FURTHER INCLUDING LOCAL GOVERNMENTS IN THE QUEST FOR A MORE EFFECTIVE UN

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To what extent would better inclusion of local governments contribute towards reinforcing international cooperation and make the United Nations (UN) more effective? This chapter explores how the UN has historically engaged in dialogue with these actors and notes that they should be accorded different treatment within the UN system, which has traditionally considered them a civil society stakeholder. The UN has made some progress in the past few years, but there is still a long way to go. In today's urban era, local governments should take part in the global conversation about how to tackle the world's most daunting challenges. And they should do so in their capacity as representative institutions endowed with a political mandate. Only this way will the UN75 process really grasp the opportunity to make global governance more effective.

The participation of non-state actors in the UN

One of the aims of the debates organised in 2020 to decide how to orient reform of the UN is to "make global cooperation more effective and inclusive".[1] The desire for greater inclusion seems to have been a concern of the organisation since it was first created in 1945. The following year, the UN Economic and Social Council (ECOSOC) granted consultative status to 41 NGOs, aware that civil society would become a key partner for the organisation, contributing to a number of activities such as "information dissemination, awareness raising, development education, policy advocacy, joint operational projects, participation in intergovernmental processes and in the contribution of services and technical expertise" (UN, 2018). The same year ECOSOC adopted a resolution creating the

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1. See https://www.un.org/en/un75/faq.

Committee on Non-Governmental Organizations as a permanent body in the UN Department of Economic and Social Affairs (UNDESA),[2] the main mission of which would be to manage every aspect related with consultative status (Resolution E/1996/31).[3] This opening up of the organisation attracted the interest of a number of non-state actors to the point that, at present, the UN has more than 5,000 observers. What is the profile of UN observers? Broadly speaking, they are non-governmental organisations, independently of their geographic reach (they can be international, regional, sub-regional or national), provided that their sphere of work is directly related with UN objectives. However, since these very early days, territorial governments and their networks, which are governmental institutions by nature, have also been granted this status. The first city network to obtain it was the International Union of Local Authorities (IULA), which became a UN observer in 1947. As a consequence, the UN treated local governments like NGOs for decades.

In 1992, this dynamic slightly changed when the so-called Major Groups were established as the second key instrument within the UN system for fostering dialogue with non-state actors. Major Groups took shape after the first UN Conference on Environment and Development (popularly known as the Earth Summit) was held in Rio de Janeiro. The UN was convinced that achieving sustainable development would require the active participation of all sectors of society and invited nine categories of actors to join the conversation. Local governments were granted a differentiated group within the following categories, a decision that was much applauded by mayors and international city networks:

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1. Women
2. Children and Youth
3. Indigenous Peoples
4. Non-Governmental Organisations
5. Local Authorities

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2. See https://www.un.org/development/desa/en/.

3. UNDESA has produced a database, the Integrated Civil Society Organization System (iCSO), which brings together all the information related to civil society organisations that have been granted consultative status. For more information, see https://esango.un.org/.

6. Workers and Trade Unions
7. Business and Industry
8. Scientific and Technological Community
9. Farmers.

At the next environment summit, known as Rio+20, the spectrum of actors invited to discuss sustainable development was even expanded to include local communities, foundations and volunteer groups, migrants and families, the elderly and persons with disabilities. Since 2013, philanthropic organisations, academic and educational entities and other actors working in areas related with sustainable development (A/RES/67/290) have been incorporated into these Major Groups as well (now called Major Groups and Other Stakeholders). This broad amalgam of non-state actors took part in the development and adoption in 2015 of the new agenda for sustainable development, the 2030 Agenda, which set the Sustainable Development Goals (SDGs). Since then, non-state actors have been involved in implementation, advocacy, knowledge transfer and monitoring activities around the agenda. They have also played a key role in its follow-up and review process, which culminated with regular meetings of the High-Level Political Forum for Sustainable Development – HLPF (A/RES/67/290). For decades, local governments have invested significant effort and resources in all these stages. As a result of their advocacy, they managed to establish an urban goal, SDG 11, on making cities and human settlements inclusive, safe, resilient and sustainable. After many years of international work, their voice began to be given greater consideration by the UN and its members.

THE UN GENERAL ASSEMBLY ASKED UN-HABITAT TO REVIEW ITS WORKING METHODS IN ORDER TO OPEN THEM UP TO REPRESENTATIVES OF LOCAL AUTHORITIES AND THEIR ASSOCIATIONS.

The slow path towards greater inclusion of local authorities within the UN system

Although the involvement of sub-national governments in the UN has historically been channelled through the consultative status granted to NGOs, local authorities are different in nature to civil society entities. First because, as one of the three spheres of government that generally make up a state (national, regional and local), they are governmental institutions. And second, as governmental institutions, they are politically responsible for the territories they manage. This distinction underpinned the international municipalist movement that worked to get lo-

cal authorities involved in international politics from the 1980s onwards and laid the foundations for its streamlining into a single organisation, United Cities and Local Governments (UCLG). Constructing a single voice for cities was seen to be the best strategy for achieving stronger political recognition from the UN, but the path towards this recognition has not been easy.

The first major milestone was the creation of the Local Authorities Major Group (LAMG).[4] This platform allowed local governments to engage in direct dialogue with the UN as a differentiated stakeholder and not as a group within civil society. One UN area has been particularly important to local governments gaining greater political recognition: the UN Human Settlement Programme (UN-HABITAT). As its mission relates most directly to urban matters, transnationally organised local authorities have directed a considerable amount of their efforts to lobbying UN-HABITAT. One of the earliest results of their advocacy work took place in the framework of the Second UN Conference on Human Settlements (1996), also known as HABITAT II. Under the auspices of this summit, international local government associations organised the first big meeting of international municipalism, the World Assembly of Cities and Local Authorities (WACLA), whose political messages calling for greater political recognition were eventually incorporated into the final document of HABITAT II. Known as the Istanbul Declaration, this document recognises local authorities as the "closest partners" of UN HABITAT and as being "essential, in the implementation of the Habitat Agenda".

IN UN-HABITAT'S GOVERNING COUNCIL THE STATUS OF LOCAL GOVERNMENTS IS EQUAL TO THAT OF GOVERNMENTAL ACTORS.

Shortly after HABITAT II, the UN General Assembly asked UN-HABITAT to review its working methods in order to open them up to representatives of local authorities and their associations. There was a common understanding within the organisation that the active involvement of cities would contribute to making the implementation of the Habitat Agenda more effective (A/RES/51/177). As a result of this request, one of the ideas UN-HABITAT considered was to reproduce the tripartite model of the International Labour Organization (ILO), whose governing body consists of representatives of governments, enterprises and workers. Yet when the proposal was discussed during the 16th session of the Commission

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4. See https://sustainabledevelopment.un.org/majorgroups/localauthorities.

of Human Settlements (UN-HABITAT's governing body at that time), it was rejected. This opposition arose from the notion that, while in the ILO framework a tripartite configuration is the result of a distinction that is functional by nature, including local governments in UNHABITAT's governing bodies could be interpreted as a political statement suggesting that state governments were not properly representing their cities and towns (Salomón and Sánchez, 2008: 136). This decision thwarted the aspirations of the international municipal movement, which saw a window of opportunity being closed.

Instead of being granted a space in UN-HABITAT's governing body, local authorities were invited to participate in a consultative body to UN-HABITAT's Executive Director, the UN Advisory Committee of Local Authorities – UNACLA, set up in the year 2000. Although the hopes for reproducing the ILO's tripartite model were higher, the establishment of UNACLA definitely contributed to better showcasing the role cities were playing in the implementation of the Habitat Agenda. As a matter of fact, their contribution was applauded at Istanbul+5, the special session of the General Assembly organised with the aim of evaluating the progress made five years after the adoption of the document. In this framework, a mayor – Joan Clos, then mayor of Barcelona and President of UNACLA – was permitted to address a UN General Assembly for the first time in history (interestingly, Clos was to become Executive Director of UN-HABITAT in 2010).

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The creation of UNACLA also paved the way for another milestone in local governments' efforts to be acknowledged as governmental actors. After Istanbul+5, the rules of procedure of UN-HABITAT's Governing Council were revised and observer status was granted to local governments (Rule 64), allowing them to participate in council debates without voting rights. Unlike the situation in the UN General Assembly, where local governments and NGOs have equal status, in UN-HABITAT's Governing Council the status of local governments is equal to that of governmental actors. Specifically, it is equal to states who are not members of UN-HABITAT (Rules 61–62) and to intergovernmental organisations (Rule 63). Governmental actors with observer status can participate in the deliberations of the UN-HABITAT Governing Council without the right to vote. By contrast, NGOs with observer status can make oral presentations but not participate in the deliberations (Rule 66).

This first big advance in terms of political recognition of local governments as governmental actors on a par with other public actors but not with civil society came in the recommendations of the Cardoso Report (A/58/817). This document was drawn up by the Panel of Eminent Persons, which was created in 2004 at the request of the then Secretary-General, Kofi Annan (A/57/387 and Corr. 1). The Cardoso Report highlighted how local authorities differed from civil society because of their representative character and recommended the UN General Assembly adopt a resolution affirming and recognising the principle of local autonomy (Proposal 17). In addition, the recent creation of UCLG (the largest transnational organisation of cities),[5] led the Panel of Eminent Persons to suggest that the UN should consider recognising this new municipalist network as an advisory body to the Secretary-General and to the General Assembly (Proposal 18).

However, neither of these two recommendations was implemented by the UN. In all likelihood, the members of this state-led organisation did not want their already-eroded sovereignty to be further undermined by the participation of other political actors. This is why the path towards political recognition of local governments in UN global governance has been so slow. Actually, it was not until 2015 (eleven years after the Cardoso Report) that another breakthrough was made regarding dialogue between the UN and sub-national governments. This occurred when the UN once again accorded differential treatment to local governments, this time in the consultation process linked to HABITAT III. Previously, if local authorities were able to participate in consultation processes, the scope of their participation was equal to that of NGOs. In HABITAT III, however, city governments were not only invited to participate in the consultation process (like NGOs), but also in the deliberations (like other governmental actors: A/RES/70/210, Rule 65). They did so through the Global Taskforce of Local and Regional Governments, a coordination and consultation mechanism facilitated by UCLG that brings together the major international networks of local authorities.[6]

This historical account shows that the decade of the 2000s marks a before and after in terms of the political recognition of local governments within the UN. The reason for this change is probably the fact that the international municipalist movement was able to organise politically at the global level once UCLG was founded. As Salomón and Sánchez (2008: 134) state, "[…] the degree of presence in the UN system could not have been achieved

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5. See www.uclg.org.

6. See https://www.global-taskforce.org/.

if the unification of the worldwide municipal associations had not taken place. At the same time, the objective of having a single voice before the UN was the main catalyst of the unification process."

Even so, the UN could have gone further, not only by following the recommendations of the Cardoso Report but also by learning from how local authorities engage with other supranational organisations. For example, the European region (Papisca, 2011) has made significant political and legal advances in acknowledging the role of local and regional governments. Notable is the pioneering work of the Congress of Local and Regional Authorities created in 1957 under the auspices of the Council of Europe. This body has played a key role in promoting the adoption of several international regulations recognising and promoting the political role of local and regional governments (e.g. the European Outline Convention on Transfrontier Co-operation of 1980, or the European Charter of Local Self-Government, 1985).

These developments paved the way for institutional regulations and arrangements that were later established by the European Union (EU), such as the creation of the Committee of the Regions (CoR) in 1994, which is composed of locally and regionally elected representatives. It is also worth mentioning, as another example, the 2006 European Parliament and Council regulation on a "European grouping of territorial cooperation" (EC No. 1082/2006). This instrument legally enables political autonomy of local and regional authorities within an international framework (the EU system) and lays the groundwork for their active participation in several of the EU's high-level programmes, such as the Structural Funds, Interreg, the new Wider Europe - Neighbourhood policy, and Territorial Dialogue, among others.

Conclusions

If the UN75 process is serious about promoting greater effectiveness in global governance, the UN still has a long way to go. In an urban world like today's, cities and urban territories play a key role in matters of social cohesion, local democracy and ecological transition, to name just a few examples. It is therefore logical that their governments should take part in the global conversation about how to tackle the world's most daunting challenges. And they should do so in their capacity as representative institutions endowed with a clear political mandate.

From a strategic point of view, moreover, greater recognition of sub-national governments could be a way for the UN to gain greater functional

autonomy in an eroded supranational milieu, as the Cardoso Report points out (A/58/817: 7). Combining its intergovernmental nature with in-depth discussions with other actors – and, in the case that concerns us here, local governments – would allow increased efficiency in global cooperation, while also making it more inclusive and democratic.

In a global political context marked by interdependence and globalisation in which the sovereignty of the nation-state has proven insufficient for protecting democracy, it is necessary to reinforce the participative character of the UN and to allow actors with a representative mandate, like local and regional governments, to play a more prominent political role.

References

Council of Europe. *European Charter of Local Self-Government*, Strasbourg, 15 October 1985, in force 1 September 1988, ETS no. 122.

Council of Europe. *European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities*, Madrid, 21/05/1980, in force 22 December 1981, ETS No. 106, (online). [Accessed on 05/05/2020]: https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/106.

European Union. Regulation (EC) No. 1082/2006 of the European Parliament and of the Council of 5 July 2006 on a European grouping of territorial cooperation (EGTC), (online). [Accessed on 05/05/2020]: https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX:32006R1082.

Papisca, A. "Relevance of human rights in the glocal space of politics: How to enlarge democratic practice beyond state boundaries and build up a peaceful world order", in: De Feyter, K; Parmentier, S.; Timmerman, C. and Ulrich, G. (eds.), *The Local Relevance of Human Rights*. Cambridge: Cambridge University Press, 2011, pp. 82–108.

Salomón, M. and Sánchez, J. "The United Nations System and the Process of Political Articulation of Local Authorities as Global Actor", Brazilian Political Science Review, 2008, 2 (1), pp. 127–147.

United Nations. Working with ECOSOC, an ONG guide to consultative status. New York: UN, 2018.

United Nations Economic and Social Council. *Resolutions and Decisions of the Economic and Social Council*, E/1996/96. (online). [Accessed on 05/05/2020]: https://undocs.org/en/E/1996/96.

United Nations General Assembly. *Implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II) and strengthening of the United Nations Human Settlements Programme (UN-Habitat)*, A/RES/70/210 (17 February 2016), (online). [Accessed on 05/05/2020]: https://undocs.org/A/RES/70/210.

United Nations General Assembly. 2013. *Format and organizational aspects of the high-level political forum on sustainable development*, A/RES/67/290 (23 August 2013), (online). [Accessed on 05/05/2020]: https://undocs.org/A/RES/67/290.

United Nations General Assembly. *Strengthening of the United Nations system* (Cardoso Report), A/58/817 (11 June 2004), (online). [Accessed on 05/05/2020]: https://undocs.org/A/58/817.

United Nations General Assembly. *Strengthening of the United Nations: an agenda for further change*, A/57/387 (9 September 2002), (online). [Accessed on 05/05/2020]: https://undocs.org/en/A/57/387.

United Nations General Assembly. *Implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II),* A/RES/51/177 (11 February 1997), (online). [Accessed on 05/05/2020]: https://undocs.org/A/RES/51/177.

UN-HABITAT. Rules of Procedure of the Governing Council, April 2015 (revised), (online). [Accessed on 05/05/2020]: https://staging.unhabitat.org/downloads/docs/UN-HabitatGC_Rules_of_ProcedureENGLISH.pdf.