



Call for inputs: Human Rights Council resolution 51/12 on local government and human rights

PSI submission
(28 September 2023)

About

[Public Services International \(PSI\)](#) is the Global Union Federation representing over 30 million public service workers organised in 700 trade unions in 154 countries. Our members are the employees who work in public administrations and agencies, and in public services at all level of government worldwide. The majority of our members are in local governments (LRGs) and women are the most represented among them.

Prior input to this discussion

PSI has already participated and contributed to the [Expert meeting on enhancing capacity-building for local governments to incorporate human rights into all their work](#) of 28 August 2023, Room XIX, Palais des Nations, Geneva. On this occasion PSI made two statements that are available in writing on the website of the Expert meeting ([First PSI Statement](#), [Second PSI Statement](#)). PSI considers those two statements as an integral part of this submission and kindly requests that their contents and recommendations be considered as an integral part of the present submission, as well as the contents of the resources listed at the end of this same document.

Introduction

LRG workers operate and deliver vital public services essential to save lives, live in dignity, and are gender transformative. They work in health, care, and social services; public emergency services and firefighters; water and sanitation; kinder gardens and primary education; public transport; waste collection and disposal; energy generation and distribution; public and social housing; refugee and migrant reception services; libraries, culture and many more.

They are the government representatives on the frontline of the multi-crises the world is living through, those essential workers who continued working throughout the Covid pandemic often at the cost of their own lives; those who daily translate public policies on the ground and localise the UN global policy frameworks including the SDGs, Sendai and the Paris Agreement among others. Their labour is the key instrument of the implementation of human rights at all level of government including at a local and regional level.

Governments and public services are not abstract, monolithic entities. Beyond elected officials and politicians they are comprised of working people. Local government and local public workers are the frontline government representatives, those citizens and residents turn to when they are in danger or in need. However, these workers are often in inadequate staffing levels; in poor, precarious, dangerous and unhealthy working conditions, lacking basic human and labour rights, including the right to a safe and healthy working environment, not to mention the fundamental labour rights to join a union and bargain collectively.

1. What capacity building initiatives have been taken to implement/incorporate human rights in local administration?

PSI a global trade union organisation, not a national government. However we wish to make the following remarks:

a. Please provide information on institutional structures for coordination and harmonization of capacity building initiatives.

Symmetric work councils and bilateral social dialogue and collective bargaining committees with a good-faith and strong practice of constructive dialogue between LRG employers and workers' organisation upheld by independent judiciary and progressive labour laws - are the best institutional guarantees that LRG workers are in a position to implement human rights in LRG territories. The ratification and compliance of ILO fundamental conventions in this field is therefore essential. When these safeguards and mechanisms are in place institutional coordination across different levels of governments is possible and can be fruitful.

b. Please provide information on the involvement of civil society, the private sector, academia, etc. in capacity building initiatives.

To truly uphold and realise human rights in their territories, governments at all levels need to ensure that they first and foremost uphold and realise the human rights of their workers – including their labour and trade unions rights – which are human rights. Only then LRGs can have the capacity to implement human rights in the territories and communities of their jurisdictions through their government missions and public service delivery.

Trade union organisations including those representing public service and public sector workers at all level of governments – must therefore be meaningfully consulted, enjoy full access to freedom of association and collective bargaining and be meaningfully involved in the design – not only in the recipient phase - of the capacity building initiatives on this matter, as they are not as any other external stakeholder to government but as the very fabric and implementation arm of local, national and multilateral public policies.

3. What measures are needed to further strengthen the capacity of local governments to implement/incorporate human rights at the local level?

Governments and public services are not abstract, monolithic entities. Beyond elected officials and politicians they are comprised of working people. Local government and local public workers are the frontline government representatives, those citizens and residents turn to when they are in danger or in need. However, these workers are often in inadequate staffing levels; in poor, precarious, dangerous and unhealthy working conditions, lacking basic human and labour rights, including the right to a safe and healthy working environment, not to mention the fundamental labour rights to join a union and bargain collectively.

States need to fully respect, protect and remedy the human rights of government and public service workers – at all levels - including their labour rights. States need to channel adequate levels of public investment to build local government capacity to uphold and realise human rights: not only physical infrastructure, but human capacity, as professional, trained workers in adequate numbers, with stable, direct employment and in decent work, as per the definition of the International Labour Organisation (ILO).

Devolution processes need to come with adequately funded mandates, strengthen local government fiscal systems, and provide national frameworks that are supportive of local government powers and capacity to properly staff and operate their administrations and services with workers in good conditions; and that are conducive of the establishment of constructive, ongoing social dialogue between local government employers and representative worker organisations.

The implementation of human rights is a core duty of States and is so deeply entrenched with the delivery of equitable access to local quality public services for all in their territories. Such core responsibility implies that capacity should not be depleted through systematic austerity cuts, and externalised via public service outsourcing and privatisation; and through the systematic use of private consultants in public administrations. Conversely, local government capacity to uphold human rights must be (re)build in-house, including through the de-privatisation and (re)municipalisation of key services such as water and sanitation.

4. What are existing procedures and practices for engaging local governments in the work of the United Nations human rights mechanisms and in implementing, reporting and following up on relevant recommendations? How could the existing level of engagement be enhanced?

Ensure mechanism to liaise, communicate, pool expertise and synergize between among UN bodies and agencies, including between the OHCHR and the ILO on this critical matter. It is crucial that States - in dialogue and cooperation with LRGs - enhance subnational government representation of in the national delegations involved in all human rights implementation mechanisms. This includes ensuring meaningful representation of LRGs at the International Labour Conference (ILC) that takes place every year in Geneva.

There is also an urgent need to ensure an effective, integrated, and consistent approach across UN bodies and agencies with mandates to realise human rights on the fact that labour and union rights are human rights, too; and that - besides – they also are enabling rights for public servants and public service staff at all level of governments to uphold and realise human rights including in the territories and cities under their jurisdictions. UN bodies and agencies cannot work in a silo approach.

When it comes to life-saving public service provision, and to seeking innovative, practical solutions to the multi crises of the world, both LRGs and their workers need an appropriate space and meaningful mechanisms to engage in constructive dialogue between themselves; to form joint recommendations, and to channel their expertise and voices in the multilateral system.

5. What are the capacity building gaps and needs of local governments in relation to engaging with the United Nations human rights mechanisms and in implementing, reporting and following up on relevant recommendations?

Central governments need to ensure a legal and practice framework conducive of the respect of LRG workers human and labour rights and are responsible for ensuring that LRG employers have the powers and the resources to bargain collectively and in good faith with their workers unions so that they can be in decent working conditions, adequate staffing levels and with proper personal protective equipment and work tools to serve their communities and fulfil their public policy missions.

6. What are the main challenges in your country in the promotion and protection of human rights at the local level? Not applicable to PSI but see examples below.

7. Please provide examples, good practices, challenges, and recommendations with regard to the above-mentioned issues.

We refer you to the Scandinavian model of tripartite and bipartite social dialogue at a municipal level with two specific examples related to:

- a. The rollout of digitalisation measures in LRG services: "[Norwegian municipal union signs tripartite agreement on worker involvement and social dialogue in public sector digitalisation](#)" (2018)
- b. The full participation of LRG unions in territorial restructuring: "[Union participation in Norwegian municipal reform rollouts works best](#)" (2021)

Related resources:

- [Inclusive multi-level governance: the case for the meaningful involvement of local and regional governments and public service trade unions in the multilateral system of the future](#), in Spotlight on Global Multilateralism “Perspectives on the future of international cooperation in times of multiple crises”, Global Policy Forum (2023)
- [Trade union rights, employment conditions and labour relations in the Local and Regional Government sector](#), PSI LRGNext2021 Brief #7 (2021)
- [SDG 11 – Tackling the challenges of global urbanization: flagship local government initiatives to meet the SDGs](#), in Spotlight on Sustainable Development 2018, “Exploring new policy pathways” (2018)
- [Ten key points For fair cities and for an inclusive New Urban Agenda](#). PSI’s POSITION ON HABITAT III (2016)

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