Rights of Persons with Disabilities** adopted similar views in **J.H. vs. Australia**¹⁰ and **Gemma Beasley vs. Australia**¹¹, where the state party was recommended to ensure continuous training to local authorities regarding the application of the Convention on the Rights of Persons with Disabilities and its optional Protocol.

In **Bacher vs. Austria**¹², the Committee established the State's responsibility to ensure that local authorities and courts, responsible for monitoring the implementation of accessibility standards, were given continuous training on this topic. Considering that enforcement of accessibility plans was a **local competence, the case is also an example of local authorities having to put in practice**

international mandates, since the Committee recommended that the Austrian state develop effective monitoring frameworks and bodies to ensure that accessibility plans, strategies and standardization were implemented and enforced at the local level.

PRACTICAL CASES - CASE LAW

M.S. vs. Denmark, CEDAW
(CEDAW/C/63/D/46/2012)

The Committee on the Elimination of Discrimination against Women issued a view in **M.W. vs. Denmark**¹³, where professionals who took part in administrative proceedings related to child custody were recommended to take compulsory training on the dynamics of violence against women, custody, visitation rights, the "best interests of the child" principle, non-discrimination against foreign nationals and gender stereotypes in order to equip them with the necessary knowledge and skills to perform their duties in conformity with the States international obligations. This latter case is an **example of intersectionality training on non-discrimination, including both gender and foreign national perspectives**.

The **second approach** has also been covered by case law. For instance, the Committee for the Elimination of Racial Discrimination reminded in its view regarding **El Ayoubi vs. Spain**¹⁴ that the interpretation and application by **courts and administrative authorities** of rules for access to social housing or alternative accommodation must **avoid perpetuating the systemic discrimination and stigmatization** of those who live in poverty and who illegally occupy property out of necessity and in good faith.

The **third approach**, by which cities are directly in charge of protecting human rights and, more particularly, the right to the city, has rarely been addressed in internatio-

9. CCPR/C/96/D/1493/2006.

10. CRPD/C/20/D/35/2016.

11. CRPD/C/15/D/11/2013.

12. CRPD/C/19/D/26/2014.

13. CEDAW/C/63/D/46/2012.

14. E/C.12/69/D/54/2018.

nal case law — not in direct case law application nor for interpretative purposes. Nevertheless, **several advances must be highlighted**. The compromises achieved by cities themselves, held in charters that give local governments the responsibility to develop cities and provide public services free from discrimination, **are reinforced by the 2030 Agenda for Sustainable Development promoted by the United Nations**. Despite being thus rarely addressed by international case law, the Sustainable Development Goals (SDGs) established their **Goal 11 “Make cities and human settlements inclusive, safe, resilient and sustainable”**. Furthermore, **the New Urban Agenda** adopted in the Habitat III summit, in Quito in 2016, **for the first time recognized the right to the city** in paragraph 11, and most of its fundamental principles in paragraphs 12 and 13.



E. The experiences of local governments and civil society



There are several networks of cities working against discrimination at national, regional and international levels. As an example, UNESCO in 2004 promoted, under a wider coalition called “International Coalition of Inclusive and Sustainable Cities (ICCAR), several regional coalitions of cities which were created, focusing on fighting discrimination and racism:

Latin American and Caribbean Coalition of Cities against Racism, Discrimination and Xenophobia (*Coalicionlac*)

Coalition of African Cities against Racism and Discrimination

Coalition of Cities against Discrimination in Asia and the Pacific (APCAD)

Coalition of Arab Cities against Racism, Discrimination, Xenophobia and Intolerance
European Coalition of Cities against Racism (*ECCAR*)

U.S. Coalition of Cities against Racism and Discrimination

Coalition of Inclusive Municipalities- Canada (CIM)

Their main goal is to implement a Ten-Points Action Plan including training activities, cultural events and other social initiatives. For instance, the ECCAR designed a *toolkit* in order to promote the creation of anti-discrimination offices at the local level, with concrete examples and recommendations.

It is also worth mentioning the important work that the *Social Inclusion, Participatory Democracy, and Human Rights Committee* from United Cities and Local Governments has implemented for the past 20 years.

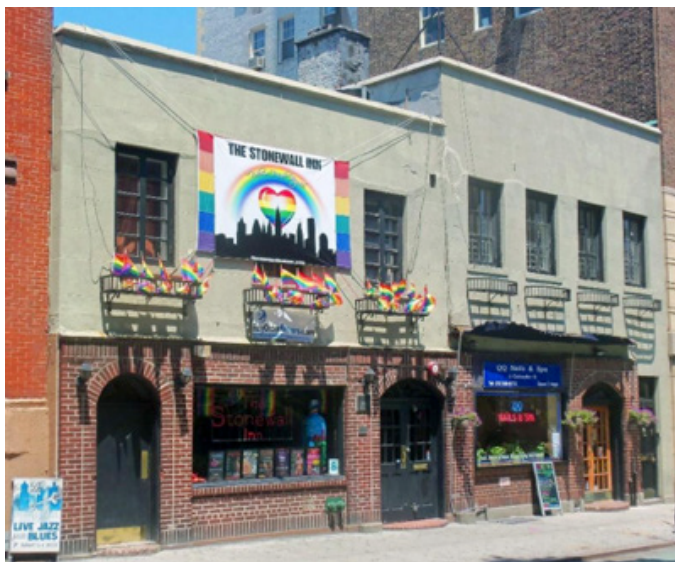
Many municipalities have developed local policies to prevent and end discrimination in their cities, and make progress towards the right to the city. We can find different kinds of practices:

Programs aimed at citizens suffering from discrimination, such as **specific units, offices and observatories** where counseling and social and legal support is offered. Usually, it is a place where citizens suffering from discrimination can file complaints and ask for advice or access to justice. Beyond counseling and support in specific cases, several services can be implemented, depending on the budget and resources. For example, they can publish reports and information for accountability and raising awareness, organize training for schools or public offices, or lead strategic litigation for some key cases. Thus, the professionals offering such services can be lawyers, social workers, psychologists, etc. These kinds of units can operate independently of local governments and possibly funded by several administrations. However, they are often part of the municipal structure. Some examples can be found in *Bogotá*, *Barcelona* or *Northern Territory* in Australia.

Training strategies directed towards public officers, so that they respect human rights in all their interventions, guaranteeing a non-discriminatory approach. There are **specific trainings for the local police in order to end discriminatory practices such as racial profiling (see *London*)**. As seen before, some recommendations from International Human Rights bodies consist of the obligation of the State or local governments to provide training to their employees so that discriminatory situations do not recur. The training can be either offered by the anti-discrimination units mentioned above or by specialized consultants or organizations from civil society.

Specific legal ordinances penalizing discriminatory activities (see [Lima, Jackson](#)). These are aimed at citizens and private agents in order to prevent them from carrying out discriminatory actions. The ordinances establish the prohibition to discriminate when in the public space or entering administration's responsibility regarding the discriminatory actions performed by the private sector. Passing legal ordinances is a matter of political action and does not imply a budgetary effort (unlike other measures like the anti-discrimination offices, which require funding). However, for a real implementation, monitoring and inspection of its actual impact is needed. For instance, making sure that contravening such ordinances have consequences, such as fines or penalties.

Symbolic tribute in the public space to victims of discrimination or human rights defenders, like the ones in [New York City](#) or [Pretoria](#). Memorials are key to promote knowledge and establish non-discrimination culture, a symbolic social consensus about the importance to safeguard cities from discrimination. Cities should enhance all types of homages to remember the actions of certain leaders or communities and to reinforce the non-discrimination principle (street names, statues, murals...).



Stonewall Inn, birthplace of the modern gay-rights movement, festooned with gay-pride banners and flags the weekend after Gay Pride Day. New York, USA.



Panoramic photograph showing the Mandela Statue and both wings of the Union Buildings. Pretoria, South Africa.

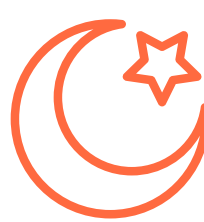
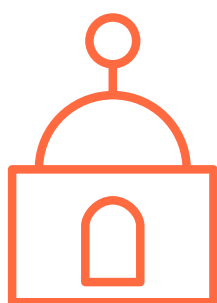
PRACTICAL CASE - CIVIL SOCIETY

Ollas populares (Metropolitan Municipality of Lima, Perú)

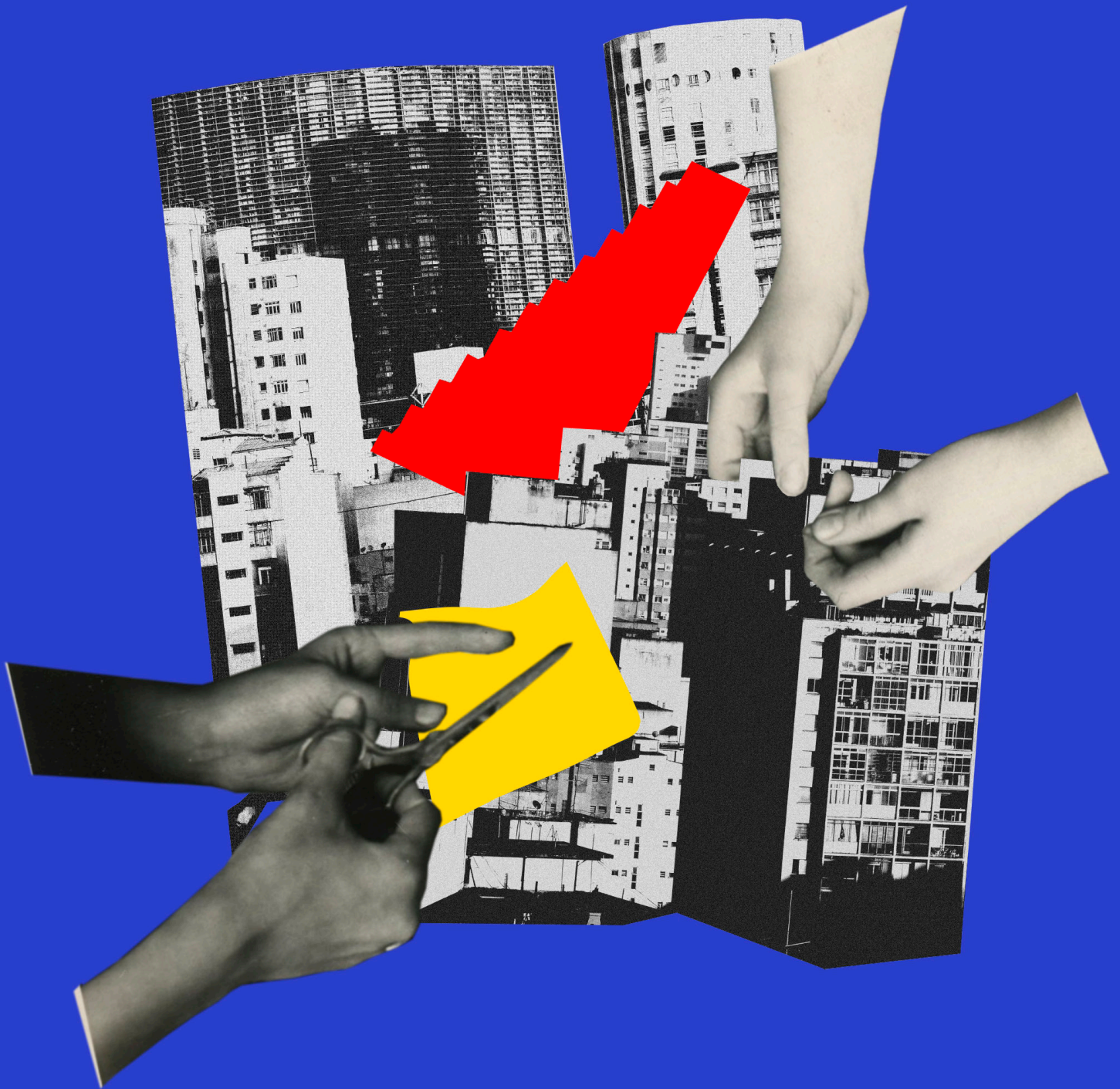
From the **civil society approach**, there are many collective actions that helped reinforce the non-discrimination principle in the communities and the right to the city. For example, in many Latin American countries, such as in Perú the “**ollas populares**” (**popular pots**) organized by grassroots organizations, neighbors and mainly women, were key to fulfill some nutritional needs in the most segregated zones during the Covid-19 pandemic (Goicochea, 2020).



Some good practices put in place against discrimination are **affirmative actions**. As an example, in South Africa the Employment Equity Act establishes that not only municipalities and public sectors, but also private companies with more than 50 employees, must implement an equity plan where a certain proportion of the staff at all levels belong to minority groups. These kinds of laws exist in many countries, and they can target both public administrations and the private sector. Another example are quotas for people with disabilities for jobs in the public sector.



F. Recommendations



Recommendations for city councils

Signing the World-Charter Agenda for Human Rights in the City and the European Charter for the Safeguarding of Human Rights in the City (in case of European cities), adopt the New Urban Agenda, and promote their compliance and development, and consider and refer to such Charters when anti-discrimination public policies are enacted.

Promoting the creation of International Human Rights covenants or instruments that prevent other kinds of discrimination not yet recognized, like ageism.

Making sure that urban planning does not contribute to discriminatory situations, by having real participatory processes that involve vulnerable populations, and by working with civil society, consultants or experts in the field.

Promoting the introduction of the legal approach in which cities are directly responsible for the non-discrimination of its inhabitants in international regulations and international and domestic case law, both for direct application and interpretation purposes.

Planning a specific budget for non-discrimination policies, such as the creation of anti-discrimination units or memorials, educational campaigns on public spaces, and funding studies that detect and analyze who and how is discriminated in the city, among others.

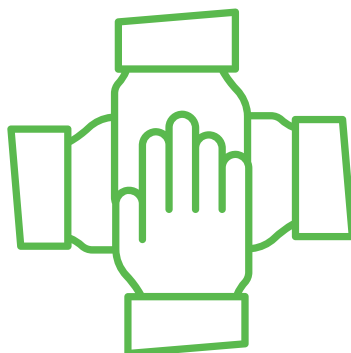
Participating in international anti-discrimination networks, where good practices can be shared.

Implementing the resolutions from International Human Rights organizations regarding discrimination in the country.

Approving anti-discriminatory ordinances and allocating budget for its follow-up and monitoring studies.

Identifying different components of discrimination and making them public, so that people can easily become aware when they are suffering from discrimination and normalizing actions to combat such acts.

Mapping and locating places in the city where discriminatory actions take place more often, so that specific counter-actions can be taken.



Recommendations for civil society

Following the resolutions from International Human Rights bodies where there has been a discriminatory situation and trying to help to implement the recommendations at national and local level.

Being active in denouncing discrimination, both at institutional level (reporting cases to the anti-discrimination units, for example) and inside the communities.

Participating in urban planning processes, making sure there are no discriminatory propositions. If that is the case, denounce and try addressing the lack of participatory forums or the discriminatory bias of the forums themselves.

Monitoring the creation and implementation of anti-discrimination ordinances so that they include real problems in the city, making sure their creation isn't ineffective.

Participating in the mapping of the most discriminatory places in the city promoted by the city council, and work together with grassroots movements, in order to raise awareness about the need to act on said situations if they arise.

Promoting the adoption of frameworks by city councils that consider the city as directly responsible for designing and implementing policies that guarantee non-discrimination in the city, such as the World Charter for the Right to the City or the European Charter for Safeguarding Human Rights in the City, in the case of European cities.



Figures



Figures

Figure 1. Axes of discrimination, visual representation of possible interaction. Elaborated by the author(s).

Figure 2. Aspects through which discrimination works, theoretical approach. Elaborated by the author(s).

References



References

Catalan Regional Government (2020), **Law 19/2020 of equal treatment and non-discrimination**, of 30th December 2020.

CHRISTOPHER, A. **Urban Segregation in Post-apartheid South Africa**. Urban Studies, 2001, p. 449-466.

Committee on Social Inclusion, Participatory Democracy and Human Rights United Cities and Local Governments, **European Charter for the Safeguarding of Human Rights in the City**, 18 May 2000.

Committee on Social Inclusion, Participatory Democracy and Human Rights United Cities and Local Governments, **Global Charter-Agenda for Human Rights in the City**, 11 December 2011.

Council of Europe, **European Convention for the Protection of Human Rights and Fundamental Freedoms**, as amended by Protocols Nos. 11 and 14, 4 November 1950, ETS 5.

Council of Europe, **European Social Charter (Revised)**, 3 May 1996, ETS 163.

EDWARDS, F.; HEDWIG, L & ESPOSTIO, M, (2019), **Risk of being killed by police use of force in the United States by age, race-ethnicity, and sex**.

European Union, **Charter of Fundamental Rights of the European Union**, 26 October 2012, 2012/C 326/02.

GOICOCHEA, J. **Mujeres agroecológicas, estrategias económico alternativas y expropiación eco territorial de la urbanización en el valle de Lurín**. Tesis para optar al título de Licenciada en Sociología. Escuela Profesional de Sociología, Facultad de Ciencias Sociales, Universidad Nacional Mayor de San Marcos, Lima, Perú, 2020.

HARVEY, D. **The right to the city**, 2012.

ICELAND, John. **Beyond black and white: metropolitan residential segregation in multi-ethnic America**. Soc. Sci. Res. 33, 2004, p. 248-271

Inter-American Development Bank (2020), **Gender inequalities in cities IPEA (2021)**, Atlas da Violência 2021.

LEFEBVRE, F. (1991). **The production of space**. Metropolitan Council of Lima (2019) Ordinance No. 2160, that promotes respect for equality, prevents, prohibits and sanctions any manifestation of discriminatory practices or acts in Metropolitan Lima, of 30th April 2019.

MULLACHERY, P. H., RODRIGUEZ, D. A., MIRANDA, J. J., LÓPEZ-OLMEDO, N., MARTINEZ-FOLGAR, K., BARRETO, M. L., DIEZ ROUX, A. V., & BILAL, U. **Mortality amenable to healthcare in Latin American cities: a cross-sectional study examining between-country variation in amenable mortality and the role of urban metrics**. International journal of epidemiology, 2021.

NEWMAN, K. **More Cities Move to Protect LGBTQ People**. USNews, November 26th, 2019.

Oladosu, Rasheed & Bin, Ahmad & Ludin, Muhamad. **Ethnic Distribution Structure in Violence-Induced Segregated Urban Environments**, 2018, p. 717-730.

Organization of American States (OAS), **American Convention on Human Rights, "Pact of San Jose"**, Costa Rica, 22 November 1969.

RODÓ-ZÁRATE, M. **Interseccionalitat. Desigualtats, llocs i emocions**. Tigre de paper, 2021.

SABATINI, F. **La segregación social del espacio en las ciudades de América Latina**, 2006.

SCHUETZ, J., et al. **Are central cities poor and non-white?**, Journal of Housing Economics, Volume 40, 2018, pp. 83-94, ISSN 1051-1377.

Terrassa City Council (2019), **Toolkit to incorporate intersectionality into local policies**.

UN Committee on Economic, Social and Cultural Rights (CESCR), General Comment No. 16: **The Equal Right of Men and Women to the Enjoyment of All Economic, Social and Cultural Rights** (Art. 3 of the Covenant), 11 August 2005, E/C.12/2005/4.

UN Committee on Economic, Social and Cultural Rights (CESCR), **Views adopted by the Committee under the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, concerning communication No. 54/2018, El Ayoubi vs. Spain**, 23 March 2021, E/C.12/69/D/54/2018.

UN Committee on the Elimination of Discrimination against Women (CEDAW), **Views adopted by the Committee at its sixty-third session, concerning communication No. 46/2012, M.W. vs Denmark**, 21 March 2016, CEDAW/C/63/D/46/2012.

UN Committee on the Elimination of Discrimination against Women (CEDAW), **Views adopted by the Committee under article 7, paragraph 4, of the Optional Protocol, concerning communication No. 75/2014, Trujillo vs. Mexico**, 20 August 2017, CEDAW/C/67/D/75/2014.

UN Committee on the Elimination of Racial Discrimination (CERD), **Concluding observations on the 9th to the 10th periodic reports of Slovakia, adopted by the Committee at its 82nd session, 11 February-1 March 2013: Committee on the Elimination of Racial Discrimination**, 17 April 2013, CERD/C/SVK/CO/9-10.

UN Committee on the Rights of Persons with Disabilities (CRPD), **Views adopted by the Committee under article 5 of the Optional Protocol, concerning communication No. 11/2013, Gemma Beasley vs. Australia**, 25 May 2016, CRPD/C/15/D/11/2013.

UN Committee on the Rights of Persons with Disabilities (CRPD), **Views adopted by the Committee under article 5 of the Optional Protocol, concerning communication No. 26/2014, Simon Bacher vs. Austria**, 6 April 2018, CRPD/C/19/D/26/2014.

UN Committee on the Rights of Persons with Disabilities (CRPD), **Views adopted by the Committee under article 5 of the Optional Protocol, concerning communication No. 35/2016, J.H. vs. Australia**, 20 December 2018, CRPD/C/20/D/35/2016.

UN Human Rights Committee, **Views adopted by the Committee on the Communication No.1493/2006, Ms. Rosalind Williams Lecraft vs. Spain**, 17 August 2009, CCPR/C/96/D/1493/2006.

UN General Assembly, **Universal Declaration of Human Rights**, 10 December 1948, 217 A (III).

UN General Assembly, **International Convention on the Elimination of All Forms of Racial Discrimination**, 21 December 1965, United Nations, Treaty Series, vol. 660, p. 195.

UN General Assembly, **International Covenant on Civil and Political Rights**, 16 December 1966, United Nations, Treaty Series, vol. 999, p. 171.

UN General Assembly, **International Covenant on Economic, Social and Cultural Rights**, 16 December 1966, United Nations, Treaty Series, vol. 993, p. 3.

UN General Assembly, **Human Rights Council, Role of local government in the promotion and protection of human rights – Final report of the Human Rights Council Advisory Committee**, 7 August 2015, A/HRC/30/49.

World Bank, **LAC Equity Lab**. Available at: <https://www.worldbank.org/en/topic/poverty/lac-equity-lab1/ethnicity/ip-population>. Accessed on 21/10/2021.

World Bank (2020) **Sexual Orientation and Gender Identity in Contexts Affected by Fragility, Conflict, and Violence**. World Bank, Washington, DC.

World Health Organization (2018), **Violence against women prevalence estimates**, 2018.

World Policy Analysis Center (2017), **Preventing gender-based workplace discrimination and sexual harassment: new data on 193 countries**.

Annex.

Good practices and legal administrative cases



PRACTICAL CASE TYPE	CASE NAME	LINK AND/OR REFERENCE
PUBLIC ADMINISTRATION	Ordinance number 2160 of Metropolitan Lima (2019)	https://busquedas.elperuano.pe/normaslegales/ordenanza-que-promueve-el-respeto-a-la-igualdad-previene-p-ordenanza-no-2160-1765645-1/?fbclid=IwAR1bs0GcGpUp_yCN9GGau8pFYdCRIV-GWd8yYNcWCC27it83AZpFakXwKAY
PUBLIC ADMINISTRATION	Catalan Law of equal treatment and non-discrimination 19/2020	https://cido.diba.cat/legislacio/11107723/llei-192020-del-30-de-desembre-digualtat-de-tracte-i-no-discriminacio-departament-de-la-presidencia
PUBLIC ADMINISTRATION	Municipal Code of Jackson, Wyoming, US	https://www.jacksonwy.gov/281/Codes-Ordinances-Resolutions
PUBLIC ADMINISTRATION	Law 14187/2010 of the State of São Paulo, Brazil	https://www.al.sp.gov.br/norma/159949
PUBLIC ADMINISTRATION	LGBTQ anti-discrimination ordinances in the city of Mandaluyong (698, S-2018), in the Philippines	https://www.mandaluyong.gov.ph/updates/downloads/files/ORD%20NO.%20698,%20S-2018%20%20ANTI-DISCRIMINATION%20ORD%20LGBTIQ.pdf
PUBLIC ADMINISTRATION	Pilot project “Connected Equalities for the incorporation of intersectionality in municipal policies in Terrassa City, Spain	https://igualtatsconnect.cat/en
PUBLIC ADMINISTRATION	Observatories on non-discrimination, City of Bogotá, Colombia	https://guiatramitesyservicios.bogota.gov.co/tramite-servicio/observatorio-de-la-direccion-de-diversidad-sexual-de-la-sdp-en-el-marco-de-la-politica-publica-lgbti/
PUBLIC ADMINISTRATION	Non-discrimination office in the city of Barcelona, Spain	https://ajuntament.barcelona.cat/oficina-no-discriminacio/en
PUBLIC ADMINISTRATION	Anti-discrimination commission in the Northern Territory, Australia	https://adc.nt.gov.au/about
PUBLIC ADMINISTRATION	Specific trainings for local police in order to end discriminatory practices such as racial profiling, city of London, UK	https://www.met.police.uk/foi-ai/metropolitan-police/disclosure-2020/june/anti-racism-training-incorporated-general-police-training

PUBLIC ADMINISTRATION	Symbolic tribute in public space to honor victims of discrimination or human rights defenders. Stonewall Inn in New York City, United States of America	https://www.nyclgbtsites.org/site/stonewall-inn-christopher-park
PUBLIC ADMINISTRATION	Symbolic tribute in public space to honor victims of discrimination or human rights defenders. Nelson Mandela statue in Pretoria, South Africa	https://www.bbc.com/news/world-africa-25399709
CASE LAW	M.S. vs. Denmark, CEDAW (CEDAW/C/63/D/46/2012)	https://sm.dk/media/7286/udtalelse-af-22-februar-2016-fra-cedaw-komiteen-i-sagen-mw-mod-danmark.pdf
CASE LAW	Inter-American Court of Human Rights, in the case of Gonzalez Lluy et al. V. Ecuador	https://www.corteidh.or.cr/docs/casos/articulos/seriec_298_ing.pdf
CASE LAW	Acosta Martínez et al. V. Argentina case, the Inter-American Court of Human Rights	https://www.corteidh.or.cr/docs/casos/articulos/seriec_410_esp.pdf
CASE LAW	Rosalind Williams Lecraft vs. Spain case, Human Rights Committee, CCPR/C/96/D/1493/2006	https://digitallibrary.un.org/record/662897
CASE LAW	J.H. vs. Australia, CRPD/C/20/D/35/2016	https://juris.ohchr.org/Search/Details/2512
CASE LAW	Gemma Beasley vs. Australia, CRPD/C/15/D/11/2013	https://juris.ohchr.org/Search/Details/2142
CASE LAW	Bacher vs. Austria, CRPD/C/19/D/26/2014	https://juris.ohchr.org/Search/Details/2394
CASE LAW	El Ayoubi vs. Spain, E/C.12/69/D/54/2018	https://juris.ohchr.org/Search/Details/2394
CIVIL SOCIETY INITIATIVE	Ollas populares in the Metropolitan Municipality of Lima, Perú	https://es.wikipedia.org/wiki/Crisis_de_las_ollas_comunes_en_Per%C3%BA

Notes

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Notes

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These documents are the result of a **process of collective learning** on the Right to the City. Each author was supported by a reference group formed by different organisations members of the Platform. These groups closely followed the drafting of the documents and provided assistance to the experts.

Additionally, a series of webinars were held for each topic in order to broaden discussions and collect suggestions and proposals from a wider range of organizations (including grassroots and social movements, NGOs, professionals, academics and local governments' representatives from different countries and regions).

The **Global Platform for the Right to the City (GPR2C)** is an action-oriented advocacy network committed to social change and with the promotion of the Right to the City as a core value for policies, commitments, projects and actions at the local, national and international levels. We gather organizations, networks and individuals from a wide range of backgrounds: local-based and international social movements, NGOs, forums, academics, representatives from local governments, and other institutions committed to create more just, democratic and sustainable cities and territories.

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