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The chapter attempts to explain how the “right to the city” and the “human rights city” have been interpreted and practised in South Korea and Asia. The role of the World Human Rights Cities Forum (WHRCF) – held annually in Gwangju, South Korea since 2011 – will be explained as a case study, as the history of the discourse and practice of the human rights city and the right to the city in the region are closely linked to the WHRCF’s agenda-setting process. I will identify key factors and challenges in terms of lessons learned for the future of the human rights city movement in Korea and beyond based on my personal experiences and observations.

I. Introduction

Like human rights, the “right to the city” is a newer concept in Asia than in Europe and Latin America. Along with the “human rights city”, the right to the city was introduced to Asia in the early 2000s and has been used by civil society and the human rights community ever since.

At the first World Human Rights Cities Forum (WHRCF)¹ in Gwangju, South Korea in May 2011, both terms were discussed by participants from South Korea and abroad alongside several other concepts such as “human rights in the city”, “the rights of the city”, “cities for human rights”, “localising human rights” and “local government and human rights”. The UN Human Rights Council uses the term “local government and human rights” in its official reports in order to be inclusive of all social and geographical (urban or rural) conditions.

First, it is important to briefly clarify four terms or concepts that, according to German sociologist Max Weber (1864–1920), may be considered ideal types.² Clarification is important as they are closely interconnected and often used interchangeably without clear definition or clarification.

1. http://www.whrcf.org/E_index.php
2. <https://www.britannica.com/topic/ideal-type>

II. Ideal types linked to local government and human rights

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Right to the city	Human rights in the city
Rights of the city	Human rights city

The right to the city

The right to the city is generally understood as the right of inhabitants to collectively appropriate a city and shape its forms and content through their everyday activities. First proposed by Henri Lefebvre (1901–1991) in his 1968 book *Le Droit à la ville*, this idea and slogan has been reclaimed recently by social movements, thinkers and several progressive local authorities as a call to action to reclaim the city as a co-created space – a place for living detached from the growing effects of commodification and capitalism on social interaction and the rise of spatial inequalities in worldwide cities over the last two centuries.

When it was introduced in Asia, some conceptual questions were raised regarding its contents and characteristics. Many social justice advocates working in urban areas, particularly housing rights activists, continued to use it to articulate their demands to address urban problems and, as a result, it has gradually become popular within academic and policymaking communities as well as the human rights movement. At the global level, it was finally recognised in the New Urban Agenda adopted at the UN’s Habitat III conference in Quito, Ecuador in October 2016.

The right to the city has become an integral part of the policy framework relating to the city and human rights. Its widespread acceptance is shown by its inclusion in the titles of documents such as the World Charter for the Right to the City (2005) and the Mexico City Charter for the Right to the City (2010). Elsewhere it has been included as a key component of frameworks such as the European Charter for the Safeguarding of Human Rights in the City (ECHR) (2000), the Global Charter-Agenda for Human Rights in the City (2011) and the Gwangju Guiding Principles for a Human Rights City (2014).

The rights of the city

This is a rather an artificially designed concept to describe the power relationship between the state (national, federal or central government) and the city, as a subnational or local political entity. This concept claims for the understanding of local governments as a sphere of government, so it is used to advocate for stronger subsidiarity and decentralisation. It also implies that the city cannot carry out its human rights responsibilities without certain rights or powers guaranteed by the state. In this framework, the city can be considered a right-holder and the state a duty-bearer.

Human rights in the city

The concept of “human rights in the city” has been used in official documents such as the European Charter for the Safeguarding of Human Rights in the City (ECHRC) (2000) and the Global Charter-Agenda for Human Rights in the City (2011). Both acknowledge the right to the city in article 1 as a sort of umbrella right or “right to have rights” in the city. It is therefore an integral part of human rights in the city. However, it does not tend to appear in other official documents, especially outside Europe. In South Korea and Asia the concept of the “human rights city” has been used more widely, but there is no meaningful difference between the two concepts and they can in fact be used interchangeably. The human rights city can be understood as a simplified term for human rights in the city.

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Human rights city

“Human rights city” is the most popular of these concepts in Asia, especially South Korea and Indonesia. Sometimes it is used interchangeably with human rights in the city.

According to the final declaration of the first Gwangju Forum in 2011, a human rights city is “both a local community and a socio-political process in a local context where human rights play a key role as fundamental values and guiding principles”.³ The declaration went on to explain the human rights city as “human rights governance in a local context”, where local government, local parliament, civil society, private sector organisations and other stakeholders work together to improve the quality of life for all inhabitants in a spirit of partnership based on human rights standards and norms.

In practical terms the human rights city also means that all inhabitants, regardless of race, sex, colour, nationality, ethnic background and social status, and particularly minorities or any other vulnerable groups who are socially vulnerable and marginalised, can participate fully in decision-making and policy-implementation processes that affect their lives in accordance with such human rights principles as non-discrimination, the rule of law, participation, empowerment, transparency and accountability.

This framework stresses how to mainstream human rights in more practical terms, how to apply a human rights-based approach at all stages and levels of the local or municipal administration or government regardless of the issues and sectors.

III. The human rights city movement in South Korea

The history of the human rights city movement in South Korea has been closely associated with the historical evolution of the Metropolitan City of Gwangju’s human rights city project. After the bloody massacre under the military dictatorship in May 1980, Gwangju became well-known for its connection to democratisation. Today, as the annual host of the World Human Rights Cities Forum since 2011, Gwangju is also well-known as a leading human rights city in Korea and worldwide.

3. http://www.whrcf.org/E_p1200.php

Gwangju was the first metropolitan city in South Korea to initiate the human rights city project in 2010 under the strong leadership of the then mayor. The succeeding mayors have also continued and even increased the priority of human rights-based city projects including the WHRCF.

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Several initiatives were established for the first time in South Korea by Gwangju, such as the Framework Ordinance on Human Rights (2007), the Human Rights Bureau (2010), the Human Rights Charter (2012), Human Rights Indicators (2012) and the Basic Human Rights Action Plan (2012–2015). In fact, the WHRCF has provided a forum for sharing those policies and practices and introducing new initiatives and ideas to various actors engaged in the human rights city movement within South Korea and abroad.

Inspired by Gwangju, the Korean capital, Seoul, has also carried out similar initiatives and the two cities now lead the human rights city movement in South Korea. The National Association of Human Rights Cities was formally established in 2017 as a result. As of December 2018, all 17 metropolitan cities in South Korea have adopted the Human Rights Framework Ordinance adopted by the National Human Rights Commission of the Republic of Korea.

Table 1. Chronology: Historical evolution of the human rights city movement (South Korea)	
	Main Events
2001-2010	<ul style="list-style-type: none"> - 2001 National Human Rights Commission of the Republic of Korea (NHRCK) formally established - 2003 Regional Human Rights Office set up in metropolitan cities of Busan and Gwangju - 2007 The first Human Rights Framework Ordinance in the Metropolitan City of Gwangju in South Korea - 2010 Human Rights Office established in Gwangju
2011-2015	<ul style="list-style-type: none"> - 2011 First World Human Rights Cities Forum (WHRCF) held in Gwangju - 2011 Adoption of the First Basic Human Rights Action Plans (2012–2015) in Gwangju - 2012 NHRCK adopts the Policy Recommendation for the adoption of Local Human Rights Ordinances and the Standardized Human Rights Framework Ordinance - 2012 Adoption of Human Rights Charter and Human Rights Indicators in Gwangju - 2012 Human Rights Framework Ordinance in the Metropolitan City of Seoul - 2012 Mandatory human rights education for all civil servants in Gwangju - 2013 Establishment of Human Rights Ombudsman and Human Rights Committee in Gwangju - 2013 Human Rights Village (community) project launched in Gwangju - 2014 Guiding Principles for Human Rights City adopted at the 4th WHRCF
2016-2020	<ul style="list-style-type: none"> - 2016 The first Seoul Human Rights Conference - 2017 Establishment of the National Association of Human Rights Cities in South Korea - 2018 Adoption of the Human Rights Framework Ordinance in the Metropolitan City of Incheon (the 17th and last metropolitan city in South Korea to do so) - 2018 UN Special Rapporteur on the Right to Adequate Housing visits South Korea - 2019 (Sept. 20–Oct. 3) 9th WHRCF - 2020 (May 16–18) 10th WHRCF

As seen above in the cases of Gwangju and Seoul, the initial focus of the evolution of the human rights city movement was on the adoption of human rights ordinances and the establishment of mechanisms like human rights offices and human rights committees. Gradually more emphasis was given to policy development and concrete programmes and projects to realise the vision of the human rights city as listed in Table 2.

Table 2. Key components of the human rights city in South Korea

Pillar	Components
Norm	<ul style="list-style-type: none"> - Local (Municipal) Human Rights Charter (Declaration) - Human Rights Ordinance – Sectoral or Thematic - Human Rights Framework Ordinance – General - Guiding Principles for Human Rights Cities - Implementation Guidelines for Human Rights City - Human Rights Code of Conduct for Civil Servants - Human Rights Manual for Civil Servants
Institution	<ul style="list-style-type: none"> - Local or Municipal Human Rights Committee or Commission - Human Rights Committee in the Local Council (Parliament) - Local Ombudsman or Human Rights Protection Office - Human Rights Office or Department - Human Rights Centre
Practice	<ul style="list-style-type: none"> - Human Rights Baseline Study - Human Rights Local Action Plan - Human Rights Impact Assessment - Human Rights Indicators - Human Rights-based Participatory Budgeting - Human Rights Audit - Human Rights Education or Training - Human Rights Map

IV. Gwangju World Human Rights Cities Forum (WHRCF)

When the Gwangju Forum was first held in 2011, the concept of a human rights city was new and unfamiliar to many – including human rights organisations in South Korea and other countries in Asia. Some human rights experts were even sceptical about it as it sounded too idealistic or unrealistic. The first task was therefore to define the concept of human rights city through sharing diverse experiences and different understandings about what had taken place around the world in the name of the human rights city. As a result, the definition of a “human rights city” was adopted in the Gwangju Declaration on Human Rights Cities⁴ which was the outcome document of the WHRCF in 2011. But as the Gwangju Forum continued, many participants felt the need to define substantive components of the human rights city to guide policy-makers and practitioners. Consequently, after two years of consultation meetings, the Gwangju Guiding Principles for a Human Rights City were adopted in 2014 at the 4th Gwangju Forum.

The ten guiding principles are shown in the box below, with the right to the city at the top, acting as an overarching general principle. It shows how the two terms are closely interlinked in norm and practice.

Principle 1: The Right to the City

Principle 2: Non-Discrimination and Affirmative Action

Principle 3: Social Inclusion and Cultural Diversity

Principle 4: Participatory Democracy and Accountable Governance

Principle 5: Social Justice, Solidarity and Sustainability

Principle 6: Political Leadership and Institutionalization

Principle 7: Human Rights Mainstreaming

Principle 8: Effective Institutions and Policy Coordination

Principle 9: Human Rights Education and Training

Principle 10: Right to Remedy

4. <https://www.uclg-cisdp.org/sites/default/files/Gwangju%20Guiding%20Principles%20for%20Human%20Rights%20City%20adopted%20on%2017%20May%202014.pdf>

In 2015 and 2016, two important global agendas related to cities or local governments were adopted by the UN: the 2030 Agenda for Sustainable Development, known as the Sustainable Development Goals (SDGs) in September 2015; and the New Urban Agenda (NUA) on the occasion of UN-Habitat III in October 2016. Both documents gave the human rights city a new platform for engagement in order to link and integrate human rights into the sustainable development and habitat agenda.

At the same time, participants increasingly felt a need to link global agendas to the human rights city narrative. In this regard, the Gwangju 2030 Agenda for a Human Rights City was presented as a response to the challenge of institutionalisation. At the same time, it was a way to overcome siloing or fragmentation of the many competing agendas related to the city.

The draft framework of the Gwangju 2030 Agenda is composed of seven major characteristics of the human rights city (as seen in Table 3) and it was presented for discussion and adopted at the 8th Gwangju Forum in 2018. It was the result of a research and mapping exercise made of various international initiatives conducted by the cities that related to one or more of the international standards and mechanisms on human rights and the SDGs.

Table 3. Structure of the framework of the Gwangju 2030 Agenda for a Human Rights City
7 Major characteristics of the human rights city

Peaceful, safe, resilient city	Just, transparent, accountable city	Inclusive, equitable, sharing city	Smart, digital, innovative city	Green, sustainable, ecological city	Cultural diversity learning city	Global, responsible solidarity city
The right to the city. Human rights mainstreaming and the human rights-based approach						

As explained above, the Gwangju Forum has set the agenda of the international development of the human rights city, from the concept to norms and practices.

Table 4. Agenda and Outcome of the WHRCF

Year	Outcome
2011	Working definition of the human rights city in the Gwangju Declaration on Human Rights City
2014	Gwangju Guiding Principles for a Human Rights City
2018	Draft Framework of the Gwangju 2030 Agenda for Human Rights City

The WHRCF has become an integral part of the global human rights city movement and a platform for networking and disseminating ideas and information. It has also contributed to the collective articulation of human rights city experiences and practices in terms of discourse and norm-setting.

V. Key factors in the human rights city movement

As explained above, along with the WHRCF, the human rights city discourse and movement in Korea have made a great deal of progress in recent years. Why has the human rights city movement grown rapidly in South Korea and Indonesia but not in other Asian countries? I would like to make a few observations about factors Korea and Indonesia share.

The first factor is the sustained democratic practices since the political democratisation in the 1990s. The old non-democratic regimes of both countries collapsed around the Asian 1997–1998 financial crisis. Since then, the democratic transition and consolidation process has gradually taken place. Regular local elections, in particular, have provided the political basis for the human rights city movement in terms of accountability and the rule of law.

The second factor is the accumulation of human rights expertise and the availability of human rights experts over the decades at national and international levels, due to the proliferation of UN human rights mechanisms and the establishment of national institutions and programmes directly and indirectly related to human rights. When the human rights city project started, a considerable number of people were available and ready to engage in the various human rights city projects. The process was eased by the already established human relations and collaboration between cities and local governments and between human rights cities and national institutions related to human rights. This might be called the “trickle-down” effect in the field of human rights.

National human rights institutions (NHRI) have played a key role in promoting the human rights city in both countries.⁵ For South Korea, the policy recommendation adopted by the NHRCK in April 2012 requesting all local governments to adopt the Human Rights Framework Ordinance with a standardised model ordinance triggered the rapid expansion of the human rights city movement. This measure was taken a year after the first WHRCF in 2011. Since December 2018, all 17 metropolitan cities and provincial governments and about a half of the local governments have adopted the human rights ordinances as the normative foundation for full-fledged human rights city programmes.

In Indonesia, the Human Rights Festival has been held annually since 2013 as a joint initiative of the National Human Rights Commission of Indonesia, central government, NGOs and host human rights cities.⁶ It is another example of collaboration between many actors at the local level.

The third factor is the strategic choice of human rights defenders who want to build a human rights movement from the bottom up with a long-term vision in the face of shrinking civic space at the national level. The human rights agenda is very much influenced by the type of the government in power. Generally speaking, liberal or progressive governments tend to give more priority to the human rights agenda, while the human rights agenda is less favoured by conservative national governments. In the case of South Korea, the human rights city movement began to grow rapidly under the conservative regime partly because some directly elected mayors in cities like Gwangju and Seoul pursued human rights city projects in opposition to the policy direction of the central government. This is very

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5. The National Human Rights Commission of Indonesia (Komnas HAM) was established in 1993, while the National Human Rights Commission of Korea was established in 2001.

6. <https://www.komnasham.go.id/index.php/news/2018/11/14/677/human-rights-festival-2018-bringing-human-rights-into-practices.html>

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It is necessary to enhance multi-level governance among central, regional and local governments

similar to the emerging trends in other countries of local governments and cities taking their own policy directions on global issues like climate change, energy and migration, among others.

The fourth and last factor is the value of the human rights framework as a global norm which can be internationally recognised relatively easily by other cities abroad. Many cities want to play a role at the global level, especially in an age of globalisation. The human rights framework was also considered very useful in addressing practical issues on the ground via policy tools that are already available, such as human rights action plans, indicators and impact assessments. In both South Korea and Indonesia, UN recognition was crucial to spreading the human rights city framework by conferring legitimacy on the human rights city initiative. Particularly important were the UN Human Rights Council's resolution on local government and human rights in 2013,⁷ and the stocktaking report entitled "Role of Local Government in the Promotion and Protection of Human Rights" produced by the Human Rights Council Advisory Committee in August 2015.⁸

VI. Challenges and prospects

Despite the significant progress made in the development of the discourse and practice of human rights cities, some challenges still need to be addressed that concern the sustainability of the human rights city movement in South Korea and beyond.

The first challenge is to ensure the quality of citizens' participation and civil society engagement. Political leaders like mayors and civil society organisations (CSOs) have played a key role at the initial stage of norm-setting and institution-building. However, human rights cities cannot be sustained without active and meaningful participation from ordinary citizens. CSOs are also challenged to engage proactively in municipal governance as a partner with a role other than the traditional "watchdog", providing monitoring and advocacy outside the decision-making structure. In this sense, the human rights city is a learning and co-creation process for all actors as it is a new experimental path no one has taken before.

Several innovative and successful practices already exist, such as participatory budgeting, participatory policy development, citizen juries in judicial affairs, and community social enterprises, among others. As good practices among human rights cities, they are worthy of sharing. Citizen participation is also closely related to the promotion of local democracy, which means direct election of political leaders, both mayors and local parliamentarians. Without such elections, accountability cannot be ensured institutionally and human rights cities go hand in hand with quality local democracy.

The second challenge is how to enhance multi-level governance among central, regional and local governments. Each government has its own legal obligations and/or political responsibilities although all share the common mandate to promote and protect the human rights of all citizens. However, their differing priorities at policy level can create clashes or conflicts among different groups who want to claim their own rights.

7. <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G13/178/12/PDF/G1317812.pdf?OpenElement>

8. http://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/30/49

Table 5. Chronology: Historical evolution of the human rights city movement (international)

International level	
1993–2000	1993. World Conference on Human Rights (Vienna, Austria) 1996 –UN Conference on Human Settlements (HABITAT II) in Istanbul, Turkey 1997. Rosario, Argentina, the first Human Rights City declared under the impulse of the PDHRE (People’s Movement for Human Rights Learning) 2000. European Charter for the Safeguarding of Human Rights in the City 2001. The first World Urban Forum (WUF) by UN HABITAT
2001–2010	2001. Graz in Austria the first Human Rights City in Europe declared under the impulse of the PDHRE (People’s Movement for Human Rights Learning) 2001. City Statute adopted in Brazil 2005. World Charter for the Right to the City 2006. Montreal Charter of Rights and Responsibilities 2010. Mexico City Charter for the Right to the City
2011–2015	2011. Global Charter-Agenda for Human Rights in the City adopted by UCLG 2012. First Right to the City Summit in Saint-Denis, France 2013. First Resolution on Local Government and Human Rights at the UN Human Rights Council (A/HRC/RES/24/2) 2014. First Human Rights City Festival in Indonesia 2015. Final report of the UN Human Rights Council Advisory Committee on Local Government and Human Rights (A/HRC/30/49) 2015 –Adoption of UN 2030 Agenda for Sustainable Development (SDGs) at the UN General Assembly
2016–2020	2016. UN Conference on Human Settlements (HABITAT III) (Quito, Ecuador), adoption of the New Urban Agenda (NUA) 2017. UN Human Rights Council (UNHRC) Inter-sessional panel discussion on the role of local government in the promotion and protection of human rights 2019. Report on Local Government and Human Rights by the UN Office of the High-Commissioner for Human Rights (OHCHR) to be presented to the UNHCR in September 2019

In order to avoid such clashes, it is important to apply human rights-based and conflict-sensitive approaches to the policies and programmes related to human rights cities. At the same time, an effective mechanism for cooperation at the policy and institutional level is highly necessary in order to safeguard all human rights.

The third challenge is how to ensure policy and institutional coherence and effective coordination within the municipal administrative system. Siloing and fragmentation must be avoided. According to the principles of indivisibility and interdependence, all human rights – civil, political, economic, social, cultural and environmental – are interconnected and mutually reinforcing. Therefore, a holistic or integrated approach is crucial in order to mainstream human rights principles when addressing specific human rights issues. The 3–5-year mid-term human rights action plans with human rights indicators for monitoring and evaluation designed through participatory process can be an effective way of preventing fragmentation. At the same time, legislative measures at the national and local parliaments are also needed to provide legal foundations to human rights mainstreaming.

The fourth challenge is how to promote inter-municipal cooperation between neighbouring cities, especially between urban and rural areas in addressing issues related to economic and environmental interdependence. Cities can no longer be treated as distinct spaces unconnected to the regions surrounding them. The functioning of urban settlements depends on land in the surrounding rural areas for food and water supply, waste disposal, recreational value and the growth of settlements. In this sense, human rights city agendas need to be more inclusive to address the rights and needs of those who are living outside the city but who play an important role in sustaining urban livelihoods.

The **fifth and last challenge** is the integration of human rights and the SDGs in the human rights city framework. As the chronology of global events below shows, there is a tendency towards the convergence of global agendas such as human rights and the UN-Habitat within the overarching framework of the 2030 Agenda for Sustainable Development. As stressed by several UN human rights bodies⁹ and the Danish Institute for Human Rights,¹⁰ a human rights-based approach is key to the transformative implementation of the SDGs.

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9. <https://www.ohchr.org/EN/Issues/SDGS/Pages/The2030Agenda.aspx>

10. <http://sdg.humanrights.dk/>