

UNIVERSITY OF GRAZ

European Master's Degree in Human Rights and Democratisation
A.Y. 2017/2018

**HUMAN RIGHTS CITIES FOR ALL:
LOCAL INTEGRATION OF ASYLUM
SEEKERS AND REFUGEES**

Case study of Graz

Author: Amaia Azkorra Camargo

Supervisor: Univ.-Prof. Mag. Dr. Wolfgang Benedek

ABSTRACT

Asylum seekers and refugees are arriving at cities. This thesis explores the relevance of human rights at the local level with a special focus on the process of integrating asylum seekers and refugees. It presents some instruments and mechanisms that cities could make use of to protect, respect, fulfil and promote human rights and to transform global human rights into local human rights. A human rights city is a model of city where human rights-based policies are implemented in order to ensure the rights of all its inhabitants. The relevance of this thesis lies in its attempt to outline the added value of human rights cities towards local integration of asylum seekers and refugees. The research provides a comprehensive analysis of how Graz, a human rights city since 2001, is trying to effectively integrate asylum seekers and refugees while following a human rights-based approach. The findings reveal that human rights cities have the power to positively impact asylum seekers' and refugees' human rights, derived from their institutional infrastructure and resilience in comparison to non-human rights cities. Nonetheless, a strong political will, a multi-level governance, financial resources and coordination between relevant stakeholders is needed.

Keywords: Human rights at the local level; Human rights cities; Local integration; Asylum seekers; Refugees; Graz.

TABLE OF CONTENTS

ABSTRACT	2
LIST OF ABBREVIATIONS.....	5
INTRODUCTION	7
1.1 Relevance of the topic and research question	7
1.2 Methodology.....	11
CHAPTER 1 HUMAN RIGHTS AND INTEGRATION OF ASYLUM SEEKERS AND REFUGEES AT THE LOCAL LEVEL.....	13
1.1 Introduction.....	13
1.2 Who am I? Defining the different categories of forced international migrants	13
1.3 Local integration as a durable solution	16
1.4 Localising human rights to achieve integration	19
<i>1.4.1 From global human rights... ..</i>	<i>19</i>
<i>1.4.2 ...to local human rights.....</i>	<i>22</i>
1.5 How to localise: different approaches.....	23
<i>1.5.1 Top-down and bottom-up approach to integration: the case of Morocco.....</i>	<i>23</i>
<i>1.5.2 Bottom-up approach of human rights: the case of Turkey.....</i>	<i>26</i>
1.6 Participation of local governments in human rights and integration.....	27
1.7 The right to the city and the challenge of local integration.....	29
<i>1.7.1 The right to the city in (quasi)legal instruments: a chance to commit to local integration</i>	<i>32</i>
1.8 From a human rights-based approach to development to a human rights-based approach to integration	36
1.9 Conclusion.....	39
CHAPTER 2 RECENT DEVELOPMENTS IN THE INTERNATIONAL LEGAL FRAMEWORK: ADDRESSING LOCAL INTEGRATION	41
2.1 Introduction.....	41
2.2 Addressing the role of local authorities and local integration from New York to Marrakesh	42
<i>2.2.1 Local authorities and integration in the New York Declaration for Refugees and Migrants.....</i>	<i>43</i>
<i>2.2.2 Local authorities and integration in the Global Compact on Refugees</i>	<i>44</i>
<i>2.2.3 Local authorities and integration in the Global Compact for Safe, Orderly and Regular Migration</i>	<i>46</i>
2.3 Local integration in the New Urban Agenda	47

2.4 Localising Sustainable Development Goals.....	48
2.5 Local integration of refugees in the Urban Agenda for the EU	52
2.6 Human rights and integration of migrants through the Congress of Local and Regional Authorities of the Council of Europe	53
2.7 Conclusion.....	55
CHAPTER 3 HUMAN RIGHTS CITIES AND INTEGRATION AT THE LOCAL LEVEL: CASE STUDY OF GRAZ	57
3.1 Introduction.....	57
3.2 Human rights cities from Rosario to Gwangju: space for local integration	58
3.3 When does integration start?.....	62
3.4 Case study of the human rights city of Graz: how we integrate	64
3.4.1 Integration through access to information	69
3.4.2 Integration through healthcare	70
3.4.3 Integration through counselling and psychiatric care	71
3.4.4 Integration through housing	73
3.4.5 Integration through personal support.....	76
3.4.6 Integration through the labour market.....	78
3.4.7 Integration through German language courses	79
3.4.8 Integration through schools	82
3.4.9 Integration through public perception and education.....	83
3.4.10 Integration through watchdog institutions.....	85
3.5 Conclusion.....	97
3.5.1 Challenges to local integration.....	98
3.5.2 Valuable lessons.....	100
3.5.3 Human rights cities and local integration	101
GENERAL CONCLUSION	105
BIBLIOGRAPHY	108
ANNEX A OECD “Checklist for public action to migrant integration at the local level”	124
ANNEX B LIST OF INTERVIEWS	126
ANNEX C ECCAR “Ten-Point Action Plan”	127

LIST OF ABBREVIATIONS

BMZ	German Federal Ministry for Economic Cooperation and Development
CoE	Council of Europe
Congress	Congress of Local and Regional Authorities of the Council of Europe
CRRF	Comprehensive Refugee Response Framework
EC	European Commission
ECCAR	European Coalition of Cities Against Racism
ETC-Graz	European Training and Research Centre for Human Rights and Democracy
EU	European Union
EUI	European University Institute
ExCom	Executive Committee
FRA	Fundamental Rights Agency of the European Union
FPÖ	Freedom Party of Austria
GCM	Global Compact for Safe, Orderly and Regular Migration
GCR	Global Compact on Refugees
GIZ	German Association for International Cooperation
HLPF	High Level Political Forum for Sustainable Development
HRAB	Human Rights Advisory Board of the City of Graz
HRBA	Human rights-based approach
MS	Member States
NGOs	Non-Governmental Organisations
NUA	New Urban Agenda

OECD	Organisation for Economic Cooperation and Development
ÖAW	Austrian Academy of Sciences
ÖIF	Austrian Integration Fund
PDHRE	People’s Decade on Human Rights Learning
SDGs	Sustainable Development Goals
TKE	Toolkit for Equality
UCLG	United Cities and Local Governments
UDHR	Universal Declaration of Human Rights
UN	United Nations
UNDP	United Nations Development Program
UNESCO	United Nations Educational, Scientific and Cultural Organisation
UNGA	United Nations General Assembly
UNHCR	United Nations High Commissioner for Refugees
UN-Habitat	United Nations Human Settlements Programme

INTRODUCTION

“Cities are front-line players in dealing with refugees”¹

Filippo Grandi, UN High Commissioner for Refugees

1.1 Relevance of the topic and research question

As of 2014, 54% of the total global population is urban.² What’s more, the global urban population is expecting to keep growing: by 2050, 68% of the world’s population is projected to be urban.³ People are living in cities. Recent economic and political developments related to decentralisation of government powers and globalisation have increased the role of cities and have given them more responsibilities.⁴ Local governments’ position and knowledge allow them to deal with daily problems of their citizens in a better way than national governments.

Human rights, as essential as they are, are relevant at an international, national and local level. Since human rights are both violated and achieved on a daily basis, cities play a key role because they are best placed to deliver and realise the human rights of their urban population. However, states are still key players in this chess game: only states are obliged to submit reports under their international law obligations and they cannot defend themselves by claiming that the alleged violation was committed by a local authority.⁵

It is not only that people are living in cities; asylum seekers and refugees are arriving at cities too. According to United Nations High Commissioner for Refugees’ (hereinafter UNHCR) 2017 Global Trends Report, 58% of refugees worldwide were living in urban

¹ Statement at the Global Mayors Summit on Migration and Refugee Policy and Practice, September 18, 2017.

² World Health Organisation, *Urban population growth*, available at: http://www.who.int/gho/urban_health/situation_trends/urban_population_growth_text/en/

³ Population Division of the UN Department of Economic and Social Affairs, *2018 Revision of World Urbanization Prospects*, available at <https://esa.un.org/unpd/wup/>

⁴ Barbara Oomen and Moritz Baumgärtel, *Human Rights Cities*, in: Mihr, A. and Gibney, M. (eds.), *The SAGE Handbook of Human Rights*, 2014. P. 711.

⁵ UN Human Rights Council, *Final Report of the Human Rights Council Advisory Committee on the role of local government in the promotion and protection of human rights*, 7 August 2015, A/HRC/30/49. P. 5.

areas in 2017.⁶ Besides, by the end of 2017, there were 68.5 million forcibly displaced people worldwide, 2.9 million more than in 2016.⁷ Last year, the total number of refugees was estimated at 25.4 million and about 3.1 million people were awaiting a decision on their asylum application.⁸

In 2015, with the arrival by sea of over 1 million asylum seekers in the European Union (hereinafter EU), following the outbreak of the Syrian conflict, challenges rose for national, regional and local governments within the EU Member States (hereinafter MS).⁹ At that time, local governments, with limited means and guidance, had to find the way to deal with the demands of the new arrivals. And thus, local governments realised that integration had to happen in their own streets.

The reason why so many refugees are urban is due to the access to public services, jobs and social networks that they can find in the city. Hence, the real effect of human rights is experienced locally. Nowadays, we cannot think about the concepts of human rights, local level and integration in a separate way.

When asylum seekers and refugees arrive and settle in a city, local authorities should ensure their human rights and promote their integration. A successful local integration is a goal that benefits both refugees and host communities and it is also key for local economic growth and sustainable urban development.

Unfortunately, cities lack competence in those sensitive fields that mostly affect asylum seekers and refugees, since most immigration policies are set at a national level. Therefore, local governments are facing some major challenges in their efforts of integrating refugees, such as ensuring refugees' access to basic services and protecting them from discrimination and inequality. Local authorities must establish a strategy where they can meet the needs of asylum seekers and refugees and, at the same time,

⁶ UNHCR, *Global Trends: Forced Displacement in 2017*, 20 June 2018.

⁷ Ibid.

⁸ Ibid.

⁹ UNHCR Europe Emergency, Operational Portal Refugee Situations, available at http://data2.unhcr.org/en/situations/mediterranean#_ga=2.176956261.1145106214.1530630656-2042246991.1508833780

ensure local cohesion. Long-term integration policies are needed to build inclusive societies. Cities cannot do it alone.

As we will see throughout the thesis, more and more cities are engaging with human rights and with the integration of asylum seekers and refugees. However, we will also observe how not every city is willing to make an effort and how some national governments, through new regulations and funding cuts, are making it difficult for local governments that try to implement integration policies.

At the international level, with the recent adoption of the New York Declaration for Refugees and Migrants, the New Urban Agenda (hereinafter NUA) and the establishment of the 2030 Agenda, a new window of opportunity has been opened. Localising the Sustainable Development Goals (hereinafter SDGs), for instance, will be one of the challenges for the next fifteen years.

In Europe, diverse institutions are also addressing this issue. On May 2017, in Nafplio, Greece, in the Conference on “Human dignity in times of conflict and crisis - Human rights and Humanitarian Law at the crossroads”, the President of the Congress of Local and Regional Authorities of the Council of Europe (hereinafter Congress of the CoE) highlighted the challenge the refugee crisis represents for local authorities, the respect for human and social rights and the need to build inclusive societies.¹⁰

Brando Benifei, member of the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament, stated in May 2018 at the State of the Union¹¹ that the integration of refugees in cities is one of the most challenging issues for the European Parliament.¹²

¹⁰ Gudrun Mosler Tornström, President of the Congress, *Human dignity in times of conflict and crisis*, Conference on Human dignity in times of conflict and crisis - Human rights and Humanitarian Law at the crossroads, Nafplio (Greece), 26 May 2017.

¹¹ A high-level conference organised yearly by the European University Institute (hereinafter EUI) in Florence, Italy. More information available at <https://stateoftheunion.eui.eu>

¹² Brando Benifei, member of the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament, State of the Union, EUI, Florence, May 2018, available at <https://stateoftheunion.eui.eu/video-recordings/>

In this scenario, different initiatives have been brought up. Networking of cities has been proven to be very successful, since dialogue is essential for the purpose of finding the right models of integration. For instance, “Solidarity Cities”, within the framework of EU’s EUROCITIES network, is a project proposed by the mayor of Athens to exchange information and practices on the refugee situation in cities.¹³ “Arrival Cities” is a project from the URBACT Network aiming at fostering the social inclusion of migrants by sharing good practices between 10 partner cities.¹⁴ “Cities of Migration” showcases good ideas regarding immigrant integration and promotes innovative practices that create inclusion and urban prosperity.¹⁵

Human rights cities, a model of city that tries to translate global human rights into local human rights and bases its actions and policies in human rights principles, might be a model to pursue for an effective local integration of asylum seekers and refugees.

This thesis aims at analysing how an effective local integration of asylum seekers and refugees can become a reality. Therefore, the study endeavours to answer the following questions:

- 1. How can local governments grant an effective integration of asylum seekers and refugees and protect, respect, fulfil and promote their human rights?*
- 2. What is the added value that human rights cities possess when it comes to integrate asylum seekers and refugees into their communities?*

For this purpose, the first Chapter will analyse the implementation of human rights at the local level, the concept of the right to the city and how the use of these notions could help the effective integration of asylum seekers and refugees in urban areas.

The second Chapter will analyse the recent legal developments made by the United Nations (hereinafter UN) and the EU regarding their urban approaches and their strategy to deal with the integration of asylum seekers and refugees. We will study

¹³ More information available at <https://solidaritycities.eu>

¹⁴ More information available at <http://urbact.eu/arrival-cities>

¹⁵ More information available at <http://citiesofmigration.ca>

where cities can fit after the New York Declaration, the New Urban Agenda and the 2030 Agenda that with its “leave no one behind” discourse can help with a more effective local integration of refugees.

The third Chapter will present the case study of the Austrian city of Graz, which is a human rights city since 2001, the first one in Europe. We will evaluate the approach that Graz follows in order to effectively integrate asylum seekers and refugees in its community. We will also analyse the institutional infrastructure of Graz, as a human rights city, examine local Non-Governmental Organisations (hereinafter NGOs) and study the role these institutions play (if they do) to provide a long-term response for integration. For this purpose, we will highlight some of the best practices conducted in Graz and the challenges that arise while locally integrating asylum seekers and refugees.

Finally, the thesis will offer some general conclusions on the potentials of the effective integration of asylum seekers and refugees in a human rights city and the possible obstacles they could face.

The main objective of this thesis is to take into account some successful local practices and initiatives from different cities – and especially from Graz – so that other cities that are struggling to effectively integrate asylum seekers and refugees can obtain a comprehensive idea of a possible path to follow.

1.2 Methodology

The first Chapter is characterised by a theoretical and conceptual approach based on academic literature, particular case studies and (quasi)legal instruments. The second Chapter uses an expository method and analyse relevant documents, guidelines and action plans from the UN and the EU.

The third Chapter provides a comprehensive narrative of how Graz is managing to integrate asylum seekers and refugees in its community. For this purpose, a qualitative and quantitative study is carried out. Various interviews were conducted with relevant stakeholders in their capacity as professionals with expertise on local integration in

Graz. The interviews contributed to the achievement of primary data and a more in-depth analysis. All interviews were conducted following the principles of transparency and voluntariness. National legislations, political and media discourse, and annual reports from civil society are also used to approach reality as closely as possible.

CHAPTER 1 | HUMAN RIGHTS AND INTEGRATION OF ASYLUM SEEKERS AND REFUGEES AT THE LOCAL LEVEL

“Integration takes place locally, in the cities and communities”¹⁶

Roswitha Müller, Head of the Integration Office of the City of Graz

1.1 Introduction

Migration can come in many different shapes and forms. This first Chapter commences with the definition of the different types of international forced migrants and explores the concept of local integration, as one of the three durable solutions identified by the UNHCR.

Besides, this Chapter will explain the importance of localising human rights, so that individuals who live in a city can own them and claim them. We will present an overview of the ways in which cities can apply human rights to their policies: from the right to the city movement to initiatives such as those initiated by the Fundamental Rights Agency of the EU (hereinafter FRA) or to a possible human rights-based approach (hereinafter HRBA) to integration. The Chapter will examine to what extent local authorities have the responsibility to respect, protect and fulfil the human rights of all their inhabitants.

1.2 Who am I? Defining the different categories of forced international migrants

The definition of refugee can be found in the 1951 Convention relating to the Status of Refugees (hereinafter the Refugee Convention) amended by the 1967 Protocol relating to the Status of Refugees.¹⁷ While the Refugee Convention is the primary standard of refugee protection, the Protocol is the mechanism that eliminated the option for States to restrict protection efforts to pre-1951 refugees, or European refugees, or both.¹⁸

¹⁶ Interview with Roswitha Müller, Head of the Integration Office of the City of Graz, 4 July 2018.

¹⁷ UNGA, Convention Relating to the Status of Refugees, 28 July 1951, United Nations, Treaty Series, vol. 189.

¹⁸ James C. Hathaway, *Refugees and Asylum*, in *Foundations of International Migration Law*, edited by B. Opeskin, R. Perruchoud, and J. Redpath-Cross. Cambridge: Cambridge Univ. Press, 2012. P. 178.

According to Article 1, Paragraph 2 of the Refugee Convention, a refugee is a person who “owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it”.

The recognition of a person as a refugee is key to receive asylum; nonetheless, a person is a refugee as soon as “he fulfils the criteria contained in the definition of the Refugee Convention. [...] Recognition of his refugee status does not therefore make him a refugee but declares him to be one”.¹⁹ However, refugees do not own immediately all the rights stipulated in the Convention: their rights expand as their relationship with the asylum state deepens.²⁰ Refugees benefit from the rights contained in the Refugee Convention, but also from the global framework of human rights standards and institutions.²¹ Therefore, human rights law has to be taken into account while assessing refugees’ rights.

While the Refugee Convention establishes some obligations for the states that receive asylum seekers, it does not explicitly impose any obligations on states to grant asylum and it does not define how asylum procedures should be realised.²² However, the principle of non-refoulement contained in Article 33, which establishes a prohibition to return migrants to states where they would face violations of their rights, and the principle of non-penalisation for illegal entry contained in Article 31, protect those who seek asylum in a state. When the Convention was agreed, states were not willing to

¹⁹ UNHCR, *Handbook and Guidelines on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol Relating to the Status of Refugees*, December 2011, HCR/1P/4/ENG/REV. 3.

²⁰ Hathaway (2012). P. 191.

²¹ Colin Harvey, *Time for Reform? Refugees, Asylum-seekers, and Protection Under International Human Rights Law*, *Refugee Survey Quarterly*, Volume 34, Issue 1, 1 March 2015. P. 44.

²² Chetail Vincent, *Are Refugee Rights Human Rights? An Unorthodox Questioning of the Relations between Refugee Law and Human Rights Law*, in: Rubio-Marin Ruth, *Human Rights and Immigration*, Oxford: Oxford University Press, 2014. P. 31.

assume obligations regarding their asylum policies, claiming that it was their right, and not the individual's, to grant or refuse asylum.²³

The right to seek asylum is contained in various international legal documents. Article 14 of the Universal Declaration of Human Rights (hereinafter UDHR) establishes that everyone has the right to seek and to enjoy in other countries asylum from persecution.²⁴ Article 18 of the Charter of Fundamental Rights of the EU provides that the right to asylum shall be guaranteed with due respect for the rules of the Refugee Convention.²⁵

Asylum seekers are those who have submitted a claim to acquire international protection, but are awaiting the final decision.²⁶ When migrants arrive in a national territory and formally apply for asylum, a process consisting of an interview and assessment begins.²⁷ When asylum seekers have been denied protection status they become rejected asylum seekers.²⁸ This rejection, however, does not entail the end of the process since they have the right to submit an appeal.²⁹ If the appeal is also rejected, this group of migrants are considered illegal or irregular migrants. Moreover, people who do not file for a legal permission to stay in a national territory are also recognised as irregular migrants.³⁰

Nonetheless, recognition as a refugee according to the Refugee Convention is not the only mechanism to be granted international protection, since regional mechanisms have also been developed.

²³ Ibid.

²⁴ UNGA, Universal Declaration of Human Rights, GA Res. 217 A (III), UN Doc. A/810/71, 10 December 1948.

²⁵ EU, *Charter of Fundamental Rights of the European Union*, 26 October 2012, 2012/C 326/02.

²⁶ OECD, *Working Together for Local Integration of Migrants and Refugees*, OECD Publishing, Paris, 2018. P. 26.

²⁷ Silvia Angeloni and Francesco Maria Spano, *Asylum Seekers in Europe: Issues and Solutions*. Int. Migration and Integration, 2018. P. 2.

²⁸ OECD (2018). P. 26.

²⁹ Ibid.

³⁰ Angeloni and Spano (2018). P. 2.

In Europe, the CoE recognised the notion and the rights of *de facto* refugees in 1976, as those who fall outside the scope of Article 1 of the Refugee Convention but are unable to return to their countries of origin due to political, racial, religious or other valid reasons.³¹

Nowadays the EU is the one to offer the strongest framework within Europe regarding international protection. The Common European Asylum System (CEAS) ensures minimum standards and includes the determination of the state responsible for examining asylum requests, as well as new forms of protection.³² Their current Qualification Directive from 2011 requires MS to offer subsidiary protection status, as an additional and complementary protection to the one offered by the Refugee Convention.³³

During the thesis we will mainly be talking about asylum seekers and refugees. Hereinafter, we will consider asylum seekers those who apply for protection; and we will consider refugees those who receive some kind of protection. In particular situations, the specific distinction between refugees and people who receive subsidiary protection status will be made.

1.3 Local integration as a durable solution

Local integration is part of the three durable solutions identified by the UNHCR, along with resettlement and voluntary repatriation. Local integration plays a role when people

³¹ Parliamentary Assembly of the CoE, *Recommendation 773 on the Situation on De Facto Refugees*, 26 January 1976.

³² Vincent Chetail, *The Common European Asylum System. Bric-à-brac or System?*, in: Chetail, de Bruckyer, Maiani (eds.), *Reforming the Common European Asylum System: The New European Refugee Law*, Leiden/Boston: Brill, 2016. P. 4.

³³ EU: Council of the EU, Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast), 20 December 2011, OJ L. 337/9-337/26; 20.12.2011, 2011/95/EU.

are unable or unwilling to return to their country of origin and it is based on the assumption that refugees will remain in their country of asylum permanently.³⁴

Even though, under international refugee law, the principle of local integration is firmly established, we cannot find a formal definition of this concept. Nonetheless, a restrictive interpretation of Article 34 of the Refugee Convention could lead to assume that local integration will only become a long lasting solution when the refugee becomes a naturalised citizen and therefore is no longer in need of international protection.³⁵ Thus, Article 34 establishes the following: “the Contracting States shall as far as possible facilitate the assimilation and naturalization of refugees. They shall in particular make every effort to expedite naturalization proceedings and to reduce as far as possible the charges and costs of such proceedings”.

However, this interpretation seems too restrictive, since we understand that local integration happens long before refugees become citizens of the asylum country.

Local integration, as a durable solution, is a process with three interrelated dimensions; and these conditions often occur before the naturalisation happens.³⁶ Firstly, it is a legal process through which refugees progressively attain a wider range of rights in the host state.³⁷ For instance, they have the right to access public services or the right to seek employment. Secondly, it is an economic process.³⁸ When refugees participate in local economies, they establish sustainable livelihoods and they grow self-reliance. Thirdly, local integration is a social and cultural process and if it is done correctly, it enables refugees to live alongside the host population without fear of systematic discrimination.³⁹

³⁴ UNHCR, *The benefits of belonging: local integration options and opportunities for host countries, communities and refugees*, UNHCR’s Operational Solutions and Transition Section (OSTS), 2011, available at: www.unhcr.org/4e3276e26.html

³⁵ Jeff Crisp, *The local integration and local settlement of refugees: a conceptual and historical analysis*, New Issues in Refugee Research, Working Paper N° 102, UNHCR: Geneva, 2004. P. 2.

³⁶ ExCom, *Local integration and self-reliance*, Standing Committee 33rd meeting, EC/55/SC/CRP.15, 2 June 2005, available at: www.unhcr.org/42a0054f2.pdf

³⁷ Ibid. P. 5.

³⁸ Ibid.

³⁹ Ibid.

Nevertheless, this concept of integration does not imply that refugees should assimilate, as the Refugee Convention suggests, the culture and traditions of their host country; on the contrary, refugees should maintain their own identity while learning how to live together within the host community.⁴⁰

This idea was also reaffirmed by the UNHCR ExCom Conclusion N° 104:

“Local integration is a dynamic and multifaceted two-way process, which requires efforts by all parties concerned, including a preparedness on the part of refugees to adapt to the host society without having to forego their own cultural identity, and a corresponding readiness on the part of host communities and public institutions to welcome refugees and to meet the needs of a diverse population.”⁴¹

Hence, the successful integration of migrants can represent a huge potential for both the host country and migrants.

Even though the UNHCR ExCom established that ensuring local integration is part of international solidarity and responsibility sharing, it also acknowledged that “local integration is a sovereign decision and an option to be exercised by states guided by their treaty obligations and human rights principles”.⁴²

The benefits of local integration are multiple and diverse: successful integration practices promote trust between migrants and receiving societies, and create inclusive societies based on mutual understanding.⁴³ They facilitate economic exchange, development and growth opportunities, and they create the basis for social stability.⁴⁴ Refugees constitute a new labour force with skills and hosting them may result in long-

⁴⁰ Crisp (2004). P. 2.

⁴¹ UNHCR Executive Committee of the High Commissioner's Programme (2005), *Conclusion on Local Integration*, N° 104 (LVI), available at: <http://www.unhcr.org/excom/exconc/4357a91b2/conclusion-local-integration.html>

⁴² Ibid.

⁴³ The Integration Strategy Group (The German Marshall Fund of the US), available at: <http://www.gmfus.org/integration-strategy-group>

⁴⁴ Ibid.

term benefits of access to new infrastructure.⁴⁵ All these actions show good will, solidarity, and burden sharing.⁴⁶

A successful local integration is important because the costs of non-integration can be very high: from wasted economic and human potential, to serious strains on social cohesion and internal stability. Non-integration can lead to greater social, economic and political friction, potentially hindering economic development and fostering unstable security situations.⁴⁷

In conclusion, we understand refugee integration as a long-term process for both the host and the migrants community that begins before the naturalisation of the refugee, when the asylum seeker or the refugee wants to build its self-reliance; and it entails a legal, economic and socio-cultural dimension. Besides, local integration must be seen as an investment in local development and in regional peacebuilding.

1.4 Localising human rights to achieve integration

The process of localising human rights consists in translating global or international human rights standards into a local context, ensuring the implementation of social justice and protecting the most excluded and vulnerable groups of societies.⁴⁸ Therefore, to apply the local first we need to understand the global.

1.4.1 From global human rights...

The last half century was focused on making enormous efforts to establish the universality of human rights and addressing issues of human dignity. And thus, Article

⁴⁵ Alexandra Fielden, *Local integration: an under-reported solution to protracted refugee situations*, New Issues in Refugee Research, Working Paper N° 158, UNHCR: Geneva, 2008. P. 3.

⁴⁶ Ibid.

⁴⁷ The Integration Strategy Group (The German Marshall Fund of the United States), available at: <http://www.gmfus.org/integration-strategy-group>

⁴⁸ Gaby Oré Aguilar, *The local relevance of human rights: a methodological approach*, in Koen De Feyter, Stephan Parmentier, Christiane Timmerman and George Ulrich (eds.), *The Local Relevance of Human Rights*, Cambridge University Press, 2011. P. 111.

1 of the UDHR was born: “all human beings are free and equal in dignity and rights”.⁴⁹ Furthermore, after 1948, two International Covenants followed the Declaration: the International Covenant on Civil and Political Rights (1966) and the International Covenant on Economic, Social and Cultural Rights (1966). Both of them had the same phrase in the preamble: “human rights derive from the inherent dignity of the human person”.⁵⁰

Hunt finds that human rights are self-evident and they require three qualities linked to one another: they must be natural (inherent in human beings), equal (the same for everyone) and universal (applicable everywhere).⁵¹ As we have been able to see, these characteristics were embodied in Article 1 of the UDHR. Furthermore, Hunt argues that human rights only become meaningful when they achieve political content: because they are the rights of humans in society.⁵² Hence, political involvement to promote human rights gains meaning.

This also means that universal human rights apply to all migrants, regardless of their status, and that the principle of non-discrimination between migrants and nationals and equality of treatment must always be respected.

Since the adoption of the UDHR, there have been numerous international human rights instruments and mechanisms to reaffirm human rights as norms applicable on a global scale. Nonetheless, manifestations of the importance of human rights at the local level were always present.

Eleanor Roosevelt, chair of the inaugural UN Commission on Human Rights who played a central role in getting the declaration drafted, famously stated that universal human rights begin in small places, close to home; and unless these rights have a

⁴⁹ UNGA, Universal Declaration of Human Rights, GA Res. 217 A (III), UN Doc. A/810/71, 10 December 1948.

⁵⁰ UNGA, International Covenant on Civil and Political Rights, 16 December 1966, UN, Treaty Series, vol. 999, p. 171 and UNGA, International Covenant on Economic, Social and Cultural Rights, 16 December 1966, UN, Treaty Series, vol. 993, p. 3.

⁵¹ Lynn Hunt, *Inventing Human Rights: a History*, W.W. Norton & Co., 2007. P. 20.

⁵² *Ibid.* P. 21.

meaning there, they have little meaning anywhere.⁵³ Thus, she pointed to the local action by adding that “without concerted citizen action to uphold them close to home, we shall look in vain for progress in the larger world”.⁵⁴ In order to achieve the localisation of human rights, she also hoped that a “curious grapevine” (referring to NGOs) would carry the idea of human rights into every corner of the world.⁵⁵

The process of recognising the relevance of human rights at the local level was initially driven by civil society actors (as Eleanor Roosevelt rightfully predicted) and some progressive municipalities in the 1980s in different regions.⁵⁶

At the international level, changes came some years later. In 1993, when the World Conference on Human Rights took place in Vienna and representatives of 171 States adopted the Vienna Declaration and Programme of Action, the international community shifted its policy and focused on the actual implementation of human rights.⁵⁷ This Declaration recognised the important role of NGOs in the promotion of all human rights, emphasised the importance of incorporating human rights education programmes and pushed states to establish or strengthen their national institutions for the promotion and protection of human rights.⁵⁸

The Vienna Declaration was also significant with regard to the global human rights language variation that was needed to translate universal norms and principles into local spheres. Paragraph I.5 of the Declaration underlines that “all human rights are universal, indivisible and interdependent and interrelated” and that “the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind”. In this sense, Stamatopoulou argues that in order to protect and

⁵³ Eleanor Roosevelt, *Where do human rights begin?*, 1958, in Amnesty International, *What is the Universal Declaration of Human Rights?*, available at <https://www.amnesty.org.uk/universal-declaration-human-rights-UDHR>

⁵⁴ Ibid.

⁵⁵ Mark Goodale, *Introduction: Locating Rights, Envisioning Law between the Global and the Local*, in Mark Goodale and Sally Engle Merry (eds.), *The Practice of Human Rights: Tracking Law Between the Global and the Local*, Cambridge Studies in Law and Society, 2007. P. 3.

⁵⁶ Klaus Starl, *Human Rights and the City: obligations, commitments and opportunities*, in Barbara Oomen, Martha F. Davis and Michele Grigolo (eds.), *Global Urban Justice: the rise of human rights cities*, Cambridge University Press, 2016. P. 199.

⁵⁷ Oomen et.al (2014). P. 710.

⁵⁸ UNGA, Vienna Declaration and Programme of Action, 12 July 1993, A/CONF.157/23

promote cultural rights, local communities and peoples need to be heard and the international and universal must be brought to the local.⁵⁹

1.4.2 ...to local human rights

“For human rights to be relevant to all, they will need to be situation-specific”, De Feyter states.⁶⁰ This means that they will require to be localised to become as locally relevant as possible. As we have seen, human rights have been ignored for years when it comes to practice at the local level because it was understood that only states, under international law, had the obligation to implement them. However, this does not imply that we should turn away from human rights as a global language. In the contrary, the global speech should prevail and, at the same time, some variations should be allowed in order to make human rights protection as locally as possible.⁶¹

Gómez Isa underlines that it is essential to accommodate the inherent plurality present in local contexts within the global production of universal standards.⁶² Nonetheless, local human rights claims should not be limited only to a demand based on international human rights law.⁶³

Localising human rights does not mean turning global sphere negotiations away, but rather taking them into account to enhance the actions at the local level. Michael O’Flaherty, director of the FRA, highlighted in May at the State of the Union at the EUI in Florence, that both global human rights and local human rights need to be taken into account: the focus on one cannot distract us from the need to develop the other.⁶⁴

⁵⁹ Elsa Stamatopoulou, *Monitoring cultural human rights: the claims of culture on human rights and the response of cultural rights*, Human Rights Quarterly, 34(4), 2012. P. 1192.

⁶⁰ Koen De Feyter, *Localizing Human Rights*, Institute of Development, Policy and Management and University of Antwerp, January 2006. P. 5.

⁶¹ Ibid. P. 9.

⁶² Felipe Gómez Isa, *Freedom from Want revisited from a local perspective: evolution and challenges ahead*, in De Feyter et.al (2011). P. 56.

⁶³ Koen De Feyter, *Sites of rights resistance*, in De Feyter et.al (2011). P. 18.

⁶⁴ Michael O’Flaherty, director of the FRA, State of the Union, EUI, Florence, May 2018, available at <https://stateoftheunion.eui.eu/video-recordings/>

1.5 How to localise: different approaches

The localisation of human rights can be accomplished through two interrelated approaches: top-down and bottom-up. The first one requires translating international human rights down into local systems and the second one involves translating actors' local stories up by using a global rights language.⁶⁵

1.5.1 Top-down and bottom-up approach to integration: the case of Morocco

Decentralisation of governmental powers, which entails the transfers of powers and responsibilities by the central state to local levels of government, facilitates the localisation of human rights.⁶⁶ Consequently, local governments gain control over activities that are of major importance of everyday life.⁶⁷ When national governments recognise that human rights are relevant locally we are facing a top-down approach of human rights implementation. On the other hand, a bottom-up localisation of human rights can also take place while trying to protect human rights.

Morocco is a clear example of how a mandate to put into practice a decentralisation process allows local governments to focus on the protection of human rights. This top-down approach started in September 2013, when King Mohammed VI announced a new “radical” immigration policy that opened the door for the regularisation of undocumented migrants residing in Morocco.⁶⁸ The policy was based on a report by Morocco's National Human Rights Council that called for the development of a national asylum system and the integration of immigrants and refugees.⁶⁹

⁶⁵ Gaby Oré Aguilar, *The local relevance of human rights: a methodological approach*, in De Feyter et.al (2011). P. 111.

⁶⁶ International Council on Human Rights Policy, *Local Government and Human Rights: Doing Good Service*, 2005. P. 41.

⁶⁷ Ibid.

⁶⁸ Myriam Cherti & Michael Collyer, *Immigration and Pensée d'Etat: Moroccan migration policy changes as transformation of “geopolitical culture”*, *The Journal of North African Studies*, 20:4, 2015. P. 590.

⁶⁹ Conseil National des Droits de l'Homme (CNDH) Etrangers et Droits de l'Homme au Maroc. *Pour une politique d'asile et d'immigration radicalement nouvelle (For a radically new asylum and immigration policy)*, 2013.

This proclamation was widely welcomed as a significant break from the past policies and implied an acknowledgment from the Moroccan government of the fact that Morocco was becoming a host country. The implementation of this policy was a direct response to the political, legal and social challenges the country had to face due to the large number of migrant workers, refugees, asylum seekers and returning Moroccans they were hosting. This African country had transformed from a country of origin to a transit and a host country, and this shift originated human rights violations of asylum seekers and refugees that had to be tackled.

The following year, in September 2014, the government of Morocco introduced the National Strategy for Immigration and Asylum, a migration policy based on international law and human rights principles.⁷⁰

A year after the implementation of the National Strategy, in 2015, King Mohammed VI affirmed that decentralisation was not a technique but rather a political option to modernise and democratise the country.⁷¹ In this manner, capacity building for local governments and city diplomacy became key to realise the decentralisation project and make it successful.

In Morocco, more than 60% of the population has been living in urban areas since 2015.⁷² Unfortunately, Morocco's local governments are finding it difficult to ensure good living conditions for their citizens and meet the challenges that urban diversity entails.

This is the reason why the German Federal Ministry for Economic Cooperation and Development (hereinafter BMZ) in cooperation with the German Corporation for

⁷⁰ Ministre Chargé des Marocains Résidant à l'Étranger et des Affaires de la Migration, *Stratégie Nationale d'Immigration et d'Asile (National Immigration and Asylum Strategy)*, 2014.

⁷¹ UCLG, *The role of decentralization in strengthening Moroccan democracy*, 2015, available at: <https://www.uclg.org/en/media/news/role-decentralization-strengthening-moroccan-democracy>

⁷² UN-Habitat, Morocco – Urban Issues, available at <https://unhabitat.org/morocco/urban-issues/>

International Cooperation (hereinafter GIZ) has come in to assist domestic actors in their human rights struggle.⁷³

In this way, King Mohammed VI's strategy, which started as top-down, has become a bottom-up approach, since the project involves the cooperation with different migrant associations. Along with different partners such as the General Directorate for Local Government placed in Morocco, the National Institute for Urban and Territorial Planning and Germany's Association of Cities and Morocco's Association of Mayors, the BMZ is carrying out different projects to strengthen cities as key players and reinforce local development and cities' capacities.⁷⁴ The idea of these projects is to empower the capacities of the municipalities as actors for sustainable development and promote cooperation and networking between cities. The projects have different themes: from fostering education to combating the high unemployment rates in the country up to dealing with recycling and waste separation.

One of the projects is RECOMIG, which aims to implement the National Strategy for Immigration and Asylum at the local level by executing concrete measures and consequently strengthening the capacity of local authorities in the field of migration.⁷⁵ This pilot project involves 10 municipalities with lack of skills and experience and targets regularised migrants, refugees and returning Moroccans who need to integrate and reintegrate into their host community. Thus, the plan includes a multi-stakeholder participatory approach of mutual learning from both the immigration community and the host community (local representatives, civil society...). This mutual knowledge-sharing will allow everyone to acquire skills and learn more about the needs, rights and duties of migrants, refugees and returning Moroccans.

The project's objective is to implement social, cultural and economic integration activities and promote social cohesion. At the same time, the purpose is to develop

⁷³ The data shown below has been gathered through different documents developed by GIZ and BMZ in its efforts of promoting their job in Morocco.

⁷⁴ The project is called CoMun (Municipal Cooperation for Local Participatory Governance in the Maghreb Region). More information is available at <http://www.cmimarseille.org/programs/comun>

⁷⁵ Renforcement des capacités des collectivités territoriales dans le domaine migratoire (RECOMIG), (Strengthening the capacity of local authorities in the migration field).

networks at all levels, from municipal to international, and to exchange good practices with municipalities from other countries.

For instance, in order to foster economic integration through the access to the labour market, and due to the lack of information concerning migrants' profiles and skills, a capacity building activity for two civil society organisations has been put into practice. The idea is that these organisations acquire the necessary tools to accomplish an assessment of their skills.

In addition to this project, GIZ developed a “German-Moroccan partnership for asylum and international refugee protection” project to be implemented from February 2015 to December 2017. The aim of the project was to design a new migration policy in the field of asylum and to improve the expertise of different actors so that the principles of international refugee law were taken better into account. For this purpose, training courses in the field of refugee law and protection were conducted for judges, staff of relevant ministries, civil society actors and representatives of public institutions. Furthermore, asylum seekers and refugees were informed about their rights and obligations.

1.5.2 Bottom-up approach of human rights: the case of Turkey

One project carried out by the Raoul Wallenberg Institute Turkey Programme is an example of how raising awareness of human rights from the bottom can protect citizens' rights.⁷⁶

This project wants to explore the idea of human rights cities in Turkey and it focuses on the rights of persons with disabilities, elderly people, refugees, women and children in an urban context.⁷⁷ This project, which was launched in 2017 and has been designed for a period of three years, came into existence in a particularly interesting time, with a paralysed state apparatus following the failed military coup in July 2016. This is the

⁷⁶ The data shown below was gathered through email interviews with Ilhami Alkan Olsson, Chief Advisor in the Raoul Wallenberg Institute and Bahar Özden Cosgun, responsible person for the Turkish project.

⁷⁷ Author's note: the concept of human rights cities will be discussed in depth in Chapter 3.

reason why the team in charge of developing the idea of putting into practice human rights cities in the Turkish context wants to work in a non-political and non-confrontational way.

The project is currently implementing the first steps and it is based on two pillars: research on the conception of human rights cities and direct engagement with different stakeholders.

Regarding the research of the plan, the team wants to establish an Academic Hub for human rights cities. The aim is to trigger academic interest and knowledge.

With respect to the engagement with the stakeholders, the idea is to first identify possible associates and then partner with them. This step is key since, as De Feyter underlines, “a bottom-up approach to human rights is dependent on the existence of a network consisting of community-based organisations, local human rights NGOs, international human rights NGOs and allies in governmental and intergovernmental institutions”.⁷⁸ Consequently, the project wants to engage with different municipalities, civil society organisations, universities and businesses in a participatory manner that will promote, protect and fulfil human rights by focusing on the needs of the targeted groups concerned. By doing so, they want to raise public awareness on human rights, ensure a participatory governance, especially for the most vulnerable, and develop mechanisms to safeguard their well being and accessibility to all services.

One activity that has already been developed is the translation of books and articles into Turkish in order to raise awareness about human rights.

1.6 Participation of local governments in human rights and integration

Local governments can have different motivations to engage with human rights at the local level. As Grigolo explains, there are two main reasons for it.⁷⁹

⁷⁸ De Feyter (2006). P. 17.

⁷⁹ Michele Grigolo, *Local Governments and Human Rights: Some Critical Reflections*, Columbia Human Rights Law Review, Vol. 49, No.1, Fall 2017. P. 71.

On the one hand, it can be seen as a formal obligation that mayors feel they have a duty to respect, fulfil and protect all internationally recognised human rights.⁸⁰ This obligation, traditionally linked to states regarding international law obligations is becoming more important at the local level. For instance, both the European Charter for the Human Rights in the City and the Global Charter Agenda for Human Rights in the City develop the concept of human rights in the city, which implies the commitment to respect, protect and fulfil all these rights, although these are not binding legal obligations.

The FRA also uses this kind of legal discourse and it has developed a “Joined Up Governance programme”, a toolkit to support the implementation of fundamental rights at the local and regional levels and promote cooperation of the different governance levels.⁸¹ The toolkit is based on five pillars: understanding fundamental rights (where the education and training of local representatives plays a key role), coordination and leadership, communicating fundamental rights (organising public debates and campaigns), participation and civil society, and drafting of action plans, monitoring and evaluation of the progress being made.⁸²

The UN Human Rights Council Advisory Committee also presented a report in 2015 regarding the “Role of local government in the promotion and protection of human rights”.⁸³ This report highlights that the human rights duties of local governments entail the duty to respect, protect and fulfil (§ 27). Among the conclusions, the need of civil society to actively be involved in human rights planning and implementation at the local level (§ 71), or the need to develop guiding principles for local governments and human rights (§ 78) can be underlined.

⁸⁰ Ibid.

⁸¹ FRA, *Joining up fundamental rights: toolkit for local, regional and national public officials*, available at: <http://fra.europa.eu/en/joinedup/home>

⁸² Ibid.

⁸³ UN Human Rights Council, *Final Report of the Human Rights Council Advisory Committee on the role of local government in the promotion and protection of human rights*, 7 August 2015, A/HRC/30/49.

On the other hand, Grigolo argues that human rights can be used as a discursive platform by mayors in order to frame local government intervention.⁸⁴ Consequently, human rights “provide an opportunity for enhancing city governments’ capacity to govern the city”.⁸⁵ Besides, they offer a place for recognition, agency, and eventually inclusion for marginal communities, such as asylum seekers or refugees.⁸⁶ In addition, mayors will use this human rights approach if they believe that it is beneficial for their political purpose.

The Organisation for Economic Cooperation and Development (hereinafter OECD) has developed the “Working Together for Local Integration of Migrants and Refugees” report.⁸⁷ This report provides concrete examples of the migrant and refugee integration policies that different cities are implementing. It also offers a “Checklist for public action to migrant integration at the local level”, a tool with 12 objectives that willing cities can use in their efforts to promote local integration of migrants, regardless of their status.⁸⁸ However, indicators have not been developed yet.

1.7 The right to the city and the challenge of local integration

Localising human rights to achieve integration is not the only path to ensure asylum seekers’ and refugees’ rights. Henri Lefebvre articulated the right to the city as a right to participate in local public affairs and define the space of the city.⁸⁹ Since the French intellectual developed this concept in his 1968 book *Le Droit à la ville* as well as in his 1974 book *Espace et Politique: Le Droit à la Ville II*, it has gained a lot of popularity. Moreover, there has been a continuous discussion among scholars of what exactly entails the concept of the right to the city.

⁸⁴ Grigolo (2017). P. 72.

⁸⁵ Ibid. P. 96.

⁸⁶ Ibid. P. 72.

⁸⁷ OECD (2018).

⁸⁸ The 12 objectives of the tool can be found at Annex A.

⁸⁹ Henri Lefebvre (1968), *The Right to the City*, in Peter Marcuse, *Reading the Right to the City*, City, 18:1, 2014. P. 5.

Lefebvre described his idea of the right to the city as both a “cry and a demand” that comes from the streets.⁹⁰ He was trying to warn about the commercialisation of the urban space and the disintegration of the city as a collective project due to capitalism and business interests. This is why he emphasised the need for the participation of all urban dwellers in urban planning.⁹¹ He believed that the right to the city signifies the right to inhabit the city, the right to produce urban life on new terms and the right of inhabitants to remain unalienated from urban life.⁹²

However, he did not clarify if it was an individual right or a collective one or what kinds of rights are grouped inside these rights. Therefore, Attoh underlines that Lefebvre spends little time illustrating what the right to the city might look like practically.⁹³ This vague description opens the door to different interpretations.

Since 1968, a lot has been written about the right way to adopt the right claimed by Lefebvre. David Harvey, who has thoroughly analysed Lefebvre’s idea, also believes that the liberalisation of financial markets brings more inequalities while cities become more ghettoised.⁹⁴ The fight against this phenomenon has to be conducted through a unanimous outcry for the right to the city. Harvey conducts a reformulation of the right to the city that also includes “a right to change ourselves by changing the city”.⁹⁵ In this way, Harvey argues that the question of “what kind of cities do we want to live in?” is related to “what kind of people do we want to be?”.⁹⁶ Thus, he understands the right to the city as a democratising tool, suggesting that we need to embrace the right as both a working slogan and a political ideal.⁹⁷

⁹⁰ Ibid.

⁹¹ Barbara M. Oomen, *Introduction*, in Oomen et.al (2016). P. 5.

⁹² Henri Lefebvre (1967), *The Right to the City*, in Attoh, K.A., *What kind of right is the right to the city?*, Progress in Human Geography, 35 85, 2011. P. 674.

⁹³ Attoh, K.A., *What kind of right is the right to the city?*, Progress in Human Geography, 35 85, 2011. P. 674.

⁹⁴ David Harvey, *The right to the city*, International Journal of Urban and Regional Research, Volume 27.4, 2003. P. 940.

⁹⁵ David Harvey, *Neoliberalism and the City*, Lecture given at the University of Windsor on September 25, 2006. P. 2.

⁹⁶ Ibid.

⁹⁷ David Harvey, *The right to the city*, New Left Review 53, 2008. P. 40.

Marcuse identifies Lefebvre's idea as a moral right and a revolutionary call, an appeal to the highest of human values.⁹⁸ In this sense, Purcell argues that to achieve the right to the city there is a need of a radical reworking of economic, social and political relations.⁹⁹

Attoh suggests that the right to the city can be a democratising tool, as a right to collective power, but also a right against unjust collective decisions, when laws infringe upon our dignity or our equality.¹⁰⁰ It can be a right that encompasses all three-generation rights: from claiming traditional liberties and privileges of citizenship to socio-economic rights and rights attached to communities, peoples and groups.¹⁰¹ The openness of this definition can be both an opportunity and a disadvantage, since it can solve the struggles of various marginalised groups, but it can also make the diverse rights collide.¹⁰²

Since 60% of refugees live in urban areas, it is also significant to analyse who can claim the right to the city. Should asylum seekers and refugees have the right to claim the right to the city and be granted rights to housing, food, healthcare or rights against surveillance? Marcuse compares the right to the city to an extensive umbrella, where a wide variety of groups (the very poor, homeless, those being discriminated) suffering from different conditions in the new urban society can claim their rights.¹⁰³ Consequently, he suggests that the deprived and the alienated in the society should push the claim to this right.¹⁰⁴

Harvey understands the right to the city as a focused collective right that includes all those who facilitate the reproduction of daily life.¹⁰⁵ In this line of thought seems also to go Purcell, when he argues that those "who live in the city, who contribute to the body

⁹⁸ Peter Marcuse, *Reading the Right to the City*, *City*, 18:1, 2014. P. 5.

⁹⁹ Mark Purcell, *Excavating Lefebvre: The right to the city and its urban politics of the inhabitant*, *GeoJournal* 58, 2011. P. 103.

¹⁰⁰ Attoh (2011). P. 677.

¹⁰¹ Ibid.

¹⁰² Ibid. P. 674.

¹⁰³ Marcuse (2014). P. 5.

¹⁰⁴ Peter Marcuse, *From critical urban theory to the right to the city*, *City*, 13:2-3, 2009. P. 191.

¹⁰⁵ David Harvey, *Rebel Cities: from the right to the city to the urban revolution*, Verso, 2012. P. 137.

of urban lived experience and lived space” are the ones who can legitimately claim this right.¹⁰⁶ Hence, the right belongs both to groups and individuals. Empowerment belongs to those who inhabit the city, including migrants: one does not own the right to the city because they have a nation-state citizenship, but because their experience of inhabiting the city every day entitles them to that right.¹⁰⁷

In this sense, it is interesting to highlight Gómez Isa’s opinion; without mentioning the right to the city specifically, he believes that “in order to make human rights resonate at local levels, the voices of the different need to be heard and fully understood”.¹⁰⁸

In order to build inclusive cities and to promote asylum seekers’ and refugees’ local integration, the recognition of their right to the city by local authorities is key. Local governments, by endorsing the right to the city, are building a model of urban development that includes all citizens. Guaranteeing this right, however, is challenging. To achieve a migrants’ right to the city and social inclusion, human rights of all inhabitants must be assured, cultural rights guaranteed, the cities’ economy must look after the welfare of its inhabitants and democratic, transparent and participatory institutions must be put into place, ensuring political inclusion of migrants. In the following, we will be able to appreciate how local authorities can self-commit to the right to the city and to the local integration of their inhabitants.

1.7.1 The right to the city in (quasi)legal instruments: a chance to commit to local integration

As we have seen, academics have been discussing, rereading and reformulating the concept of the right to the city. However, this notion still remains a fuzzy concept.¹⁰⁹ Even though there is no agreement on what exactly the right to the city involves, the attention this right is receiving has been expanding. Since 2000, the attempt to localise

¹⁰⁶ Purcell (2011). P. 102.

¹⁰⁷ Mark Purcell, *Possible Worlds: Henri Lefebvre and the right to the city*, Journal of Urban Affairs, Volume 36, Number 1, 2013. P. 142.

¹⁰⁸ Felipe Gómez Isa, *Freedom from Want revisited from a local perspective: evolution and challenges ahead*, in De Feyter et.al (2011). P. 57.

¹⁰⁹ Attoh (2011). P. 678.

human rights through movements for the right to the city has been growing worldwide as people face growing threats to their individual and community well being.¹¹⁰ Thus, the right to the city has made it into some (quasi)legal instruments.¹¹¹ These instruments use a legal discourse but are only binding as soft law.

In Europe, several European municipalities gathered in 2000 in Saint-Denis, France, and adopted the European Charter for the Safeguarding of Human Rights in the City.¹¹² This local authorities-driven Charter, which in 2014 counted 373 signatory cities¹¹³, defines in its first Article the right to the city as “the right to find there the conditions for their [those who live in it] political, social and ecological fulfilment, at the same time assuming duties of solidarity”. This definition reflects Lefebvre’s ideals by claiming the collective space belonging to all who live in it.¹¹⁴ The Charter proclaims the principles of equality and non-discrimination and, as stated in Article 2, applies to all persons who inhabit the city, regardless of their nationality.

Article 4 also ensures the protection of vulnerable groups and citizens, although it does not define who belongs to this group. In the same Article, the Charter emphasises that cities must adopt all necessary measures to assist the integration of all citizens to prevent discrimination from happening.

The Charter guarantees civil and political rights (Articles 8 to 12), such as the right to family and private life or the right to information; and economic, social and cultural rights (Articles 13 to 22), such as the rights to education, to work, to culture, to a home, to health or to a healthy environment.

This Charter constitutes a very ambitious project with an elevated number of signatory cities. Even though it is meaningful when a city commits to this kind of Charter, this

¹¹⁰ Jackie Smith, *Local Responses to Right-Wing Populism: Building Human Rights Cities*, Studies in Social Justice, Volume 11, Issue 2, 2017. P. 363.

¹¹¹ Oomen et.al (2014). P. 713.

¹¹² European Charter for the Safeguarding of Human Rights in the City, 2000, Saint-Denis, France.

¹¹³ Complete list of signatory cities available at https://www.uclg-cisd.org/sites/default/files/signatory_cities_European_Charter_2014%20%281%29.pdf

¹¹⁴ Barbara M. Oomen, *Introduction*, in Oomen et.al (2016). P. 6.

“does not guarantee *per se* a better realisation of human rights at the local level”.¹¹⁵ Most of the cities that have signed the European Charter are not fully committed and their aim is to use it as a marketing tool. For instance, when the Charter was presented to the mayor of Graz (after being translated into German for a better understanding), he refused to sign it fearing that Graz would not be able to respect, fulfil and protect all the rights contained in the Charter.¹¹⁶ Even though the Charter constitutes soft law, it was written in a very committing language and the city hall was not willing to be held accountable.

Nevertheless, García Chueca argues that the Charter’s main innovation is that it demands the idea that human rights implementation should be realised by different levels of government, thus moving away from the state-centric approach to human rights.¹¹⁷

After this European Charter, the right to the city was fully addressed in the World Charter for the Right to the City as a collective right of all inhabitants, in particular the vulnerable and disfavoured, where migrants and refugees were included.¹¹⁸ Equality and non-discrimination (Article II.5) and special protection for vulnerable persons and groups, including their right to special measures for protection and integration (Article II.6), are part of the main principles of the right to the city.

In addition, the Charter incorporates the right to live with dignity, the right to participate in the municipal government and the right to social cohesion. Refugees, as a vulnerable group, are specifically mentioned in the right to housing, the right to education, the right to work and the right to health. Nonetheless, they are entitled to all the rights contained in the Charter, as inhabitants of the city.

The World Charter for the Right to the City is a positive attempt to try to ensure the full realisation of inhabitants’ rights but, at times, the efforts made may seem too broad. In

¹¹⁵ Eva García Chueca, *Human rights in the city and the right to the city*, in Oomen et.al (2016). P. 109.

¹¹⁶ Human Rights Cities Conference, Graz, March 2018.

¹¹⁷ Ibid. P. 108.

¹¹⁸ World Charter for the Right to the City, Quito, July 2004.

this sense, Purcell argues that the large number of rights contained in this Charter make the right to the city seem “to be at the same time everything and nothing”.¹¹⁹

The European Charter inspired United Cities and Local Governments (hereinafter UCLG) to develop in 2011 the Global Charter-Agenda for Human Rights in the City.¹²⁰ The first Article of the Charter is fully dedicated to the right to the city. Furthermore, one fact that stands out is that the Charter proposes a “Suggested Action Plan” with measures that local governments can adopt in the short and mid term. For instance, while trying to guarantee the right to civic peace and safety in the city (Article 3), the Charter suggests the implementation of specialist human rights training for local police officers.

Another distinctive fact is that the Charter not only mentions the rights the inhabitants have, but calls upon city inhabitants to respect the dignity and human rights of others, to refrain from engaging in any practices that may be detrimental to others’ rights and to use the services that the city provides in a responsible way, among others.

In this Charter, migrants are only specifically mentioned in the right to housing and domicile, while establishing that migrants have the right to settlement areas adapted to their needs. Article 12 of the Charter-Agenda, with regards to the right to sustainable urban development, underlines that all city inhabitants have the right to quality urban development, with a focus on social integration.

As the European Charter and the World Charter, this Global Charter-Agenda is a very ambitious project. However, its great efforts to try to secure everyone’s rights may have the contrary effect to the one desired by UCLG: local governments will not want to commit themselves to such high-reaching objectives due to their inability or unwillingness to attain them.

¹¹⁹ Purcell (2013). P. 141.

¹²⁰ Global Charter-Agenda for Human Rights in the City, UCLG Committee on Social Inclusion, Participatory Democracy and Human Rights, Florence, Italy, December 2011.

As we have been able to appreciate, the Charters mentioned in this section give priority attention to marginalised groups and populations living under vulnerable conditions (amongst them refugees and migrants) and mainstream a human rights approach to local policies. These Charters mention the idea of a collective human right to the city as well as individual human rights for every inhabitant of the city.

These documents provide a useful orientation for cities to implement human rights at the local level and integrate all its inhabitants.

1.8 From a human rights-based approach to development to a human rights-based approach to integration

In previous years, a HRBA has proven very successful with regards to development. According to the UN, the HRBA to development's core principles are universality, indivisibility, participation, accountability, equality, non-discrimination, transparency and empowerment.¹²¹ The UN, especially through the United Nations Development Program (hereinafter UNDP), has been a front-runner with regards to the HRBA to development, although various NGOs such as Oxfam and Save the Children have followed the same route too.¹²²

In this sense, the EU has also developed a toolbox for working towards a rights-based approach to development cooperation, with the aim of integrating human rights principles into EU operational activities for development.¹²³ The principles of this ambitious approach are the following: indivisibility of human rights; respect for human dignity and equality; participation and access to the decision making process; non-

¹²¹ UN, *The HRBA to Development Cooperation: Towards a Common Understanding Among UN Agencies*, 2003, available at <http://hrbaportal.org/the-human-rights-based-approach-to-development-cooperation-towards-a-common-understanding-among-un-agencies>

¹²² Morten Broberg and Hans-Otto Sano, *Strengths and weaknesses in a human rights-based approach to international development – an analysis of a rights-based approach to development assistance based on practical experiences*, *The International Journal of Human Rights*, 22:5, 2018. P. 667.

¹²³ EC, *A rights-based approach, encompassing all human rights for EU development cooperation*, Brussels, 2014. P. 2.

discrimination and equal access to public services; accountability and access to the rule of law; transparency and access to information.¹²⁴

Furthermore, the EU has recently developed a European Consensus on Development: a new framework that aligns the EU's development policy with the 2030 Agenda and promises to leave no one behind.¹²⁵

The principles that the UN and the EU are applying in their operational activities for development can also be used in a HRBA to integration at the local level. The HRBA tries to achieve sustainable development and its realisation by local authorities is increasingly being recognised.¹²⁶

In this sense, Parnell and Pieterse explore the implications for local governance of adopting a rights-based agenda. After analysing the post-apartheid situation in South Africa, they propose a shift from urban neoliberalism to a rights-based practice that would entail “an increased emphasis on planning that encompasses the imperative of defining public good, regulatory reform, greater law enforcement at the city scale and fiscal policies that enable redistribution and cross-subsidisation within cities”.¹²⁷ They believe that a rights-based city offers a more empowering agenda in contrast to the neoliberal governmentality agenda.¹²⁸ In defining this agenda they highlight the idea of embracing universality of human rights as the basic value of subnational public administration.

In this sense, there have been numerous organisations that have highlighted the necessity of applying human rights principles in local politics.

¹²⁴ Ibid.

¹²⁵ Joint statement by the Council and the representatives of the governments of the MS meeting within the Council, the European Parliament and the EC, *The new European Consensus on Development “Our world, our dignity, our future”*, 2017/C 210/01, 2017.

¹²⁶ Stephen P. Marks and Kathleen A. Modrowski with Walther Lichem, *Human Rights Cities – Civic Engagement for Societal Development*, PDHRE, 2008. P. 22.

¹²⁷ Susan Parnell and Edgar Pieterse, *The ‘Right to the City’: Institutional Imperatives of a Developmental State*, *International Journal of Urban and Regional Research*, Volume 34.1, 2010. P. 150.

¹²⁸ Ibid. P. 149.

The Congress of the CoE makes a call to local authorities to implement a human rights approach. For the Congress, a rights-based approach means protecting the rights of all by integrating a “human rights view” in the daily work of local authorities.¹²⁹ Human rights education must target local authorities.

Additionally, the Gwangju Declaration on Human Rights Cities emphasises that a HRBA to the city entails multi-stakeholder cooperation guided by principles of democracy, participation, responsible leadership, transparency, accountability, non-discrimination, empowerment and the rule of law.¹³⁰

The UN Human Rights Council Advisory Committee’s report mentioned above points out that “having an explicit legal provision which obliges local government to promote and protect human rights appears to be a more preferable approach” (§ 25).¹³¹ This provision will then impose a clear obligation on local authorities to apply a HRBA to delivering public services.¹³²

The OECD’s report does not mention a HRBA to integration but a place-based approach. It highlights that “integration measures need to take a place-based approach, adapted to the characteristics of the host communities as well as to those of migrants themselves”.¹³³

As we have seen throughout the Chapter, more and more local governments are applying human rights in their local policies. Unfortunately, most of the cities lack a HRBA to integration. Human rights cities, as we will point out in the following, could be a model to pursue in order to adopt a HRBA to integration. Nevertheless, an approach like this is very resource-intensive and it requires a profound commitment from relevant stakeholders.

¹²⁹ Congress of the CoE, *Promoting human rights at local and regional level*. Rapporteur: Harald BERGMANN, Netherlands (L, ILDG), Congress Spokesperson on Human Rights at Local and Regional Level. Document CG34(2018)10.

¹³⁰ Gwangju Declaration on Human Rights City, 2011 World Human Rights Cities Forum.

¹³¹ UN Human Rights Council (2015).

¹³² Ibid.

¹³³ OECD (2018). P. 38.

1.9 Conclusion

Localisation of human rights is a tool that cities can make use of with the purpose of delivering “where nation states have failed”.¹³⁴ And yet, a complete localisation will be achieved with a multi-governance approach, involving the state, the region and the city.

A combination of bottom-up and top-down approaches, like the one accomplished in Morocco, is the path to follow in the localisation process. In this sense, both the FRA and the OECD underline the necessity of involving all governmental levels with the purpose of implementing human rights at the local level and enabling local integration.

Human rights need to be localised in order to be respected, protected and fulfilled. The cases of Morocco and Turkey show us the importance of developing human rights-based programs at the local level. Moreover, a HRBA to integration could ensure the local integration of asylum seekers and refugees. In this sense, cities can find some guidance on how to ensure the human rights of those they are trying to integrate in the (quasi)legal instruments that they sign.

However, cities are also challenged by economic globalisation and neoliberalism. Neoliberalism is based on the deregulation of the economy, the liberalisation of trade and industry and the privatisation of state-owned enterprises.¹³⁵ Privatisation can threaten the application of human rights regarding public housing, education and healthcare; services that directly affect asylum seekers and refugees.

The concept of the right to the city is constantly evolving since Lefebvre introduced it in 1967. When the concept was born, it was very politicised. It was a radical-left idea to restructure social, political and economic relations. Nowadays, the “left concept” of the idea has become blurry and everyone is using its own understanding of the right to the city for its own benefits, for instance, to claim property rights.¹³⁶

¹³⁴ Barbara M. Oomen, *Introduction*, in Oomen et.al (2016). P. 2.

¹³⁵ Manfred B. Steger and Ravi K. Roy, *Neoliberalism: A Very Short Introduction*, Oxford University Press, 2010. P. 14.

¹³⁶ Human Rights Cities Conference, Graz, March 2018.

Taking into account the threat of neoliberalism, we believe that it is time to politicise the concept of the right to the city again and go back to the grassroots: to claim civil, political, economic, social and cultural rights for all the people that inhabit the city.

CHAPTER 2 | RECENT DEVELOPMENTS IN THE INTERNATIONAL LEGAL FRAMEWORK: ADDRESSING LOCAL INTEGRATION

“The city of the future must be one that leaves no one behind, regardless of his or her gender, age, physical ability, and nationality or migration status”¹³⁷

Maimunah Mohd Sharif, Executive Director of UN-Habitat

2.1 Introduction

These days local governments are receiving a greater recognition at the international level. In the last two years some major developments have taken place at the international level with direct and indirect consequences to the local level.

With the NUA, adopted in 2016, the 193 UN MS proved their willingness to address the challenges of urbanisation. The EU has not lagged behind in implementing an instrument to incorporate local authorities to the board: the Urban Agenda for the EU was launched in 2016 to promote growth, liveability and innovation in European cities.

Furthermore, the adoption of the New York Declaration for Refugees and Migrants in 2016 also showed the MS’ good intentions to face the challenges of the unprecedented level of human mobility the world is facing and that is undeniably affecting local communities. Lastly, the 2030 Agenda for Sustainable Development adopted in 2015, with its universality and “leave no one behind” discourse could be an opportunity for local authorities to localise the SDGs and include all inhabitants in the process.

All these instruments represent unprecedented milestones and offer new opportunities and tools for local governments to make human rights their own. The present Chapter will analyse them from a local point of view in order to assess where local authorities’ roles fit in this new era and address to which extent local integration of asylum seekers and refugees is being covered in the texts.

¹³⁷ Opening speech at the 9th session of the World Urban Forum, Kuala Lumpur, February 8, 2018.

2.2 Addressing the role of local authorities and local integration from New York to Marrakesh

The UN General Assembly (hereinafter UNGA) adopted the New York Declaration for Refugees and Migrants on September 19, 2016.¹³⁸ It was a historic decision, after decades of lack of arrangement among states to face the issues concerning refugees and migrants. Its objective is to improve the way in which the international community responds to large movements of refugees and migrants and protects their human rights.

Regarding refugees, this Declaration commits itself to develop and implement by the end of 2018 the following mechanisms: a Global Compact on Refugees (hereinafter GCR) and a Comprehensive Refugee Response Framework (hereinafter CRRF). The UNHCR is in charge of the process of developing the GCR. This Compact also marks a milestone, since it “represents an unprecedented opportunity to enhance and strengthen the international refugee protection system”.¹³⁹ However, it has been met with limited enthusiasm.¹⁴⁰

Regarding migrants, the New York Declaration also commits itself to adopt by the end of 2018, in the Intergovernmental Conference in Marrakesh, a Global Compact for Safe, Orderly and Regular Migration (hereinafter GCM). The adoption of this Compact is also facing some challenges already, since the United States decided in December 2017 to withdraw their participation.¹⁴¹ Ambassador Nikki Haley, US Permanent Representative to the UN, stated that “the global approach in the New York Declaration is simply not compatible with US sovereignty”.¹⁴²

¹³⁸ UNGA, *New York Declaration for Refugees and Migrants*, Resolution adopted by the General Assembly on 19 September 2016, A/RES/71/1, 3 October 2016.

¹³⁹ Kevin Appleby, *Strengthening the Global Refugee Protection System: Recommendations for the Global Compact on Refugees*, *Journal on Migration and Human Security*, Volume 5 Number 4, 2017. P. 797.

¹⁴⁰ Manisha Thomas, *Turning the Comprehensive Response Framework into reality*, *Forced Migration Review*, Issue 56, October 2017.

¹⁴¹ Patrick Wintour, *Donald Trump pulls US out of UN global compact on migration*, *The Guardian*, December 3 2017, available at <https://www.theguardian.com/world/2017/dec/03/donald-trump-pulls-us-out-of-un-global-compact-on-migration>

¹⁴² US Mission to the UN, *Statement of Nikki Haley*, December 2, 2017, available at <https://usun.state.gov/remarks/8197>

Despite these setbacks, thus far we are able to examine two revised drafts of the GCM: the first revision was issued on March 26, 2018 and the second one on May 28, 2018; and five drafts of the GCR: the Zero Draft was issued on January 31, 2018, the First Draft on March 9, 2018, the Second Draft on April 30, 2018; the Third Draft on June 4, 2018; and the Final Draft on June 26, 2018, which will be the one we will analyse in detail.

2.2.1 Local authorities and integration in the New York Declaration for Refugees and Migrants

The New York Declaration establishes that “each State has a sovereign right to determine whom to admit to its territory” (§ 42), making a clear statement on who is in charge of managing the large movements of refugees and migrants. Moreover, states commit themselves to take measures to improve refugees’ integration and inclusion, especially “with particular reference to access to education, healthcare, justice and language training” (§ 39).

Nonetheless, the Declaration recognises the particular needs of local authorities, which are considered the first receivers of migrants (§ 54). It also emphasises the need of an international cooperation between state and non-state actors and calls upon a multi-stakeholder approach for a refugee response that includes, among others, local authorities, civil society partners and refugees (§ 69). States identify local government authorities as key actors and they pledge to promote “good governance, the rule of law, effective, accountable and inclusive institutions, and sustainable development at the international, regional, national and local levels” (§ 64).

Furthermore, the Declaration intends to promote the well-being of migrants and their integration into societies (§ 61), protect the human rights of migrant children (§ 59) and incorporate a gender perspective into migration policies (§ 60). The Declaration also commits itself to work to strengthen host countries’ and communities’ resilience. States will do this, for instance, through the assistance towards employment creation for refugees (§ 84). The Declaration establishes that states will support early childhood

education for refugee children (§ 82) and ensure basic healthcare needs of refugee communities (§ 83). All these objectives must be achieved at the local level.

Finally, the Declaration's objectives aim to realise the full potential of the 2030 Agenda for refugees and migrants.

2.2.2 Local authorities and integration in the Global Compact on Refugees

The call upon a multi-stakeholder approach in the New York Declaration for Refugees and Migrants is the reason why local authorities are recognised as a relevant stakeholder in the five drafts of the GCR that have been produced so far. In all of the drafts, local authorities are recognised as the first responders to large-scale refugee situations. Consequently, multiple networks of cities and municipalities are invited to share good practices and innovative approaches to responses in urban settings (§ 38). Besides, all relevant stakeholders are bound to the principle of equitable burden and responsibility sharing to better protect refugees and support host countries and communities (§ 3 and § 5).

Despite these mentions, local governments were not invited to participate in the formal consultations for the development of the GCR. Municipal authorities have been notably absent from the discussions. UN MS and Observers, along with specialised agencies, intergovernmental organisations and NGOs are the ones allowed in the consultations.¹⁴³

In this regard, 17 mayors from 9 different countries from around the world submitted an open letter to UN High Commissioner for Refugees Filippo Grandi on December 4, 2017 asking the UNHCR for an invitation to contribute to the GCR, for a creation of a centralised repository of information to share innovative approaches to refugee reception and for a creation of a formal mechanism for the UNHCR to engage regularly with municipal authorities.¹⁴⁴ Besides, some civil society organisations such as the International Rescue Committee or 100 Resilient Cities have also raised their voices to

¹⁴³ UNHCR, *Towards a Global Compact on Refugees: Organizational note for the formal consultations*, April 16, 2018.

¹⁴⁴ The letter is available at: <http://www.unhcr.org/5a33d4447.pdf>

encourage the UNHCR to invite city leaders to the discussion table: either by granting them observer status or by inciting MS to include them as part of the states' delegations.¹⁴⁵

The lack of presence on the table does not mean that local solutions are not being taken into account. Education, women and girls, jobs and livelihoods, healthcare, children, adolescents and youth, accommodation, energy, natural resources and food security and nutrition are some of the areas that the GCR highlights as challenges that need to be supported in order to empower refugees. For instance, states commit themselves to expand and enhance quality and inclusiveness of education systems to facilitate access by refugee and host communities' children and youth to primary, secondary and tertiary education (§ 68). States also undertake the obligation of fostering inclusive economic growth for host communities and refugees (§ 70). All these challenges need to be confronted at the local level.

As we have seen in the previous Chapter, local integration is commonly enumerated as one of the three UNHCR durable solutions and this is the reason why it is also mentioned in the GCR drafts. In this context, it is also pointed out that local integration is a sovereign decision (§ 86).

The Final Draft of the GCR acknowledges the importance of supporting countries that resolve refugee situations locally (§ 97). Host communities and public institutions need to be ready to welcome refugees and meet their needs. States will contribute with resources and expertise to, among others, facilitate access to livelihood opportunities, facilitate language and vocational training and strengthen the capacity of relevant state institutions, local communities and civil society (§ 99). All these activities will be undertaken in line with the 2030 Agenda.

In the Third Draft, a new interesting section was included under the title of “other local solutions”, as distinct from local integration, which is also present in the Final Draft.

¹⁴⁵ Jessica Brandt and Lucy Earle, *The Global Compact on Refugees Bringing Mayors to the Table: Why and How*, January 2018, Foreign Policy at Brookings.

Since local integration is understood as a durable solution, the section of “other local solutions” aims at providing help in an early stage by facilitating economic, social and cultural inclusion of refugees (§ 100). This will be done without prejudice to eventual durable solutions that may become available.

2.2.3 Local authorities and integration in the Global Compact for Safe, Orderly and Regular Migration

The objectives contained in the second revised draft of the GCM aim at achieving integration of migrants at the local level. The Compact promotes a multi-stakeholder approach to address migration in all dimensions by including migrants, diasporas, local communities, civil society, National Human Rights Institutions and other relevant stakeholders. However, following the trend of the GCR’s discussions, local governments have not been invited to the Intergovernmental Conference that will be held in Marrakesh, Morocco, in December 2018 to adopt the GCM.¹⁴⁶

Despite this lack of invitation, the Compact shows states’ willingness to integrate migrants at the local level. Almost all objectives make a reference to developing actions at the local level.

Hence, objective 7 requires local authorities to address and reduce vulnerabilities in migration.

Objective 15 intends to provide access to basic services for migrants and for this purpose it establishes numerous actions at the local level: arranging migrant-inclusive accessible service points; establishing independent institutions at the local level that monitor complaints about situations in which migrants’ access to basic services is denied; facilitating local healthcare policies for migrants; or providing inclusive and equitable quality education for all.

Objective 16 aims at empowering migrants and societies to realise full inclusion and

¹⁴⁶ *Expected participants in the Intergovernmental Conference to adopt the Global Compact for Safe, Orderly and Regular Migration*. 10-11 December 2018, Morocco, available at <https://refugeesmigrants.un.org/intergovernmental-conference-2018>

social cohesion. States fulfil this objective by, for instance, establishing community centres at the local level to facilitate intercultural dialogue of migrants, community members and local authorities.

Objective 17 wants to eliminate all forms of discrimination by supporting activities from local communities and objective 19 aims at creating conditions for migrants and diasporas to fully contribute to sustainable development.

For this objective, the Compact proposes building partnerships between local authorities and local communities. All these objectives are fully engaged with the implementation of the 2030 Agenda.

Lastly, the GCM requires a general effort at local level for its effective implementation (§ 39).

2.3 Local integration in the New Urban Agenda

On October 20, 2016, the NUA was established at the Habitat III UN Conference on Housing and Sustainable Urban Development.¹⁴⁷ It was later endorsed by the UNGA at its 68th plenary meeting of the 71st session on December 23, 2016.

Unlike the exchanges for the Global Compacts, the NUA was adopted with the active participation of sub-national and local governments.¹⁴⁸ This Agenda was born with the aim of guiding urbanisation worldwide and for that purpose, it establishes strong commitments towards the safeguard of human rights of all the inhabitants of the city.

The right to the city became a central issue of the Conference and after bitter debates – and despite strong opposition from the US, the EU, Japan and Canada – it was mentioned in the text.¹⁴⁹ It was the first time that this right was acknowledged in a UN agreement, which calls for “just, safe, healthy, accessible, affordable, resilient and

¹⁴⁷ UNGA, *New Urban Agenda*, RES/71/256, 23 December 2016.

¹⁴⁸ Ibid.

¹⁴⁹ UCLG, *Competitive metropolises and the prospects of spatial justice – The role of metropolitan areas within the global agenda of local and regional governments for the 21st century*, January 2018. P.17.

sustainable cities and human settlements to foster prosperity and quality of life for all” (§ 11).

The NUA calls for states and local authorities to address exclusion, poverty and inequalities, and to give special attention to vulnerable groups, including refugees, migrants (regardless of their status) and internally displaced persons (§ 20). The NUA recognises the significance of taking into account this group of people in urban processes and governance, including national urban policy, governance institutions, legal instruments and urban economies.

The Agenda also commits itself to ensure equal enjoyment and access of inhabitants to social infrastructures and services (for instance, housing, healthcare and education or culture and information), especially for those groups of people listed above (§ 34). Lastly, the NUA makes a call for local authorities to develop initiatives aiming at empowering and strengthening the skills and abilities of vulnerable groups (§ 155).

The NUA contributes to the implementation and localisation of the 2030 Agenda and to the achievements of the SDGs, especially SDG 11.

2.4 Localising Sustainable Development Goals

The 2030 Agenda for Sustainable Development and the Sustainable Development Goals were adopted in 2015, and they constitute an ambitious, universal and inclusive Agenda that promises to “leave no one behind”. They aim at ending poverty, protecting the planet, and ensuring prosperity for all by putting people at the centre and following a sustainable and resilient path.¹⁵⁰ Noting that it is guided by a vision of “universal respect for human rights and human dignity” (§ 8), the Agenda textually grounds itself in the UDHR and international human rights treaties.¹⁵¹

¹⁵⁰ UNGA, *Transforming our world: the 2030 Agenda for Sustainable Development*, Resolution adopted by the General Assembly on 25 September 2015, RES/70/1, 21 October 2016.

¹⁵¹ Risa E. Kaufman, *Localizing human rights in the United States through the 2030 Sustainable Development Agenda*, *Columbia Human Rights Law Review* 49.1:1, 2017. P. 109.

The Agenda includes in its paragraph 29 the respect of human rights of all migrants, regardless of their migration status. Moreover, paragraph 23 recognises refugees and migrants as a group of vulnerable people that must be empowered.

This unprecedented Declaration does not explicitly mention integration of asylum seekers and refugees, but with its “leaving no one behind” imperative discourse states have to identify and include them in the content of the SDGs indicators. This discourse also offers a unique opportunity for local governments to promote their human rights agenda. Therefore, localising SDGs is key because the targets are directly related to the responsibilities of delivering basic services of local governments.¹⁵²

Local and regional governments played an important role during the negotiations to adopt the Declaration, successfully achieving SDG 11, a stand-alone urban goal, which directly calls on mayors and city governments to make cities safe, inclusive, resilient and sustainable. SDG 11 establishes a commitment of joint-work with local authorities and communities “to renew and plan our cities and human settlements so as to foster community cohesion and personal security and to stimulate innovation and employment” (§ 34).

The SDG 11 lays out 10 targets and 13 indicators in the following areas: affordable housing; services for all; public transportation; participatory human settlement planning; safeguarding cultural and natural heritage; inclusive and accessible green and public spaces; resource efficiency and environmental protection; mitigation and adaptation to climate change; disaster risk management; adoption and implementation of integrated policies towards inclusion; and building sustainable buildings utilising local materials.¹⁵³ There is no specific reference to migration in this goal; nonetheless, this SDG can be used to establish and implement legislation, policy and administrative

¹⁵² Global Taskforce of Local and Regional Governments, *Roadmap for localizing the SDGs: implementation and monitoring at subnational level*, 2016.

¹⁵³ More information available at <https://sustainabledevelopment.un.org/sdg11>

practices at city level addressing migrants and regarding basic services, employment, social protection, integration and access to affordable housing.¹⁵⁴

The Agenda anticipates that the High Level Political Forum for Sustainable Development (hereinafter HLPF) will meet annually under the auspices of the Economic and Social Council to follow-up and review the 2030 Agenda and the SDGs.¹⁵⁵ This year's HLPF will take place in the second week of July under the theme of "Transformation towards sustainable and resilient societies", where the SDG 11 will be discussed. For the first time, the HLPF will have a Local and Regional Governments Forum. A delegation of around 100 mayors and local governments' representatives are expected to attend and share their vision of the progress made and the kind of actions needed.¹⁵⁶

The main challenge of this 2030 Agenda is to learn how to localise the SDGs. The universality of these goals provide a common language that all the different levels of governments can apply, along with private actors and civil society.

In this sense, the South African Local Government Association pointed out in the last report to the HLPF that "the success with implementing SDGs will be entrenching them in national and sub-national strategies, plans and policies and ensuring bottom-up processes for implementation".¹⁵⁷ In other words, local realities must be taken into account throughout the process of implementing the SDGs. Localisation of SDGs, as localisation of human rights, must become a reality.

Since its adoption in 2015, local governments are not only taking ownership of the Agenda but are also implementing it at the local level and, in most of the cases, they are

¹⁵⁴ Patrick Taran, *The Sustainable Development Goals and Migrants/Migration*, Global Migration Policy Associates, 23 February 2017, available at http://www.un.org/en/development/desa/population/migration/events/coordination/14/documents/backgrounddocs/GMPA_14CM.pdf

¹⁵⁵ Established by the UN in 2012, it replaces the Commission on Sustainable Development, which had been working since 1993.

¹⁵⁶ Emilia Saiz, Secretary-General UCLG, *The 2030 Agenda needs to be owned locally if we want it to succeed*, 30 May 2018, available at <https://sustainabledevelopment.un.org/hlpf/2018/blog#30may>

¹⁵⁷ UCLG, *National and sub-national governments on the way towards the localization of SDGs*, Local and Regional Governments' Report to the 2017 HLP. P. 13.

doing it without the means they need.¹⁵⁸ In order to support local authorities, awareness raising workshops and trainings are being carried out. For instance, UCLG has developed the “Mandala” tool for training sessions on SDG localisation.¹⁵⁹ The learning tool is based on the experience of the Brazilian Association of Municipalities and its methodology is useful for monitoring SDGs implementation at the local level.

The Global Taskforce of Local and Regional Governments, facilitated by the UCLG, together with the UNDP and UN-Habitat, have developed a toolbox to support local stakeholders to efficiently design, implement and monitor policies in line with SDGs.¹⁶⁰

The UCLG has also developed an app based on the UCLG publication “The Sustainable Development Goals: What local governments need to know”, where each SDG is explained to local governments from a local point of view.¹⁶¹

Local2030 Hub is a network that brings together the UN system, local actors and national governments to collaboratively develop and implement solutions that advance the SDGs at the local level.¹⁶²

Cities, provinces and regions around the world are revising their strategic plans and aligning them with the SDGs. In 2016, in Austria, the Federal Government commissioned all federal ministries to incorporate the 2030 Agenda into their strategies and to draw up action plans and measures, although it did not establish any legal mandate for local governments.¹⁶³ The Styrian Provincial Government approved the 2030 Agenda in December 2016.¹⁶⁴

¹⁵⁸ Saiz (2018).

¹⁵⁹ More information available at <https://www.uclg-cglu.org/en/media/news/uclg-carries-forward-monitoring-sdg-localization>

¹⁶⁰ The Toolbox is available at <http://www.localizingthesdgs.org>

¹⁶¹ The app is available at <https://www.sdgs.uclg.org>

¹⁶² The initiative is available at <https://www.local2030.org>

¹⁶³ Europa Integration Federal Ministry of the Republic of Austria, *Beiträge der Bundesministerien zur Umsetzung der Agenda 2030 für nachhaltige Entwicklung durch Österreich (Contributions of the Federal Ministries to the Implementation of the Agenda 2030 for Sustainable Development by Austria)*, 2016.

¹⁶⁴ More information available at <http://www.nachhaltigkeit.steiermark.at/cms/beitrag/12598369/139105965>

2.5 Local integration of refugees in the Urban Agenda for the EU

The Urban Agenda for the EU was adopted by EU Interior Ministers in close cooperation with the European Commission (hereinafter EC) in the Pact of Amsterdam, on May 30, 2016.¹⁶⁵ The aim of this Agenda is to better coordinate EU policies impacting cities, to better involve cities in EU policy developments and to strengthen the urban dimension of the EU.¹⁶⁶ The Agenda offers an opportunity to cities to find workable solutions for better regulations and coordination between EU, MS and cities; better funding for cities and better knowledge base and exchange of urban development issues.

The following 12 thematic partnerships were identified and presented with the purpose of making the objectives of the Urban Agenda a reality: Inclusion of Migrants and Refugees, Sustainable Land Use, Public Procurement, Energy Transition, Climate Adaptation, Urban Mobility, Digital Transition, Circular Economy, Jobs and Skills in the Local Economy, Air Quality, Housing and Urban Poverty.

Each Partnership brings everyone to the table: each of them is made up of Urban Authorities (cities), the EC and other EU organisations (European Investment Bank, European Economic and Social Committee, Committee of Regions), MS, Partner States, experts, umbrella organisations (such as EUROCITIES and the Council of European Municipalities and Regions), knowledge organisations (for instance, URBACT or ESPON) and other stakeholders (NGOs, businesses...)¹⁶⁷

This Urban Agenda constitutes a very promising tool that bears in mind all relevant stakeholders and, if implemented correctly, it could improve local integration of asylum seekers and refugees.

The aim of the Partnership of the Inclusion of Migrants and Refugees is to help cities to be able to influence European legislation, funding and knowledge sharing in order to

¹⁶⁵ “Urban Agenda for the EU” Pact of Amsterdam, available at <https://ec.europa.eu/futurium/en/content/pact-amsterdam>

¹⁶⁶ Ibid.

¹⁶⁷ Ibid.

have success in the reception and integration of refugees and migrants.¹⁶⁸ This Partnership has developed an Action Plan with integration and inclusion as its core objective and the topics of reception, housing, work and education as the themes to address.¹⁶⁹

Moreover, the Action Plan has identified eight actions that are currently being implemented. One of the main actions of the Plan is the establishment of the European Migrant Advisory Board that will be comprised of migrants and former refugees.¹⁷⁰ This group of experts, who first met in March 2018, will offer their advice to the Partnership on Inclusion of Migrants and Refugees in order to develop and launch successful initiatives regarding the inclusion of refugees and migrants. The aim of the Advisory Board is to be involved in the initial stages of integration policy making of the EC.

The Urban Agenda for the EU is closely related with the mechanisms we have just mentioned. The Council of the EU has recognised that the Urban Agenda for the EU is a key delivery mechanism for the NUA within the EU.¹⁷¹ The Agenda, by contributing to cooperation towards sustainable cities and strengthening the potential for inclusive, safe, resilient and urban development, gives an important impetus to SDG 11.¹⁷²

2.6 Human rights and integration of migrants through the Congress of Local and Regional Authorities of the Council of Europe

The Congress of the CoE is also promoting human rights and the integration of migrants within local authorities through a series of resolutions and recommendations.

¹⁶⁸ Urban Agenda for the EU, Partnership on Inclusion of migrants and refugees, *Action Plan*, available at <https://ec.europa.eu/futurium/en/inclusion-migrants-and-refugees/final-action-plan-partnership-inclusion-migrants-and-refugees>

¹⁶⁹ Ibid.

¹⁷⁰ More information available at https://ec.europa.eu/futurium/sites/futurium/files/one-pager_advisory-board.pdf

¹⁷¹ EC, *Report from the Commission to the Council on the Urban Agenda for the EU*, COM (2017)657 final, Brussels, 2017. P. 3.

¹⁷² Ibid.

For instance, in May 2015, the Congress adopted the “Graz Declaration on the Implementation of Human Rights” with the purpose of achieving a culture of human rights at the local level.¹⁷³ This Declaration aims at enforcing the cooperation between authorities of all levels and urges local and regional authorities to raise awareness among politicians and civil servants and encourage them to mainstream human rights (§ 3). Starl argues that this Declaration goes beyond the 1993 Vienna Declaration by establishing, besides the duty to respect, protect and fulfil, the duty to promote human rights.¹⁷⁴

Regarding integration, in the 32nd session of the Congress in March 2017, the Report called “From reception to integration: the role of local and regional authorities facing migration” was presented and adopted with Resolution 411 (2017) and Recommendation 394 (2017).¹⁷⁵ The Report calls all levels of governments (local, regional and national) to better cooperate and coordinate their response to the refugee crisis in order to put in place common reception policies for refugees.¹⁷⁶ Resolution 411 (2017) acknowledges that local and regional authorities are key actors regarding migrants’ reception and integration into the host communities; in particular, social rights, participation in public life and intercultural and interreligious dialogue (§ 9). It proposes different measures to facilitate refugees’ and migrants’ integration (§ 10): for instance, remove practical barriers encountered by refugees when trying to access the labour market, promote volunteer community work for newly arrived asylum seekers, support housing solutions, and encourage collaboration between cities from different countries by exchanging good practices and developing new initiatives, involving all citizens – including refugees.

¹⁷³ Congress of the CoE, *Graz Declaration on the Implementation of Human Rights*, May 2015, available at <https://rm.coe.int/168071916e>

¹⁷⁴ Klaus Starl, *Human Rights and the City: obligations, commitments and opportunities*, in Oomen et al (2016). P. 200.

¹⁷⁵ Congress of the CoE, *From reception to integration: the role of local and regional authorities facing migration*; Rapporteurs: György ILLES, Hungary (L, ILDG) and Yoomi RENSTRÖM, Sweden (R, SOC). Document CG32(2017)07.

¹⁷⁶ Ibid.

A year later, in March 2018, a new edition of the “Handbook on Human Rights for Local and Regional Authorities” was presented.¹⁷⁷ The Handbook is based on the right to non-discrimination towards three target groups: refugees, asylum seekers and migrants; Roma and Travellers; and LGBTI people.¹⁷⁸ Hence, the Handbook praises some of the best practices which cities across Europe are developing to promote integration of these target groups.

2.7 Conclusion

With states’ willingness and if implemented correctly, the New York Declaration and the Global Compacts can improve the human rights situation of refugees and migrants at the local level. Despite the lack of presence of local authorities in the consultation process, we hope that the commitments towards local integration will be strengthened in these last months of discussions. In this regard, we can mention the UN Human Rights Council Advisory Committee’s report, where the Committee recommends that the relevant UN mechanisms should encourage states to engage in a dialogue with local governments (§ 77).¹⁷⁹

It is clear that these mechanisms are more focused on strengthening the situation in developing countries, since these countries are the ones facing most of the challenges of the reception of mass influx of refugees: in 2017 developing regions hosted 85% of the world’s refugees.¹⁸⁰ Additionally, the CRRF is being applied in countries from the Global South, where the main host refugee countries are.¹⁸¹ Nevertheless, countries from the Global North must not forget that the New York Declaration and its Global Compacts can and must be equally applied in their territory.

There is also a need to ensure the implementation of the NUA in order to achieve the SDGs. The focus that the NUA and the SDGs (especially SDG 11) have put on “leaving

¹⁷⁷ Document CG34(2018)10.

¹⁷⁸ Ibid.

¹⁷⁹ UN Human Rights Council (2015).

¹⁸⁰ UNHCR (2018).

¹⁸¹ Chad, Djibouti, Ethiopia, Kenya, Rwanda, Uganda and Zambia are some of the countries where the comprehensive framework is being applied: <http://www.unhcr.org/comprehensive-refugee-response-framework-crrf.html>

no one behind” and the recognition of the importance of local governments and the local level to achieve human rights, gives local authorities an opportunity to play a greater role in the protection of its inhabitants. All levels of governance have the responsibility to implement the NUA and the SDGs.

The effective implementation of all these instruments will be key to protect, respect, fulfil and promote the human rights of asylum seekers and refugees. To apply all these mechanisms, a multilevel governance approach is needed: an effective coordination between the local, regional and national levels, together with UN agencies. In this sense, states must give local governments a true role in the conception of urban development policies. Furthermore, ensuring meaningful participation of people directly impacted by human rights concerns, defining robust and familiar human rights indicators and engaging local officials in human rights implementation, monitoring and review, will be the path to follow.¹⁸²

At the European level, the recently developed Urban Agenda for the EU is an interesting tool that constitutes an umbrella for all urban policy initiatives, it brings cities to the table and strengthens cooperation amongst cities. We will need to watch carefully its development. Lastly, the recommendations and the good practices recollected by the Congress of the CoE can be used by local authorities.

¹⁸² Kaufman (2017). P. 116.

CHAPTER 3 | HUMAN RIGHTS CITIES AND INTEGRATION AT THE LOCAL LEVEL: CASE STUDY OF GRAZ

“A first class democracy cannot afford second class citizens”¹⁸³
Martin Luther King Jr.

3.1 Introduction

After the analysis conducted in the previous two Chapters, we have been able to see that localisation of human rights is a reality. This Chapter aims at taking a glance at that reality.

Human rights cities can prove to be a convenient tool, not only to effectively localise human rights and implement the NUA and the SDGs; but also to better integrate asylum seekers and refugees, since they already possess the specific infrastructure to deal with the issues that asylum seekers and refugees need to confront. For this reason, we will explain what it means to be a human rights city and the different motivations for becoming one.

Integration needs to be a comprehensive process that encompasses housing, education, language, culture, labour market, healthcare, freedom of discrimination and social life, among others. In this sense, we will analyse when does integration exactly start and who has the right to enjoy these services.

In order to assess how a human rights city is integrating asylum seekers and refugees at the local level, we have conducted a study of the city of Graz, the first city to self-declare itself a human rights city in Europe back in 2001. During this case study, we will explain what actors, mechanisms and instruments are involved in the city’s engagement with human rights. Moreover, we will study if the human rights approach introduced by Graz offers an added value to the integration of asylum seekers and refugees. For this purpose, we will map the numerous activities that are being

¹⁸³ *The Negro and the American Dream*, Address at the Annual Freedom Mass Meeting of the North Carolina State Conference of Branches of the NAACP, Charlotte, North Carolina, September 25, 1960.

accomplished in the city and explain the importance of the role played by civil society organisations, as intermediaries between citizens and local authorities. Furthermore, we will pay special attention to the way Graz is confronting the issues concerning housing, education and employment, since these three dimensions were the three biggest challenges reported by cities regarding refugee arrivals in the UNESCO “Cities Welcoming Refugees and Migrants” report.¹⁸⁴

Cities, and in this case Graz, lack competences in most fields related to integration. National governments launch most of the integration programmes and are in charge of the current legal and policy asylum frameworks.¹⁸⁵ In order to understand the integration processes in Graz, Austrian national legislation and actions towards integration will also be addressed.

3.2 Human rights cities from Rosario to Gwangju: space for local integration

If the New York-based NGO People’s Movement for Human Rights Learning (hereinafter PDHRE) did not take up the challenge of launching the project of human rights cities following the commitments made at the UN Human Rights World Conference in Vienna in 1993, we would probably not have human rights cities as we know them these days. PDHRE defines a human rights city in the following way:

“A human rights city is a city or a community where people of good will, in government, in organisations and in institutions, try and let a human rights framework guide the development of the life of the community. Equality and non-discrimination are basic values. Efforts are made to promote a holistic vision of human rights to overcome fear and impoverishment, a society that provides human security, access to food, clean water, housing, education, healthcare and work at liveable

¹⁸⁴ UNESCO, *Cities Welcoming Refugees and Migrants: Enhancing effective urban governance in an age of migration*, 2016. P. xi.

¹⁸⁵ Ibid. P. 18.

wages, sharing these resources with all citizens – not as a gift, but as a realisation of human rights.’’¹⁸⁶

This concept is influenced by the notion of Lefebvre’s right to the city analysed in Chapter 1, by the experiences of oppression and suffering of groups and individuals and by a rights-based approach to governance.¹⁸⁷

PDHRE has developed its own methodology for a city to become a human rights city that follows three steps. Firstly, identifying relevant stakeholders that deal with political, cultural, economic, environmental and social issues within the city targeting different groups of society (women, children, migrants, religious groups...); secondly, establishing a Coordination Committee to develop an action plan to support the work of all stakeholders; thirdly, inviting citizens to actively participate in the human rights work in their daily life.¹⁸⁸

Rosario, in Argentina, followed this methodology and became the first human rights city in the world in 1997, after 35 organisations uniting indigenous people, human rights bodies, sexual diversity groups, development bodies and women’s groups signed a joint agreement.¹⁸⁹ Since then, the definition of the concept has evolved and cities have followed different approaches to become a human rights city: some made formal declarations and others symbolically ratified human rights documents.¹⁹⁰

Motivations for becoming this kind of city also differ. For instance, San Francisco decided to focus on women’s rights and adopted the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) as a local ordinance, even though the US has not ratified this treaty.¹⁹¹

¹⁸⁶ Marks et.al (2008). P. 39.

¹⁸⁷ Klaus Starl, *Human Rights City Graz: Lessons Learnt from the First 15 Years*, in Davis, M., Gammeltoft- Hansen and Hanna, E. (eds.), *Human Rights Cities and Regions: Swedish and International Perspectives*, Raul Wallenberg Institute/SALAR, 2017. P. 51.

¹⁸⁸ Ibid. P. 10-13.

¹⁸⁹ Oomen et.al (2014). P. 715.

¹⁹⁰ Barbara M. Oomen, *Introduction*, in Oomen et.al (2016). P. 7.

¹⁹¹ Ibid.

On the other hand, this concept has been further developed into a more normative concept by the World Human Rights Cities Forum, which takes place annually in the human rights city of Gwangju, Republic of Korea and brings together representatives of local governments and civil society.¹⁹² So far, two documents have been developed.

When the Gwangju Declaration on Human Rights City was adopted at the 2011 World Human Rights Cities Forum on May 17, 2011, a human rights city was defined as “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).¹⁹³

In the Gwangju Guiding Principles on a Human Rights City, adopted at the 2014 World Human Rights Cities Forum on May 17, 2014, it is held that a human rights city is an urban community that applies the human rights-based approach to urban governance (§ 3).¹⁹⁴

Following these documents, the city of Gwangju adopted the identity of human rights city without explicit involvement of the PDHRE.¹⁹⁵

In the UN Human Rights Council Advisory Committee’s report, human rights cities are addressed as key players in the promotion and protection of human rights and as cities whose local government and local population are morally and legally governed by human rights principles (§ 42).¹⁹⁶

As we have seen, there is not a single pathway to become a human rights city, neither a single model of what a human rights city looks like. Nonetheless, taking into account the recent UN frameworks and the principles governing these cities, we can affirm that in all human rights cities there is a space for local integration of asylum seekers and refugees.

¹⁹² More information about the 2018 World Human Rights Cities Forum available at http://www.whrcf.org/E_index.php

¹⁹³ Gwangju Declaration on Human Rights City, 2011 World Human Rights Cities Forum.

¹⁹⁴ Gwangju Guiding Principles on a Human Rights City, 2014 World Human Rights Cities Forum.

¹⁹⁵ Oomen et.al (2014). P. 716.

¹⁹⁶ UN Human Rights Council (2015).

The Gwangju Declaration, for example, underlines that in a human rights city “all inhabitants, regardless of race, sex, colour, nationality, ethnic background and social status, and in particular minorities and 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, rule of law, participation, empowerment, transparency and accountability” (§ 5).

The principles contained in the Gwangju Guiding Principles on a Human Rights City can be invoked in order to ensure a better integration of asylum seekers and refugees. This Guide outlines the right to the city as the first principle to be taken into account, which would entail the universality of human rights and consequently, the respect of all human rights.

Principle 2, regarding non-discrimination and affirmative action, highlights that these policies include “gender-sensitive policies as well as affirmative action to reduce inequality and to empower the marginalised and vulnerable groups including migrants and non-citizens”.

Principle 3 underlines the respect for “the values of social inclusion and cultural diversity based on mutual respect among communities of different racial, religious, linguistic, ethnic and social cultural backgrounds”.

Through principle 4 on participatory democracy and accountable governance, migrants can claim their right to public information and participation.

Principle 5 promotes the values of socio-economic justice and solidarity.

Principles 6, 7 and 8 recognise the importance of high-level political leadership, of integrating human rights into municipal policies and of having effective public institutions, so that local authorities can attend asylum seekers’ and refugees’ human rights in the best way.

Principle 9 aims at developing human rights education and training for all duty bearers, right-holders and relevant stakeholders.

Lastly, principle 10 establishes that human rights cities' inhabitants have the right to an effective remedy.

The UN Human Rights Council Advisory Committee's report also addresses that local authorities should pay particular attention to the promotion and protection of rights of vulnerable and disadvantaged groups (§ 29). In this sense, the report underlines that "the quality of the services that local governments provide to such groups tests the degree to which local governments in practice respect human rights" (§ 29).

3.3 When does integration start?

An asylum procedure can take several months or even several years, which means that asylum seekers have one thing to do above all: wait. Besides, after this long wait they could face a negative decision, which would oblige them to leave the country and be subject to expulsion. In this case, would it make sense to try to integrate an asylum seeker if they would no longer be part of the society? Nonetheless, non-integration of asylum seekers would undoubtedly affect their self-resilience and it would also be counterproductive if the decision ended up to be positive.

When trying to establish who should be integrated in the host society and when should integration start we could make use of the following definition regarding local integration that the EC established in 2003:

"Integration should be understood as a two-way process based on mutual rights and corresponding obligations of legally resident third country nationals and the host society which provides for full participation of the immigrant. This implies on the one hand that it is the responsibility of the host society to ensure that the formal rights of immigrants are in place in such a way that the individual has the possibility of participating in economic, social, cultural and civil life and on the other, that immigrants

respect the fundamental norms and values of the host society and participate actively in the integration process, without having to relinquish their own identity.”¹⁹⁷

Regarding this definition, asylum seekers can be considered legally resident third country nationals, since they are legally waiting for their application for their refugee status to be resolved according to the relevant international and national instruments.

Additionally, the Congress of the CoE established in its March 2017 report that as far as local authorities are concerned, “the integration process starts from the reception of refugees by the host country, regardless of whether the refugee or asylum seeker can stay or return to his/her country of origin”.¹⁹⁸

The principle of the right to the city enshrined in the Gwangju Principles on a Human Rights City underlines that a city needs to respect all human rights of its inhabitants.¹⁹⁹ The needs of shelter, health services, education, non-discrimination and the principles of equality and equity among all inhabitants of the city should also be taken into account.

For Austria, as of 2016, the average duration of asylum procedures was 9 months.²⁰⁰ However, the process could also take several years. During this time, asylum seekers should have access to integration measures like language courses.

As we will see through the case study, most of the initiatives that are being implemented in Graz take both asylum seekers and refugees into account. Nonetheless, asylum seekers have to overcome some major obstacles.

¹⁹⁷ EC, *Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions on immigration, integration and employment*. COM (2003) 336 final. Brussels, 2003.

¹⁹⁸ Document CG32(2017)07.

¹⁹⁹ Gwangju Guiding Principles on a Human Rights City, 2014 World Human Rights Cities Forum.

²⁰⁰ Medienservicestelle (2017), *Asylanträge halbierten sich, Außerlandesbringungen steigen (Asylum applications halved, returns increased)*, available at: http://medienservicestelle.at/migration_bewegt/2017/01/20/2016-asylantraege-halbierten-sich-ausserlandesbringungen-steigen/

3.4 Case study of the human rights city of Graz: how we integrate

While localising human rights, it is understandable that cities will concentrate more on one particular human rights issue, putting less (or none) emphasis on other rights: in the case of San Francisco, for example, the focus was put on women's rights. Moreover, it is often the case that the more radical and transformative rights do not make it: for instance, the rights-based policies implemented in Graz did not address the position of undocumented migrants.²⁰¹

Graz declared itself a human rights city in 2001 after Benita Ferrero-Waldner, the Austrian Foreign Minister at the time, held a speech at the 55th session of the UNGA, in which she declared that Graz would become the first human rights city in Europe.²⁰² This decision would not have been possible without the role played by university teachers.²⁰³ Hence, in February 2001, and on the basis of the PDHRE methodology, the City Assembly unanimously adopted the following Human Rights Declaration of the City of Graz:

“The City of Graz, especially the members of the City Assembly and of the City Government will be guided in their actions by international principles of Human Rights. In this way the inhabitants of the city will be informed about the established codes of human rights and about the rights and obligations derived therefrom. It is the objective, especially with regard to those who bear responsibility in public institutions, that the respect of the norms of pertinence to human rights at all levels of society in the formulation of general rules and in decisions concerning the future development of the City of Graz, will assume an important role. With this declaration [...] City of Graz expresses its understanding of culture and human dignity”.²⁰⁴

²⁰¹ Barbara M. Oomen, *Introduction*, in Oomen et.al (2016). P. 13.

²⁰² Marks et.al (2008). P. 95.

²⁰³ Ibid. P. 8.

²⁰⁴ *Menschenrechtserklärung der Stadt Graz (Declaration of Human Rights of the City of Graz)*, available at <https://www.graz.at/cms/beitrag/10284058/7771447/Menschenrechtserklaerung.html> It can also be

The Declaration contains four core elements²⁰⁵:

- Human rights norms and principles as guidelines for local government.
- Identification of deficits and good practices within the administration and beyond.
- Mainstreaming of human rights including the private sector.
- Empowerment by human rights education in order to influence societal development towards a culture of human rights.

As anticipated in the introduction of the Chapter, in the following we will present the case study of Graz and we will examine how the city has evolved since the proclamation of this Declaration in 2001: we will analyse to what extent, beyond the political discourse, human rights have been effectively implemented in the city and if that implementation is helping the local integration of asylum seekers and refugees. The data of this case study has been built upon face-to-face interviews with different stakeholders of the city of Graz: representatives of the City Hall, city's institutions and representatives from the most significant NGOs.²⁰⁶ We also participated in a human rights cities conference held in Graz in March 2018.

Graz, the second-largest city in Austria and capital of the province of Styria, is best known in the country as a multicultural student city that constitutes home for more than 150 different nationalities. As of January 2018, 289 440 people had their primary place of residence in Graz.²⁰⁷ In addition, 35 187 people had their secondary place of residence in Graz.²⁰⁸ 23,02% of the citizens were nationals coming from other EU and non-EU countries: 11,4% were EU nationals and 11,67% were non-EU nationals.²⁰⁹ They are primarily Romanian (over 7 000), German, Croat, Bosnian (over 6 000),

found at Klaus Starl, *Human Rights and the City: obligations, commitments and opportunities*, in Oomen et.al (2016). P. 205.

²⁰⁵ Klaus Starl, *Human Rights City Graz: Lessons Learnt from the First 15 Years*, in Davis et.al (2017). P. 52.

²⁰⁶ A list of all the interviews can be found at Annex B.

²⁰⁷ City of Graz, *Present population by domicile and gender per district in 01.01.2018*.

²⁰⁸ Ibid.

²⁰⁹ Migrants' Advisory Council of the City of Graz. *Activity Report and address on the situation of female women*. Annual Report 2016.

Turkish or Hungarian nationals (over 5 000).²¹⁰ These percentages have been continuously growing in the last years. From 2006 to 2016, the number of migrants in Graz has risen by 8%.²¹¹

Regarding the arrival of refugees, Graz already has long-standing integration experience. The war in the Balkans originated the flight of some hundred thousands of people, especially from Bosnia Herzegovina, who arrived in Austria in the 1990s.²¹² Due to its geographic location, the Bosnian refugee crisis hit Austria first out of all the Western European countries.²¹³ Consequently, between April and August 1992 more than 30 000 Bosnian refugees entered the country, followed by many more in the following years.²¹⁴ This constituted a challenge for Austria, since it had to deal with an increasing issue of integration, a Muslim population rise and a more diverse multicultural society.²¹⁵

When the 2015 refugee crisis developed, Austria (together with Germany and Sweden) was one of the main European destination countries, experiencing record levels of asylum applications that same year.²¹⁶ It was also a significant transit country: by the end of 2015, 150 000 asylum seekers had gone through Graz, bound for Germany and Sweden.²¹⁷ The City Hall of Graz, together with the Austrian Red Cross and many other NGOs addressed their situation.²¹⁸

In 2016, there was a significant drop in the number of asylum applications in Austria due to the reintroduction of the border control in March that same year: there were

²¹⁰ Ibid.

²¹¹ Ibid.

²¹² Alexandra König, Bernhard Perchinig, Jimmy Perumadan and Katharina Schaur, *Country Report AUSTRIA*, ITHACA Research Report N. 1/2015.

²¹³ Barbara Franz, *Bosnian refugees and socio-economic realities: change in refugee and settlement policies in Austria and the United States*, *Journal of Ethnic and Migration Studies*, 2010. P. 8.

²¹⁴ Ibid. P. 7.

²¹⁵ Esther van der Berg and Barbara Oomen (eds.), *Human Rights Cities: Motivations, Mechanisms, Implications – a case study of European HRCs*, University College Roosevelt, 2015. P. 59.

²¹⁶ Wagner, M., Dimitriadi, A., O'Donnell, R., Perumadan, J., Schlotzhauer, J. H., Simic, I., & Yabasun, D., *The implementation of the common European asylum system. Study for the LIBE Committee*, 2016. P. 16

²¹⁷ Interview with Thomas Rajakovics, spokesman of the mayor of Graz, 27 March 2018.

²¹⁸ Interview with Michael Moser, District Managing Director of Red Cross Styria, 19 April 2018.

42 285 registered asylum applications.²¹⁹ In 2017, arrivals in the EU dropped again significantly, which allowed reception of applicants for international protection to largely normalise.²²⁰

By January 2018, 2 469 asylum seekers were living in Graz, while a year ago the number of people was 2 955.²²¹

More than half of all asylum applications in Austria in 2016 were lodged by persons from Afghanistan (27,9%) and Syria (20,7%), followed by Iraq (6,8%).²²² Furthermore, there were almost twice as many applications lodged from Afghanistan in Austria than in the rest of the EU MS.²²³ This tendency is also followed in Graz, with two thirds of asylum seekers coming from Afghanistan.²²⁴

While in overall Austria, the majority of asylum seekers, in particular those from Syria, still receive a protection status under the Geneva Convention²²⁵, most of the refugees in Graz, in particular those from Afghanistan, have a subsidiary protection status.²²⁶ The majority of asylum seekers are young and male: 67% of asylum seekers in Austria in 2016 were male and 87% of them were under 34 years old.²²⁷ The tendency is the same in Graz, with most of the asylum seekers being 16 to 22 years-old males.²²⁸

A study of 2017 of the Austrian Academy of Sciences (hereinafter ÖAW) surveyed a total of 898 adult refugees from Afghanistan, Syria and Iraq with regards to their level

²¹⁹ The Expert Council for Integration. Ministry for Europe, Integration and International Affairs of Austria. *Integration Report*. 2017. P. 27.

²²⁰ FRA, *Fundamental Rights Report 2018*. P. 131.

²²¹ Integration Office of the City of Graz, *INTEGRATION. GEMEINSAM. GESTALTEN. Annual Report 2017*.

²²² Austria Integration Report (2017). P. 21.

²²³ Ibid.

²²⁴ Integration Office of the City of Graz (2017).

²²⁵ European Parliament. Directorate General for Internal Policies. Policy Department A: Economic and Scientific Policy. *Integration of Refugees in Austria, Germany and Sweden: Comparative Analysis*. IP/A/EMPL/2016-23 PE 614.200. January 2018. P. 15.

²²⁶ Interview with Thomas Rajakovics, spokesman of the mayor of Graz, 27 March 2018.

²²⁷ Directorate General for Internal Policies. Policy Department (2018). P. 16.

²²⁸ Interview with Thomas Rajakovics, spokesman of the mayor of Graz, 27 March 2018.

of education, integration, religiosity and values.²²⁹ The study showed that 27,7% of the Afghan respondents did not have a basic school-leaving certificate, while only 6,1% of the Syrian respondents and 5,1% of Iraqi respondents lacked basic education. The tendency is the same in Graz, with most of the young asylum seekers from Afghanistan having a very low education background.²³⁰

In order to localise human rights and implement integration measures, funding is necessary. The “Graz Declaration on the Implementation of Human Rights” of the CoE mentioned in Chapter 2 highlights the importance of drawing the attention of central governments to allocate sufficient funds to local and regional authorities so that they can implement human rights policies (§ 5).²³¹

The Austrian Integration Fund (hereinafter ÖIF) is the main implementing partner of the Federal Ministry for Europe, Integration and Foreign Affairs that offers information and counselling to recognised refugees, beneficiaries of subsidiary protection and third-country nationals.²³² It is also in charge of funding different integration projects in Austria. For instance, it funds German language courses mainly for refugees, and it has established a new funding programme to support the costs incurred by refugees in the framework of recognition and assessment procedures.²³³

Graz has an overall budget of €1.2 billion, which also allows the city to implement various integration projects.²³⁴

In Austria, asylum seekers, subsidiary protection status holders and refugees during the first four months after receiving a positive asylum decision, are entitled to the basic care

²²⁹ Kohlbacher, J., Rasuly-Paleczek, G., Hackl, A. und Bauer, S., *Wertehaltungen und Erwartungen von Flüchtlingen in Österreich (Values and expectations of refugees in Austria)*, 2017.

²³⁰ Interview with Thomas Rajakovics, spokesman of the mayor of Graz, 27 March 2018.

²³¹ Congress of the CoE, *Graz Declaration on the Implementation of Human Rights*, May 2015, available at <https://rm.coe.int/168071916e>

²³² More information available at <https://www.integrationsfonds.at/en/home/>

²³³ Austria Integration Report (2017). P. 37

²³⁴ Human Rights Cities Conference, March 2018.

allowance contained in the Federal Basic Care Act, which covers basic needs of everyday life.²³⁵

Asylum seekers can be accommodated in reception centres where catering is provided. In this case, in Graz, asylum seekers will receive €40 for pocket money per month, while the care provider receives a maximum of €21 to compensate the daily costs.²³⁶ Basic Care can also be provided in reception centres where asylum seekers cook by themselves. In this case, in Graz, asylum seekers receive €110 per month to cover the monthly living expenses.²³⁷ Lastly, Basic Care can be provided for asylum seekers in privately rented accommodation. In this case, in Graz, asylum seekers receive between €320 and €365 in cash.²³⁸ This amount of money is provided by the province of Styria and partly covered by the central government.²³⁹

3.4.1 Integration through access to information

As soon as asylum seekers and refugees arrive in a city, their minds are full of unanswered questions: where can I find a language course? What school should my children attend? How does the healthcare system work? Sometimes all this information is not easy to find – especially with a language barrier. Access to information empowers both asylum seekers and refugees; it makes them more independent and allows them to make their own decisions.

This is why the Austrian Red Cross has developed a welcome guide for asylum seekers. The guide, which is distributed by NGOs in Graz, is translated into German, English, Arabic and Dari. Asylum seekers can find it very useful for some practical initial inquiries: it answers questions about the asylum procedure, healthcare and school services, and some cultural questions such as “when can I go shopping?” or “can I make

²³⁵ *Bundesgesetz, mit dem die Grundversorgung von Asylwerbern im Zulassungsverfahren und bestimmten anderen Fremden geregelt wird (Federal law, which regulates the basic care of asylum seekers in the admission procedure and certain other strangers)* (Grundversorgungsgesetz – Bund 2005 – GVG-B 2005).

²³⁶ Interview with David Rimpf, Mobile Integration Office of Caritas Styria, 5 June 2018.

²³⁷ Ibid.

²³⁸ Ibid.

²³⁹ Ibid.

telephone calls in public?”. The guide is clearly aimed for asylum seekers with an Islamic background and consequently explains in detail Christian traditions and holidays. It also focuses on violence against women and discrimination, by answering questions such as “can women in Austria carry out any profession?” or “does my wife have to do what I tell her?”.

The Integration Office of the City of Graz has developed a brochure to help those who register their main residence in Graz entitled “New in Graz: A User Manual for Newcomers”.²⁴⁰ In 14 chapters and more than 100 pages, new residents receive practical recommendations regarding education, sports, healthcare, traffic and transportation, housing and work.²⁴¹

One of the chapters is focused on integration and migration, and the information includes, inter alia, the steps that third-country nationals need to follow in order to acquire legal residence. Refugees are only mentioned in the working section: the brochure points out that recognised refugees who want to learn a profession do not need any special permit. Asylum seekers, on the other hand, are only mentioned in the health section regarding the Health Insurance Card.

Since 2011, this brochure is delivered to those who register their main residence in Graz, along with a city map and a voucher for a city tour. The brochure was reissued in 2017 and is available online in 12 languages: German, English, Arabic, Bosnian, Croatian, Serbian, Farsi, French, Romanian, Russian, Turkish and Hungarian.

3.4.2 Integration through healthcare

The Health Insurance Card is the health insurance certificate in a credit card format that needs to be presented at every visit to the doctor, granting asylum seekers access to healthcare services. For asylum seekers to get a Health Insurance Card, their asylum

²⁴⁰ Interview with Roswitha Müller, Head of the Integration Office of the City of Graz, 4 July 2018.

²⁴¹ The “New in Graz: A User Manual for Newcomers” brochure is available at https://www.graz.at/cms/beitrag/10312509/7745490/Neu_in_Graz_Broschuere.html

application needs to be on-going and they need to have been accepted into the system of Federal Basic Care.²⁴²

3.4.3 Integration through counselling and psychiatric care

Counselling is an important service delivered mainly by NGOs in Graz. This is one of the activities that the Graz-based NGO Zebra puts into practice: they offer legal counselling to asylum seekers regarding the Austrian asylum procedure and they inform asylum seekers, beneficiaries of subsidiary protection and refugees on how the employment market and legislation works in Austria.²⁴³ In this latter case, Zebra also helps with the creation of a curriculum vitae. They offer educational counselling too: how the school system in Austria works or what kind of options there are after compulsory education. In this sense, they also help with the recognition of qualifications (diplomas, certificates...) obtained in other countries.

Another main project of Zebra is the offer of intercultural psychotherapy to people who have been forced to flee their home countries and who have been severely traumatised due to torture, war, rape, persecution and flight.²⁴⁴ They mainly work with children and women.

Thanks to the 77 trained interpreters that Zebra has, counselling and psychotherapy are offered in the following languages: Arabic, French, Turkish, English, Serbian, Albanian and German.

Caritas Styria also provides a counselling service: free legal advice and representation in matters of residence, asylum, labour and social law matters is offered.²⁴⁵ Furthermore, they organise information and educational workshops on the topic of migration, flight and integration.

²⁴² Integration Office of the City of Graz (2017).

²⁴³ Interview with Alexandra Köck, Manager and Head of Education & Society of Zebra, 4 June 2018.

²⁴⁴ More information available at <https://www.zebra.or.at/cms/cms.php?pageName=6&detailId=15>

²⁴⁵ Interview with David Rimpf, Head of the Mobile Integration Office of Caritas Styria, 5 June 2018.

“DIVAN”, a women's counselling Centre for female migrants, offers them legal advice and psychosocial support in their mother tongue.²⁴⁶ This Caritas Styria project focuses on gender-specific integration problems that female migrants suffer from compared to male migrants. The specific counselling helps women to acquire information about training opportunities or family law issues, and, when necessary, refers them to specialist offices and authorities. Women who suffer from forced marriages or from physical and psychological violence can contact “DIVAN” and receive help. In case of emergency, Caritas Styria also offers accommodation within their facilities. The objective of the project is to socially empower these women and build their self-reliance.

The NGO ISOP also has a project regarding educational counselling for young refugees, where minor refugees and young adults receive a basic orientation about the Austrian education system and possible educational pathways.²⁴⁷

“IBOBB Café” is an initiative from the Integration Office of the City of Graz, where information, advice and multilingual educational counselling is offered to young people.²⁴⁸ Different workshops are organised to offer support to asylum seekers.²⁴⁹

Omega is a Graz-based NGO that offers advice and psychotherapy to refugees and migrants as its main service. Its “Portobella - Accompanying Integration” project is one of its cornerstones and it is aimed at helping female newcomers integrate. The project provides 50 women with guidance in Austria and seeks to facilitate information about healthcare, education, housing, work, social and legal issues. The “Portobella” project also offers a large number of activities, such as psychosocial counselling, excursions, assistance in preparing for a job or traineeship, as well as assistance with an active job

²⁴⁶ More information available at <https://www.caritas-steiermark.at/hilfe-angebote/migrantinnen-fluechtlinge/beratung-betreuung/divan/>

²⁴⁷ More information available at <http://www.isop.at/tatigkeitsfelder/beratung/bildungsberatung-fuer-junge-fluechtlinge/>

²⁴⁸ More information available at <https://www.graz.at/cms/beitrag/10254711/7745582/>

²⁴⁹ Interview with Roswitha Müller, Head of the Integration Office of the City of Graz, 4 July 2018.

search. In 2016, 40 of the women were asylum seekers, 5 had a residence permit and 5 were in possession of a Visa.²⁵⁰

Like Zebra, Omega has developed a project called “Rehabilitation, empowerment and integration of asylum-seeking torture survivors” from March 2016 to February 2018 with the aim of helping torture victims and their family members.²⁵¹ Questionnaires were sent at the beginning of the project, with the purpose of finding out how many torture victims there were among asylum seekers. Omega offered their clients professional help by providing them with group therapy and workshops. In 2016, the project had 89 clients, of whom 40 were female and 49 male. Most of the clients were between 19 and 35 years old and came mainly from Afghanistan (30 clients), Syria (14 clients) and Iraq (13 clients).²⁵²

Additionally, under the “Community Health” project, Omega offers psychiatric care and healthcare advice for asylum seekers and refugees with trauma, mentally ill or with physical disabilities.²⁵³

3.4.4 Integration through housing

Providing asylum seekers and refugees with housing is an essential step to build their self-resilience and restore their life quality.

In Graz, social housing is one of the services provided by the City of Graz.²⁵⁴ However, the requirements needed to be able to access this program have been tightened. Thus, the person applying must be an EU national or be in possession of the title of “permanent residence in the EU”.²⁵⁵ In addition, the person applying will need to work or have their residence in Graz for at least five continuous years (or 15 years in total)

²⁵⁰ Omega, Transcultural Centre for mental and physical health and integration, *Annual Report 2016*. P. 48.

²⁵¹ Ibid. P. 38.

²⁵² Ibid.

²⁵³ More information available at <http://www.omega-graz.at/projekte/01-communityhealth.shtml>

²⁵⁴ More information available at https://www.graz.at/cms/beitrag/10273051/7763343/Gemeindewohnung_Ansuchen_Voraussetzungen.html

²⁵⁵ Ibid.

before they can apply for social housing.²⁵⁶ They must not have any assets to afford an apartment by themselves and their household income needs to be below some specified income limits.²⁵⁷

Unfortunately, these requirements make it very hard for refugees – a vulnerable group that would highly benefit from the program – to apply for it. Those five years start to count as soon as refugees and non-EU migrants obtain a permanent right of residence, which discriminates them and positions them in a considerable disadvantage, since the process to acquire a permanent residence takes longer for them. This is also the position of the Migrants' Advisory Council of the City of Graz, who believes that the intention behind these five years requirement is to make it more difficult for migrants to compete with Austrian nationals.²⁵⁸

Despite this difficulty of access to social housing, asylum seekers and refugees can turn to two NGOs to obtain accommodation in Graz: Jugend am Werk and Caritas Styria.

The NGO Jugend am Werk provides asylum seekers with accommodation and catering on behalf of the province of Styria since the end of 2014.²⁵⁹ Originally, the service was only intended for unaccompanied minor asylum seekers, but at the request of the province of Styria, adult asylum seekers were included in the program too. This NGO places asylum seekers in small housing units instead of in mass neighbourhoods with the purpose of promoting integration in the respective communities. The residences are located in all city districts in order to reduce the risk of segregation tendencies. This initiative is also more cost-effective, since, for example, sanitary facilities are close to the neighbourhood. Most of the apartments are rented by housing cooperatives and they are equipped with the basic infrastructure: a bed, a wardrobe, a shower and a small kitchen.

²⁵⁶ Ibid.

²⁵⁷ Ibid.

²⁵⁸ Interview with Godswill Eyawo, Management of the Migrants' Advisory Council, 25 June 2018.

²⁵⁹ Jugend am Werk. *Warten auf ein neues Leben - Menschenwürdige Unterbringung von Asylbewerberinnen (Waiting for a new life - Decent housing of asylum seekers)*. 2015.

Caritas Styria is also leading the way in this regard. The refugee houses of this NGO accommodate asylum seekers and recognised refugees up to four months after recognition in Graz.²⁶⁰

The houses provided by Caritas Styria are self-catering quarters, which means that people supply themselves with food and cook it there. In these quarters, emphasis is placed on good care for the residents: families and individuals receive counselling regarding the submission of applications to public authorities (social services, tax offices, health authorities...) or their legal situation. They also obtain help to cope with their everyday life.

These houses are not the only project regarding accommodation that Caritas is carrying out at the moment. “FranzisCa” is a specified program that targets female asylum seekers: single mothers and their children, pregnant women or single women.²⁶¹ The project offers medium and long-term housing for 60 to 70 women and children. Like the case of the refugee houses, the food is provided by self-sufficiency. They receive legal advice and gender-specific training workshops are organised.

Caritas Styria also offers accommodation for unaccompanied male minor refugees aged between 14 and 18, who are mainly coming from Afghanistan, Syria and Somalia.²⁶² The “Welcome” facilities in Graz have space for 30 minors; nonetheless, this number can be expanded to 40 in case of an emergency.²⁶³ In this centre, the minors are supervised 24 hours a day by Caritas workers. The centre aims to provide a safe place and prepare these young people for an independent life in Austria. They receive socio-educational support, psychological care and daily German courses. Sports exercises and different leisure activities are also organised.

²⁶⁰ More information available at <https://www.caritas-steiermark.at/hilfe-angebote/migrantinnen-fluechtlinge/unterbringung/>

²⁶¹ More information available at <https://www.caritas-steiermark.at/franzisca-frauenwohnhaus/>

²⁶² More information available at <https://www.caritas-steiermark.at/hilfe-angebote/migrantinnen-fluechtlinge/unterbringung/quartiere-fuer-unbegleitete-minderjaehrige-fluechtlinge-welcome/>

²⁶³ Ibid.

As it has already been mentioned, these projects are only available for asylum seekers and refugees up to four months after they have been granted asylum. Nevertheless, Caritas Styria keeps working with refugees after this period of four months. “Mobile Integration Office” is a project that aims to help refugees after they have been granted asylum.²⁶⁴ After these four months, refugees are obliged to leave the houses that Caritas Styria has supplied them with and find their own personal accommodation. During this time, the NGO’s workers provide practical and administrative assistance to refugees and help them search a job and a new accommodation. With reference to the latter, it is usually very difficult for refugees to find a place to stay that is reasonable from an economic point of view. This is the reason why Caritas Styria offers refugees access to some financial resources.²⁶⁵ In most of the cases, refugees are forced to pay the deposit and the first month rent; a cost than can reach €1 600. In this sense, Caritas Styria offers the possibility to refugees to borrow money from them (an approximate amount of €800) and return it after three months in small amounts and without an interest.²⁶⁶

These financial barriers force refugees to seek accommodation in certain parts of the city where there is a risk of ghettoisation. This is the reason why an effective access to social housing could play an important role.

3.4.5 Integration through personal support

From a more practical point of view, the Austrian Red Cross launched in January 2015 a project called “Social Buddy – A Social Service of the Austrian Red Cross”.²⁶⁷ This project was initially created to provide personalised social support to those people experiencing difficulties such as sudden unemployment or a loss of a family member, and it was extended to support refugee families who get reunited in Austria in order to help them learn the local culture and clear away any doubts they may have. The areas of support cover financial advice and housing, family and social environment, work, psychological and physical health, home care and healthcare support. The aim of this

²⁶⁴ Interview with David Rimpf, Head of the Mobile Integration Office of Caritas Styria, 5 June 2018.

²⁶⁵ Ibid.

²⁶⁶ Ibid.

²⁶⁷ More information available at <https://www.rotekreuz.at/pflege-betreuung/soziales/sozialbegleiter/>

project is to enhance refugees' independence, self-reliance and resilience regarding serious life changes. At a later stage, an evaluation system will be put in place to document the project's outcomes and see whether the people receiving these services have become more resilient.

Zebra launched in 2002 a sponsorship project named "Connecting People". The program connects local volunteers with unaccompanied and underage asylum seekers and refugees in Graz.²⁶⁸ Zebra not only connects these people, but offers continuous support and training to volunteers and professionally supervises their tasks. Social workers, therapists and legal advisors are available to help the local volunteers anytime. Most of the minors who seek refuge without parental protection and who are part of Zebra's program come from Afghanistan, Syria or Somalia and are between 14 and 17 years old.²⁶⁹ Some of them were forced to flee alone because of an immediate threat and others lost their parents during their run. These young people have faced traumatic experiences and have to deal with the uncertainty of a new life in Austria, with the challenge that, in the vast majority of cases, the minors do not speak German in the moment of their arrival.

The sponsorship is aimed at offering security, support and orientation: the idea is that the volunteers become an "emotional home".²⁷⁰ The volunteers support young asylum seekers and refugees in language acquisition, along with how to deal with public authorities or with issues that might arise in school. They also support unaccompanied refugee minors in their search for a job. The aim is also that both of them spend their free time together (going hiking, to the theatre, to a concert...) and become part of each other's lives. In 2017, many unaccompanied refugees benefited from this initiative: there were 27 new local volunteers and 33 new clients, who joined the 148 unaccompanied refugees that were already enjoying the program.²⁷¹

²⁶⁸ More information available at

<https://www.zebra.or.at/cms/cms.php?pageName=bildung&detailId=11&referer=%2Fcms%2Fcms.php>

²⁶⁹ Interview with Alexandra Köck, Manager and Head of Education & Society of Zebra, 4 June 2018.

²⁷⁰ Ibid.

²⁷¹ Zebra, *Annual Report 2017*. P. 12.

Caritas Styria came up with a similar project called “Buddy Project”.²⁷² Their aim is to support the integration process of families and children with a migration background or unaccompanied minor refugees by getting them together with volunteers with an interest in cultural exchange. The volunteers share their experiences in regular meetings and, as the Zebra project, they also receive professional assistance from Caritas workers. The activities that the buddies do are multiple: visits to museums, assist with the learning of German, or learning how to ride a bicycle.

3.4.6 Integration through the labour market

Labour integration is one of the pillars of integration in the host country, as a fast access to the labour market allows refugees to come true as a person and to support themselves. Employment is crucial for refugees because having a job increases their possibilities of having decent living conditions. Labour integration is also key in terms of national economy: as a study conducted in Austria shows, “positive economic effects will only be seen when those entitled to asylum have been successfully integrated into the Austrian labour market”.²⁷³ If it is not achieved, the economic costs will outweigh the benefits, having negative socio-political effects in the long term.²⁷⁴

A study shows that in Austria about 42% of refugees had a job from the fifth year after receiving asylum.²⁷⁵ This percentage shows how arduous it is for refugees to be gainfully employed, in particular for female refugees. Refugees’ lower educational attainment and, in most cases, their lack of knowledge of the German language presents a barrier for the access to the labour market.

Asylum seekers in Austria find it even more difficult to integrate through the labour market, due to the restrictions imposed by law. The Aliens Employment Act establishes

²⁷² More information available at <https://www.caritas-steiermark.at/spenden-helfen/freiwillige-mitarbeit/dringender-bedarf/dringender-bedarf-detailansicht/news/70624-gesucht-freiwillige-fuer-integrations-patenschaften-bzw-lernpatenschaften/>

²⁷³ Austria Integration Report (2017). P. 37.

²⁷⁴ Ibid.

²⁷⁵ Pretenthaler, F., Janisch, D., Gstinig, K., Kernitzkyi, M., Kirschner, E., Kulmer, V., Niederl, A. und Winkler, C., *Ökonomische Effekte von Asylberechtigten in Österreich. Analyse der arbeitsmarktrelevanten Zahlungsströme (Economic Effects of Asylum Seekers in Austria. Analysis of Labor Market Cash Flows)*, 2017.

that during the first three months that follow the asylum application, asylum seekers are not allowed to work and are only granted permission to access the labour market after that time period.²⁷⁶ However, in practice, this access remains restricted and does not entail a full access to the labour market. Asylum seekers are only allowed to perform seasonal works in agriculture and tourism – a job that they can only acquire when no other Austrian or other EU migrants with a work permit are available.²⁷⁷

In Graz, the City of Graz has made some early steps and offers some job positions for asylum seekers: cleaning public toilets or helping cutting the grass of the city.²⁷⁸ In these jobs, asylum seekers receive €5 per hour for their work.²⁷⁹

The Austrian Red Cross in Graz, who is mainly working with asylum seekers, is one of the biggest volunteer organisations in Graz and, consequently, offers asylum seekers a position as volunteers within the organisation.²⁸⁰ Most of the time, the volunteering consists in the collection and distribution of food to other asylum seekers. This NGO is finding it difficult to offer meaningful positions with more responsibility due to the lack of knowledge that asylum seekers have of the German language.

The Austrian Red Cross in Graz also implements a programme called “Migrants Care” that offers internships to refugees that have worked in the care field in their countries of origin.²⁸¹ Additionally, some of the refugees are entering the job market after gaining experience with the Red Cross.

3.4.7 Integration through German language courses

A country report on Austria issued in 2015 established that the knowledge of German was a primordial indicator for successful integration in the country.²⁸² Furthermore, the

²⁷⁶ Caritas Austria, available at: <https://www.caritas.at/hilfe-beratung/migrantinnen-fluechtlinge/faqs-zum-thema-flucht-und-asyl/faqs-refugees-and-asylum/>

²⁷⁷ Ibid.

²⁷⁸ Interview with David Rimpf, Head of the Mobile Integration Office of Caritas Styria, 5 June 2018.

²⁷⁹ Interview with Thomas Rajakovics, spokesman of the mayor of Graz, 27 March 2018.

²⁸⁰ Interview with Michael Moser, District Managing Director of Red Cross Styria, 19 April 2018.

²⁸¹ Ibid.

²⁸² König et.al (2015).

ÖAW study mentioned above showed a high level of willingness from the respondents (95.3%) to integrate in Austria, especially with regard to learning the German language.²⁸³

With the implementation of the Integration Act at the national level in June 2017, the Austrian government is promoting the integration of recognised refugees through German language courses. Since January 2018 only those asylum seekers with a high probability of recognition can in principle access the training, leaving aside those with low probability.²⁸⁴ However, participation in these courses is only possible after signing an Integration Agreement to be concluded with the Austrian national government.²⁸⁵ This Agreement requires a consent to Austrian core values and fundamental rules of coexistence in order to access the language courses.²⁸⁶ For this purpose, signatory people receive a value and orientation course of eight hours. The Integration Agreement consists of two modules. In the module 1 the so-called obligatory A2 level of German language skills has to be acquired within two years. In the module 2, German skills of the B1 level have to be acquired.²⁸⁷

This is a requirement for a permanent right of residence and an eventual granting of Austrian citizenship. The lack of participation in the Integration Agreement can lead to the imposition of sanctions, such as a reduction of social benefits, but it will not affect the asylum process or revoke the subsidiary protection.²⁸⁸

In the case of Graz, an additional Integration Agreement was introduced in February 2016 by the City Assembly of Graz.²⁸⁹ In this case, a signed Integration Agreement is not the prerequisite for German language courses, but for some social benefits offered by the City of Graz such as subsidised flats or reduced fees for child education and child

²⁸³ Kohlbacher et.al (2017).

²⁸⁴ Austria Integration Report (2017). P. 40.

²⁸⁵ Integrationsvereinbarung-IV (*Integration Agreement IV*).

²⁸⁶ Ibid.

²⁸⁷ More information available at <https://www.migration.gv.at/en/living-and-working-in-austria/integration-and-citizenship/integration-agreement/>

²⁸⁸ Directorate General for Internal Policies (2018). P. 34.

²⁸⁹ City of Graz. *Integrationserklärung der Stadt Graz (Integration Declaration)*.

care facilities.²⁹⁰ The Agreement asks for the respect of and the obedience to “the fundamental rules that govern our society”.²⁹¹

While the national level in Austria is not willing to fund courses for those asylum seekers with low probability of success, the local level in Graz is fully engaging with language classes for both asylum seekers and refugees. According to the Integration Office of the City of Graz, in 2017 they focused on language acquisition.²⁹² This Office, along with the Public Employment Service of Austria (AMS), co-financed German language courses offered by the Austrian Red Cross in Graz, Caritas Styria, Jugend am Werk and ISOP, among others.²⁹³

The Office also partnered with Starting Point German. This service offers free consultations to adults with non-German mother tongue in order to help them find suitable German courses.²⁹⁴ The idea behind this partnership was to create a common point that gathered all the information concerning the German language courses offered in Graz.²⁹⁵

In this regard, there are some specific projects that can be mentioned. Caritas Styria, as part of the project “Starter Package German & Integration” funded by the Austrian Integration Fund, offers A1 German courses to people who have been granted asylum or subsidiary protection.²⁹⁶ Danaida is an association from Graz that offers German courses for migrant women.²⁹⁷ They also offer childcare during the course to enable the women to attend the courses. ISOP also offers “German integration courses” for refugees and migrants.²⁹⁸

²⁹⁰ Ibid.

²⁹¹ Ibid.

²⁹² Integration Office of the City of Graz (2017).

²⁹³ ETC-Graz, *Der Menschenrechtsbericht der Stadt Graz 2016/17 (Human Rights of the City of Graz 2016/17)*, November 2017.

²⁹⁴ Startpunkt Deutsch (Starting Point German), available at <http://startpunktdeutsch.at>

²⁹⁵ Interview with Roswitha Müller, Head of the Integration Office of the City of Graz, 4 July 2018.

²⁹⁶ More information available at <https://www.caritasakademie.at/spracherwerb/projekte/startpaket-deutsch-integration/>

²⁹⁷ More information available at <http://www.danaida.at>

²⁹⁸ More information available at <http://www.isop.at/tatigkeitsfelder/qualifizierung-bildung/deutschkurse-fur-migrantinnen/>

However, learning German is not always easy and migrants do not become fluent right away after their arrival. In Omega's project "Building bridges – Overcoming Barriers", people can request beforehand interpreters to help them communicate.²⁹⁹ For instance, the interpreters can intervene at teacher-parent talks in Graz compulsory schools or at the "Marienambulanz".³⁰⁰ Moreover, due to Omega's cooperation with the Integration Office of the City of Graz, many institutions and organisations in Graz (such as the Housing Office or the Social Office) can request interpreters.³⁰¹

3.4.8 Integration through schools

It is essential that young asylum seekers and refugees attend regular education as soon as possible and that they receive the attention they need. In Graz, it was reported that asylum-seeking children of mandatory school age are in class within one week.³⁰² However, a recent OECD report concluded that in most countries high concentrations of immigrant students in schools lead to poorer performance.³⁰³ Nonetheless, they also concluded that "it is primarily the concentration of disadvantage, not the concentration of immigrant students that has a detrimental effect on learning".³⁰⁴

It is also essential that asylum seekers and refugees, especially when they are young, do not lose their mother tongue. We need to remember that integration does not imply that refugees should assimilate the culture and traditions of their host country, because maintaining their own identity and speaking their mother tongue will be beneficial for their self-reliance.

In this sense, the Integration Office of the City of Graz has launched a project of language education in 19 kindergartens to promote first and second language acquisition

²⁹⁹ More information available at <http://www.omega-graz.at/projekte/02-dolmetschpool.shtml>

³⁰⁰ "Marienambulanz" is a project founded in 1999 by Caritas Styria that provides initial and basic medical care free of charge for people who have no health insurance, regardless of their nationality or residence permit status. More information available at <https://www.caritas-steiermark.at/hilfe-angebote/menschen-in-not/gesundheit/marienambulanz-medizinische-erst-und-grundversorgung/>

³⁰¹ Interview with Roswitha Müller, Head of the Integration Office of the City of Graz, 4 July 2018.

³⁰² FRA, *Current migration situation in the EU: impact on local communities*, February 2018. P. 9.

³⁰³ OECD, *Immigrant Students at School: Easing the Journey towards Integration*, OECD Publishing, 2015. P. 7.

³⁰⁴ Ibid.

that aims at a holistic language education.³⁰⁵ The City of Graz has been successful in implementing this project where German is taught on the one side, and Bosnian, Croatian and Serbian; Albanian; Russian; Arabic; Romanian; Turkish and Kurdish on the other.³⁰⁶ The proportion of students with different mother tongues has to be 50%.

Aside from the implementation of bilingual primary schools, there is a possibility to attend 2 hours classes per week of the students' mother tongue.³⁰⁷ For these groups to be created, more than 10 families need to ask for it.

In order to achieve integration in schools, it is also important to involve the parents. The Integration Office of the City of Graz has developed the "Booklet for Parents of Graz" with the intention of supporting parental-school communication.³⁰⁸ It is a useful communication tool for those parents or guardians who do not speak fluent German. The booklet contains the most important communications regarding different areas that affect the student: school events, hygiene or health issues, or forms of applications that need to be filled out. These communications are in German and have been translated to 13 languages: Albanian, Arabic, Chinese, English, Farsi, French, Croatian, Romanian, Russian, Spanish, Chechen, Turkish and Hungarian. The teacher is thus able to communicate with the parents by filling in the German section and the parents will understand the announcement as a result of the translation.

3.4.9 Integration through public perception and education

Integration is not only achieved by ensuring that refugee children can speak both their host country language and their mother tongue; children from the host community need to understand the challenges refugees are facing.

For this purpose, the Austrian Red Cross has developed "Projekt Xchange" in order to showcase migrants as role models to young people in Austria.³⁰⁹ Volunteers with

³⁰⁵ Integration Office of the City of Graz (2017).

³⁰⁶ Interview with Roswitha Müller, Head of the Integration Office of the City of Graz, 4 July 2018.

³⁰⁷ Interview with Thomas Rajakovics, spokesman of the mayor of Graz, 27 March 2018.

³⁰⁸ More information available at <https://www.graz.at/cms/beitrag/10166601/7745642/>

³⁰⁹ More information available at <http://www.projektxchange.at>

migratory backgrounds known as “ambassadors of integration” present their experiences, difficulties and achievements through their journey as migrants in different schools. They address topics such as racism, discrimination and tolerance, demonstrating that integration is possible while also maintaining individual and diverse identities.

Since nearly 20 years, ISOP is carrying out a similar project. The initiative is called “IKU³¹⁰ – Spielend erleben (Playful experience)” and it aims to gather children and young students with people from other cultures, especially from Africa, and raise awareness of racial prejudices.³¹¹ Hence, a group of children receive the visit of the IKU team five or six times within a period of three months. During these meetings children have the opportunity to learn new facts about the African continent in a holistic manner: they play music together, sing songs and learn how different dishes are prepared.³¹²

“Heroes” is a new project launched in the province of Styria in 2017 and supported by the Integration Office of the City of Graz that makes young migrants ambassadors of equal rights.³¹³ The idea was born after the numerous cases of violence and oppression that women and girls suffer in the name of honour: “Heroes” aims at fighting those prejudices. This project wants to educate young male migrants in the importance of gender equality, gender roles, elimination of stereotypes and human rights. The objective is that they receive training and become a role model to a younger generation. Young migrants between the ages of 16 and 19 are trained for eight months (after which they receive a “Heroes Certificate”), and are prepared to enter into dialogue with young students. The schools workshops started in January 2018 and the heroes began their adventure towards the building of an equal society between men and women.

The educational project “Open Learning Center” of Caritas Styria supports migrants and refugees from the age of 15 onwards on their education.³¹⁴ Computers with Internet

³¹⁰ IKU comes from the language Edo (Benin City, Nigeria) and means “playfully experiencing”.

³¹¹ More information available at <http://www.isop.at/iku/>

³¹² Ibid.

³¹³ More information available at <https://vmg-steiermark.at/de/heroes/>

³¹⁴ More information available at <https://www.caritas-steiermark.at/hilfe-angebote/migrantinnen-fluechtlinge/bildung/open-learning-center/>

access, printers, specialised literature and learning materials can be found in the centre. People who attend the centre can learn together in groups and, in case of learning difficulties, individual support is also offered.

3.4.10 Integration through watchdog institutions

Integration requires long-term strategies, beyond rapid fixes at an early stage. If cities want to effectively integrate, they need to count with institutions that specifically fulfil the mandate of ensuring the respect for human rights for migrants regardless their status, gender or country of origin. As we will see in the following, there are some institutions in Graz specifically dedicated to the implementation of human rights at the local level and to the monitoring of human rights violations, which benefits a better integration of the refugee and migrant population.

3.4.10.1 European Training and Research Centre for Human Rights and Democracy

The European Training and Research Centre for Human Rights and Democracy (hereinafter ETC-Graz) opened its doors on December 7, 2000, in Graz. The Centre was born with the aim to “install an interdisciplinary approach through research, education, and consulting, and develop a local reaction to human rights violations”³¹⁵ and it used the city of Graz and the province of Styria as a human rights laboratory, where it could implement different local projects.³¹⁶

In order to fulfil its mandate, the ETC-Graz cooperates with a range of local, national, and international partners: for instance, the University of Graz, the City of Graz, the province of Styria, the Republic of Austria, FRA, the EC, the CoE, UNESCO, and networks of local authorities and civil society organisations.³¹⁷

³¹⁵ Van den Berg et. al (2015). P. 65.

³¹⁶ Interview with Klaus Starl, Executive Director of ETC-Graz, 7 May 2018.

³¹⁷ ETC-Graz, *Annual Report 2017*.

In 2017, the ETC had a total budget of €612 206 at its disposal.³¹⁸ Many projects that will be mentioned have become a reality thanks to the expertise and the work of this Centre. Besides, all of the projects take into account the SDGs.³¹⁹

One of the latest improvements of Graz towards human rights has been the establishment, in November 2017, of an International Centre for the Promotion of Human Rights at the Local and Regional Levels, under the auspices of UNESCO, in cooperation with ETC-Graz, who will be in charge of creating the basis. The UNESCO Category 2 Centre, that is to formally open in October 2018, will allow ETC-Graz to become more global regarding its projects.³²⁰

The main objective of the Centre will be to contribute to efforts at the global, regional and sub-regional levels aimed at empowering regional and local authorities to mainstream human rights and gender equality and to promote inclusion across their areas of work in line with the goals of the 2030 Agenda (especially SDG 11) and along with relevant commitments of the NUA.³²¹

3.4.10.2 Human Rights Advisory Board

Established in 2007 by the mayor, the Human Rights Advisory Board of the City of Graz (hereinafter HRAB) functions as an advisory board that unites stakeholders from civil society, religious leaders, academia and government institutions and monitors human rights at the local level.³²² However, it has no power to receive complaints or to represent individual cases.³²³ The ETC-Graz acts as the office of the HRAB and its foundation marked an important milestone in the development of human rights policies in Graz.³²⁴

³¹⁸ Ibid.

³¹⁹ Interview with Klaus Starl, Executive Director of ETC-Graz, 7 May 2018.

³²⁰ Ibid.

³²¹ UNESCO, *Draft agreement between UNESCO and the Republic of Austria on the establishment of the International Centre for the Promotion of Human Rights at the Local and Regional levels under the auspices of UNESCO (Category 2) in Graz (Austria)*, 2017.

³²² Klaus Starl, *Human Rights City Graz: Lessons Learnt from the First 15 Years*, in Davis et.al (2017). P. 53.

³²³ Ibid.

³²⁴ Ibid.

The HRAB, together with its permanent working groups, carries out different activities to promote human rights, from which we will emphasise the following ones.³²⁵ One of the main tasks of the HRAB is to publish an annual Human Rights Report with information on the state of human rights in Graz, in order to create human rights awareness within the population and improve the human rights literacy of the city officials.³²⁶ The 2016/17 Human Rights Report addresses the issue of the integration of asylum seekers and refugees in a separate section.³²⁷ Good practices are highlighted and some recommendations are made. The Report concludes that “the policy in Graz in the areas of refugee reception and integration can be regarded as constructive and objective”.³²⁸

Another main activity undertaken by the HRAB, together with the ETC-Graz as the acting office, is the election monitoring of Graz’s local elections. This activity has been conducted since 2007. Its objective is to publicly denounce violations of human rights during electoral campaigns.³²⁹ This is important since “discriminatory or hate speech is perceived unacceptable in political discourse, and officially declared as incompatible with the status of a human rights city and membership in ECCAR in several City Council decisions”.³³⁰

In February 2017, local elections were held in Graz and a new government coalition was formed between the centre-right Austrian People’s Party (hereinafter ÖVP) and the Freedom Party of Austria (hereinafter FPÖ), a right-wing populist anti-immigration party. It was in the 1990s, when the Bosnian refugee crisis burst, that the FPÖ began to campaign against the immigrant and, specifically, the Muslim population.³³¹ They

³²⁵ All the projects can be found in the *Annual Report 2017* of ETC-Graz. In this section, we will focus on those related to the local integration of asylum seekers and refugees in Graz.

³²⁶ Annual Human Rights Reports of the City of Graz available at https://www.graz.at/cms/beitrag/10152653/7771447/Menschenrechtsberichte_der_Stadt_Graz.html

³²⁷ ETC-Graz (2017).

³²⁸ Ibid.

³²⁹ Klaus Starl, *Human Rights City Graz: Lessons Learnt from the First 15 Years*, in Davis et.al (2017). P. 54.

³³⁰ Ibid.

³³¹ Van den Berg et.al (2015). P. 62.

started to spread the message “Austria First!” and nowadays this political party is known for its Islamophobic campaigns and use of hate speech.³³²

The working group on election monitoring of the HRAB conducted an analysis on human rights-relevant discourses raised during the campaigns.³³³ For this purpose, the working group uses the traffic-light principle to classify the discourses as green (conforming to human rights standards), yellow (problematic in terms of human rights standards) and red (not conforming to human rights standards).³³⁴ The election campaign did not lead to a significant number of reported attacks, but there are some elements worth mentioning.³³⁵

In December 2017, the ETC-Graz Report entitled “Politically motivated crime in the light of current migration flows: Observations on the media discourse and party programs in Austria” was published.³³⁶ They concluded that for the FPÖ, immigrants are mainly a threat rather than an opportunity. Thus, the party puts a focus on security and establishes causality between criminality/terrorism and the increasing number of asylum seekers/migrants.³³⁷ This discourse was also registered during the local elections in Graz. The HRAB classified the speech of FPÖ during the campaign as partly racist because it suggested a superiority of the “own” and postulated discrimination on the basis of the origin. Their strategy consisted in the division of society into “Austrians versus foreigners” and they presented the foreigners as a threat to Austrians. All other parties clearly positioned themselves against this attitude of the FPÖ.

Regarding the topic of migration and integration, most of the parties proposed measures for better integration of asylum seekers and refugees. Some of the proposals were the following: better recognition of qualifications acquired abroad, more financial means to

³³² Ibid. P. 63.

³³³ ETC-Graz, *Annual Report 2017*.

³³⁴ Ibid.

³³⁵ More information and the final report are available at <http://www.wahlkampfbarometer-graz.at/cms/index.php?id=2>

³³⁶ Markus Möstl, Isabella Meier, Manuel Ammer, Yannik Philipp, *Politically motivated crime in the light of current migration flows: Observations on the media discourse and party programs in Austria*, ETC-Graz, December 2017, available at http://www.etc-graz.at/typo3/fileadmin/user_upload/ETC-Hauptseite/publikationen/Occasional_papers/Occasional-Paper_37-2017_POMIGRA.pdf

³³⁷ Ibid. P. 41.

promote multilingualism in kindergartens, municipal suffrage for all who have their main residence in Graz, affordable education and training programs for migrants. On the contrary, the FPÖ clearly opposed a minimum security for asylum seekers and beneficiaries of subsidiary protection, demanded border controls and stated that regarding municipal flats priority should be given to the Austrians.

Except the FPÖ, all political parties were awarded a green traffic light from the HRAB in the topic of integration during the elections. A yellow traffic light was awarded to the FPÖ for their discourse, due to their polarising attitude.

3.4.10.3 Graz as a Member of the European Coalition of Cities Against Racism

One of the biggest challenges that host communities are facing are xenophobia and discriminatory attitudes against asylum seekers and refugees.

The European Coalition of Cities Against Racism (hereinafter ECCAR) was launched by UNESCO together with the city of Nuremberg in 2004.³³⁸ The initiative was born to establish a network where cities could share their experiences and improve their policies to fight racism, discrimination and xenophobia.³³⁹ European cities wishing to join the ECCAR are required to elaborate and adopt a “Ten-Point Action Plan” for a period of three years and commit to it using the necessary human, financial and material resources.³⁴⁰ With the adoption of its Action Plan, Graz accessed ECCAR in 2006.

One of the most significant instruments that ECCAR provides is the “Toolkit for Equality” (hereinafter TKE), a project led by the ETC-Graz, which contains concrete guidance for cities so that they can fulfil the “Ten-Point Action Plan” and implement successful policies in the European context.³⁴¹ The TKE endorses the 2030 Agenda for Sustainable Development and subscribes to the principles enshrined in the NUA about building “peaceful, inclusive and participatory societies, as well as to promote living

³³⁸ More information available at <http://www.eccar.info>

³³⁹ ECCAR, *Basic Information*, available at <http://www.eccar.info/en/welcome-eccar>

³⁴⁰ A brief summary of the Ten Points can be found in Annex C.

³⁴¹ The ECCAR “Toolkit for Equality”, available at <http://www.eccar.info/en/eccar-toolkit-equality>

together, connectivity and social inclusion”.³⁴² The TKE also acknowledges the essential role of local authorities to fight against xenophobic tendencies that have risen after the refugee arrivals.

The TKE provides experience-based step-by-step instructions for implementing concrete policies in order to successfully counter racism and racial discrimination, and it is divided in the following chapters: Monitoring, Anti-Discrimination Office, Elected Migrant Council, Migrant Citizenship Forum, Door Policy Panel, Diversity Management in the City Administration, Welcome Services for New City Inhabitants, Improving Access to Marginalised Groups, Adequate housing policies, Combating racism and hate speech: building a non-racist society and Election Campaign Monitoring³⁴³. Each section consists in an introduction, explains why the measure is necessary, establishes the steps that need to be followed to achieve the objectives and to put them into practice and offers indicators for the follow-up. Lastly, successful practices from ECCAR member cities are also included.

The ECCAR member cities have also committed to welcoming refugees in cities by creating an anti-racist welcoming culture and exchanging best practices taking into account the “Ten-Point Action Plan”. In the General Conference “Welcoming Cities” of ECCAR held in 2015 in Karlsruhe, Germany, the ECCAR members came together to find appropriate and humane ways to accommodate refugees.³⁴⁴ They declared their readiness to make efforts to accommodate asylum seekers and refugees in decent conditions. Hence, they committed themselves to monitor racist attitudes, prevent hate crimes and provide equal access to accommodation, healthcare, labour market and education; all by involving the private sector and civil society.

Under the ECCAR project, along with the Global Migration Policy Associates and the Marianna V. Vardinoyannis Foundation, the “Cities Welcoming Refugees and Migrants” report was developed, mentioned in the introduction of this Chapter.³⁴⁵ The

³⁴² UNGA, *New Urban Agenda*, RES/71/256, 23 December 2016.

³⁴³ This last Chapter has not been developed yet.

³⁴⁴ General Conference of ECCAR in 2015 in Karlsruhe “Welcoming Cities”, *Final declaration*.

³⁴⁵ UNESCO (2016).

report highlights the importance and challenges that cities are facing in their purpose of welcoming refugees and migrants, and concludes that “local authorities need a combination of political will, institutional capacity and financial resources to innovate, devise and implement effective policy, to ensure coordination with other actors and to generate financial and other resources to effectively welcome them”.³⁴⁶

3.4.10.4 Anti-Discrimination Office of Styria

The implementation of an Anti-Discrimination Office is one of ECCAR’s proposals to counter discrimination and harassment in their various forms.

The Anti-Discrimination Office of Styria offers counselling and support to all clients who have been discriminated.³⁴⁷ The Office opened its doors on May 30, 2012. Previously, a pilot Anti-Discrimination Office was launched (the Anti-Racism Hotline) with the purpose of documenting cases of people, but especially migrants and asylum seekers, being discriminated due to their ethnic origins or beliefs.³⁴⁸ After the success of this project, the Anti-Discrimination Office of Styria started to function with the aim of covering the discrimination grounds contained in the Charter of Fundamental Rights of the EU.

The Federal Equal Treatment Act of Austria regulates discrimination on grounds of gender, sexual orientation, age, disabilities, ethnic origins or beliefs.³⁴⁹ The Office works on all these discrimination grounds; nevertheless, they also try to go beyond the grounds contained in the Austrian Equality Law, because in reality there are more discrimination grounds than the six enumerated in the Austrian Equality Law.³⁵⁰ According to the data collected by the Office, discrimination grounds which are not laid down in the Austrian Law constitute 60% of the cases they face, while only 40% of the cases are expressly part of the grounds provided by the Austrian Law. The efforts of the

³⁴⁶ Ibid. P. 54.

³⁴⁷ More information available at <http://www.antidiskriminierungsstelle.steiermark.at>

³⁴⁸ Interview with Daniela Grabovac, Head of the Anti-Discrimination Office of Styria, 26 April 2018.

³⁴⁹ *Bundes-Gleichbehandlungsgesetz (Federal Equal Treatment Act)* (B-GBG), (BGBl. 1993/100).

³⁵⁰ Interview with Daniela Grabovac, Head of the Anti-Discrimination Office of Styria, 26 April 2018.

Office to enlarge the discrimination grounds on the Law and make improvements have not been successful yet.

The Office is reporting another issue with the Federal Equal Treatment Act. While the law establishes that no men or women can be discriminated in employment and occupation on the grounds of gender, sexual orientation, age, disability, ethnic origin and belief or religion, the law only foresees discrimination on the grounds of gender or ethnic origin in the case of social services (renting a flat, going to a disco...). This makes it hard for the Office to bring cases before the court on different discrimination grounds.

The Anti-Discrimination Office of Styria is pioneering in its field since, in Austria, there is no other project working with all the discrimination grounds mentioned above. There are other regional offices that work in some of the discrimination grounds, but they are too oriented to the legal field, leaving the monitoring, campaigning and researching aside.³⁵¹

The Office offers legal counselling to people that come to them and presents them with possible steps to be taken. When an asylum seeker feels discriminated, an ordinary procedure will be as follows: the asylum seeker will get in touch with their closest NGO, who will later contact the Anti-Discrimination Office. Next, the asylum seeker will come to the Office in Graz, where they will be provided with information regarding the actions to be taken and their legal consequences. A translator will be procured if needed.

The Office can refer their clients to the appropriate agency, service or organisation most qualified to support and assist in the particular request; or they can claim their clients' rights by taking cases before the court. In this regard, the Office is finding it very difficult to be successful in court because, in most of the cases, it is not easy to present the discrimination proof.³⁵² This is the reason why they only bring before the court

³⁵¹ Ibid.

³⁵² Interview with Daniela Grabovac, Head of the Anti-Discrimination Office of Styria, 26 April 2018.

those cases they are certain they will win. In these scenarios, they usually cooperate with law clinics.

The Office is also documenting and monitoring discrimination. For instance, they are monitoring hate speech in social media and newspaper articles. While the use of social media is increasing every day, so have the voices opposing homosexuals, people with a migrant background or people with disabilities. Hate speech on social media is easier to use because the perpetrators hide behind a veil of anonymity. This is the reason why the Anti-Discrimination Office developed an app called “BanHate”, which allows hate speech to be reported.³⁵³ The app functions as a tool for a quick report on social media hate speech and consequently, the Office can acquire information in an easier way. The cases reported can be criminally prosecuted.³⁵⁴

While discrimination cases have always happened, 2015 was a turning point for the rising of prejudices and discrimination cases (including hate crimes) against asylum seekers and refugees. Since 2015, people who have Arabic looks are the first targets to be discriminated, followed by people with black skin colour, who were the first targets before the outbreak of the 2015 refugee crisis.³⁵⁵ Hence, much more people that come from Arabic countries are suffering from attacks because they are thought to be asylum seekers. Due to a previous lack of empirical data, the Office commissioned the ETC-Graz in 2017 to conduct a survey on racist and xenophobic hate crimes in Styria.³⁵⁶ The survey showed that, out of 1 112 participants, 39% of them had been verbally harassed or threatened due to their skin colour, religion, or origin in the last 12 months and 9% were physically attacked.³⁵⁷

The Office has a wide network of 300 institutions: from organisations that work with migrant communities, to groups of people with disabilities, communities with issues of

³⁵³ More information available at <https://www.banhate.com>

³⁵⁴ The Council of Europe has also launched a “No Hate Speech” campaign to fight against the expressions of hate speech online. The campaign, which tries to raise awareness, possesses a national reporting procedure, where national organisations report on common issues regarding hate speech. More information available at <https://nohatespeechmovement.org>

³⁵⁵ Interview with Daniela Grabovac, Head of the Anti-Discrimination Office of Styria, 26 April 2018.

³⁵⁶ ETC-Graz, *Annual Report 2017*. P. 11.

³⁵⁷ Ibid.

social welfare and LGBTI communities. They not only have a connection to civil society, but also to employers and political parties. They also cooperate with ETC-Graz on research projects and, once a year, they come together with other regional Anti-Discrimination Offices. Their objective is to be the point of contact of all stakeholders.

In order to raise visibility, the media has proven to be very helpful for the Office: they conduct interviews, bring cases and they inform people about the importance of the task of the Anti-Discrimination Office.

Lastly, the Office also puts into practice different awareness campaigns: they try to make citizens aware that everyone is being discriminated and show that discrimination is a broad issue.

3.4.10.5 The Integration Office of the City of Graz

The Integration Office of the City of Graz, an office assigned to the Department of Education and Integration, was established on November 3, 2005.³⁵⁸ Since then, it has been involved in numerous activities. As we have been able to see throughout the case study, this Office is involved in various projects in the area of migration and integration.

The Office leads the implementation integration strategy of the City of Graz, supports the intercultural orientation of the administration, connects organisations, associations, interest groups and self-advocates as well as all interested citizens, initiates projects and measures in the field of migration and integration, distributes information materials, supports interreligious dialogue and offers financial support for intercultural projects and integration measures.³⁵⁹ For instance, last year they received 120 applications for funding of projects.³⁶⁰

³⁵⁸ Integration Office of the City of Graz (2017).

³⁵⁹ Ibid.

³⁶⁰ Interview with Roswitha Müller, Head of the Integration Office of the City of Graz, 4 July 2018.

Networking is also a central task of the Office.³⁶¹ They have contact with local authorities, the federal government, state, NGOs, interested citizens, volunteers, and religious groups. They are also the point of contact for migrants and the host society.³⁶²

In 2015, the 2015-2020 Integration Strategy of the City of Graz was approved by the local council.³⁶³ The strategy is based on five pillars:

- Languages: by supporting language learning measures and interventions.
- Rights and obligations: by facilitating access to information in different languages.
- Values and culture: by promoting non-violent coexistence and participation.
- Interreligious dialogue: by promoting interreligious dialogue, specially related to the prevention of extremism.
- Identification: by facilitating a welcoming culture full of recognition.

An “asylum area” was installed in 2017 within the Integration Office.³⁶⁴ The area lacks legal responsibility towards asylum seekers, but it works as a point of contact that organises information and discussion events on current developments and legal innovations on asylum: for instance, they have coordinated events to inform NGOs and individuals about “flight and asylum”.³⁶⁵ This area is also in charge of strengthening the volunteer work in Graz.

The Office realises that integration is a cross-cutting issue in almost all areas of administration and politics.³⁶⁶ This is the reason why they offer training courses for the administration employees of the City of Graz.³⁶⁷ In 2017, for example, the law enforcement officers were trained in “intercultural competence”. For municipal

³⁶¹ Integration Office of the City of Graz (2017).

³⁶² Interview with Roswitha Müller, Head of the Integration Office of the City of Graz, 4 July 2018.

³⁶³ Integration Office of the City of Graz. *2015-2020 Integration Strategy. Effective Integration through Participation*. 2015.

³⁶⁴ Interview with Roswitha Müller, Head of the Integration Office of the City of Graz, 4 July 2018.

³⁶⁵ Ibid.

³⁶⁶ Ibid.

³⁶⁷ Integration Office of the City of Graz (2017).

departments, a workshop on “Recognition of qualifications acquired abroad” was organised.³⁶⁸

3.4.10.6 The Migrants’ Advisory Council

The implementation of a Migrants’ Advisory Council is one of ECCAR’s proposals to counter discrimination through political representation of city inhabitants who are not entitled to vote in local elections due to their nationality.

The Migrants’ Advisory Council of the City of Graz is the platform for political participation, representation and protection of the interests of immigrants who make up more than 10% of the total population of Graz, but do not have the right to vote.³⁶⁹ Formerly the Foreigner Advisory Council, it was established on July 6, 1995 by a policy resolution of the Municipal Council of Graz. Nowadays, the council consists of 9 non-EU citizen members who work on a voluntary basis and are elected by non-EU immigrants living in Graz.³⁷⁰ The election takes place every five years and coincides with the Municipal Council elections.³⁷¹

The Council does not offer individual counselling; their most important task is to advise local politicians and municipal administration through recommendations and opinions. It tries to empower migrants by holding information events for immigrants’ associations (cultural, social and religious associations). The Council wants to be the point of contact of migrants’ communities and politicians of the City of Graz. For this purpose, they organise seminars, events and workshops on different themes (culture, politics, education, social issues, sports...), promoting a better cohabitation among all inhabitants of Graz and reporting on the situation of immigrants in Graz. With reference to the latter, the Council has published two Annual Reports, referring to the migrants’ situation in 2015 and 2016. The Annual Report of 2017 will come out in autumn of

³⁶⁸ Ibid.

³⁶⁹ More information available at www.graz.at/migrantinnenbeirat

³⁷⁰ Ibid.

³⁷¹ Ibid.

2018.³⁷² The Annual Report on Migration of the City of Graz from 2016 noticed that one main concern consists on offering more job opportunities to refugees and, especially, to asylum seekers.³⁷³

The Council also advocates for the right to political participation of migrants.³⁷⁴ In this sense, the FRA issued a report in March 2017 called “Together in the EU, Promoting the participation of migrants and their descendants” where it highlighted the importance of the political participation of migrants and their descendants.³⁷⁵ The report showed that in Austria third country nationals do not have access to voting rights or to candidacy at the local level.³⁷⁶ The FRA also advocates for the “promotion of the participation of representative organisations of migrants in the implementation of integration measures” at the local level.³⁷⁷

3.5 Conclusion

The examples mentioned during the case study of Graz show that a variety of stakeholders of the city have implemented measures in order to ensure the local integration of asylum seekers and refugees, within the framework of legal possibilities.³⁷⁸ They also demonstrate that taking into account human rights in local policies can benefit the quality of life of all the cities’ inhabitants. In this regard, there are some valuable lessons that other cities can learn from. However, Graz is also facing some major challenges in its attempt of promoting social cohesion and involving both the migrant community and the host community.

³⁷² Interview with Godswill Eyawo, Management of the Migrants’ Advisory Council, 25 June 2018.

³⁷³ Migrants’ Advisory Council of the City of Graz (2016).

³⁷⁴ Interview with Godswill Eyawo, Management of the Migrants’ Advisory Council, 25 June 2018.

³⁷⁵ FRA, *Together in the EU, Promoting the participation of migrants and their descendants*, Luxembourg, 2017. P. 55.

³⁷⁶ *Ibid.* P. 57.

³⁷⁷ *Ibid.* P. 8.

³⁷⁸ Author’s note: this Chapter tried to show a comprehensive overview of the integration projects in Graz. More activities can be found at

<https://www.graz.at/cms/beitrag/10237984/7745508/Integrationsprojekte.html>

3.5.1 Challenges to local integration

Even though the Integration Office of the City of Graz acknowledges integration as a cross-cutting issue³⁷⁹, the present political atmosphere in Graz can pose a challenge to this approach.

The new government coalition formed after the elections in February 2017 can constitute a challenge for refugee integration. As we have seen, during the election campaign, the populist FPÖ had a clear attitude against the integration of asylum seekers and refugees. Moreover, this party, as part of the local government, limited the availability of social housing by requiring a longer, 5-year, waiting period, which is mainly affecting refugees.

NGOs in Graz are also affected by this political atmosphere and experiencing cuts in their funding. Zebra's biggest challenge for the mid and long-term is the necessity of finding enough financial resources.³⁸⁰ Caritas Styria also emphasised that cuts in financial resources are fostering competitiveness amongst civil society organisations.³⁸¹

The Anti-Discrimination Office of Styria also felt that politicians were sending them a message by providing only one-year funding.³⁸² These tight funds put the Office in a very tough position when planning for the next years. Besides, the Office believes that the political atmosphere in Austria is not in favour of pushing new anti-discrimination laws.³⁸³

This is also the feeling at the Migrants' Advisory Council: this new political climate is making their job more difficult.³⁸⁴ The FPÖ have always advocated for the abolition of the Council, which is a clear message of "your job is not relevant".³⁸⁵ It receives a yearly budget from the Municipal Council, but the Council claims that it would need a

³⁷⁹ Interview with Roswitha Müller, Head of the Integration Office of the City of Graz, 4 July 2018.

³⁸⁰ Interview with Alexandra Köck, Manager and Head of Education & Society of Zebra, 4 June 2018.

³⁸¹ Interview with David Rimpf, Head of the Mobile Integration Office of Caritas Styria, 5 June 2018.

³⁸² Interview with Daniela Grabovac, Head of the Anti-Discrimination Office of Styria, 26 April 2018.

³⁸³ Ibid.

³⁸⁴ Interview with Godswill Eyawo, Management of the Migrants' Advisory Council, 25 June 2018.

³⁸⁵ Ibid.

larger budget to meet its mandate. Moreover, the biggest challenge is that its recommendations are followed by the City of Graz.³⁸⁶ Politicians from the City of Graz are not being elected by the migrant population, which results in less commitments and attention to the migrant population and the Council.

This is the reason why political participation of the migrant population in Graz is also one of the challenges that needs to be addressed. At the national level, there is a lack of willingness to integrate migrants through a right to political participation. In this sense, there is a margin for the local level to step in, where local authorities would benefit from the participation of those who live in the city. The Migrants' Advisory Council has a mandate to represent the migrants' needs in Graz, but more political willingness is needed to take its advice into account.

The lack of cooperation between stakeholders has been brought up a lot during the interviews as one of the major challenges to deal with in the future. For instance, the Anti-Discrimination Office of Styria noted that, even with a wide network of 300 institutions, they need to come together with civil society organisations and exchange good practices more often.³⁸⁷ Besides, the Office has no relationship with the national government and the communication with the City Hall of Graz that was fluent until 2016, is now under stress.³⁸⁸

Jugend am Werk highlights in its Report a close cooperation with Zebra and Caritas Styria.³⁸⁹ However, it feels like this statement is done to satisfy the public, rather than presenting the situation in full. In this sense, Caritas Styria mentioned that the cooperation between NGOs is “too limited” and that it would be a good idea to “get together and share the knowledge”.³⁹⁰ This can also be appreciated in the overlapping of projects that the NGOs have: for instance, while integrating asylum seekers and

³⁸⁶ Ibid.

³⁸⁷ Interview with Daniela Grabovac, Head of the Anti-Discrimination Office of Styria, 26 April 2018.

³⁸⁸ Ibid.

³⁸⁹ Jugend am Werk (2015).

³⁹⁰ Interview with David Rimpf, Head of the Mobile Integration Office of Caritas Styria, 5 June 2018.

refugees through personal support. These negative synergies could be fixed with an increased cooperation from civil society organisations and city institutions.

The lack of reliable and strong data could also be an issue when it comes to effective integration. The Integration Office pointed out that their asylum area was finding it difficult to operate due to the lack of specific data.³⁹¹

Xenophobic discrimination acts are spreading in Austria and challenge social cohesion. The Anti-Discrimination Office noted that hate against Muslim people has increased.³⁹² These open hostilities were also noted by the Migrants' Advisory Council of the City of Graz.³⁹³ In a survey made by the Directorate General for Internal Policies of the Union in 15 EU countries, 31% of Austrians declared they do not like to have Muslims as neighbours.³⁹⁴ Most recently, on June 8, 2018, Chancellor Sebastian Kurz announced that Austria was planning to close six mosques and expel dozens of imams in their "push against radical Islam".³⁹⁵

Regarding the German language courses, and even though most of them are co-financed by the City of Graz, the province of Styria or the national government, asylum seekers and refugees still need to pay for some and sometimes are unable to do so. Moreover, there is a gap of language courses for asylum seekers. More funding in this area would be needed.

3.5.2 Valuable lessons

Despite the challenges that NGOs and institutions are facing, numerous valuable lessons can be learned from Graz.

³⁹¹ Interview with Roswitha Müller, Head of the Integration Office of the City of Graz, 4 July 2018.

³⁹² Interview with Daniela Grabovac, Head of the Anti-Discrimination Office of Styria, 26 April 2018.

³⁹³ Interview with Godswill Eyawo, Management of the Migrants' Advisory Council, 25 June 2018.

³⁹⁴ Directorate General for Internal Policies. Policy Department (2018). P. 25.

³⁹⁵ REUTERS, *Austria to shut down mosques, expel foreign-funded imams*. June 8, 2018. Available at <https://www.reuters.com/article/us-austria-politics-islam/austria-to-shut-down-mosques-expel-foreign-funded-imams-idUSKCN1J40X1>

Other cities can learn from the experiences in the city's multilingual kindergartens, which promote integration from a very young age.

As we have seen, due to various reasons, refugees do not find an easy and fast access to the labour market. Furthermore, asylum seekers, due to the legal restrictions imposed by federal laws, find it very hard to integrate through the labour market. In this sense, efforts should be made to not only offer volunteer activities to asylum seekers, but also training opportunities. Remunerated activities for asylum seekers offered by the City of Graz are a positive path to follow.

The election monitoring carried by the HRAB constitutes one of the most positive examples that makes sure that migrants' human rights are not violated during the election campaign.

Lastly, Graz as part of the ECCAR, and the TKE that is being developed by the ETC-Graz, are examples how cities can commit to the fight against xenophobic discrimination acts. Besides, the international alliances that the ETC-Graz has developed throughout the years show other cities the importance of networking.

3.5.3 Human rights cities and local integration

Even though the first human rights city was established more than 20 years ago, it has been in the past few years when this concept has started to gain scholarly attention and become a wider phenomenon.³⁹⁶ The analysis of a human rights city should always be appreciated in the context of a given city and local government. That said, and taking into account the city of Graz, we can also affirm that when a city becomes a human rights city, a new window of opportunities opens up, leaving space for local integration of asylum seekers and refugees.

The Human Rights Declaration of the City of Graz from 2001 is not directly oriented towards the specific protection of asylum seekers' and refugees' human rights. Nonetheless, it was based on the recognition "of all civil, political, economic, social and

³⁹⁶ Barbara M. Oomen, *Introduction*, in Oomen et.al (2016). P. 3.

cultural rights, as well as of the rights of women, of children and of the general rights of equality of every person, independent of citizenship” and on the idea of translating the abstract concept of human rights into reality.³⁹⁷ Hence, the four core elements of the Declaration can be directly applied with the purpose of ensuring the local integration of asylum seekers and refugees.

However, a direct implementation of this document is very hard to accomplish in practice. As we have been able to appreciate with regards to the challenges that Graz is facing, the commitments in its Human Rights Declaration are not being fully accomplished. Being a human rights city is a constant struggle.

A human rights city can only perform as much as the politicians governing the city allow for. The lack of political will can limit the purpose of a human rights city. In Graz, the FPÖ have openly declared its opposition to the Migrants’ Advisory Council and the HRAB, two institutions that play a key role within the framework of the human rights city.

Since cities lack competence in most of the areas that directly affect asylum seekers and refugees, political will at the national level is also needed. The political atmosphere at the national level in Austria, trying to make the country less attractive for asylum seekers and refugees by the attempts to reduce their social protection and by not financing German courses for asylum seekers anymore, also threatens the integration activities fulfilled within a human rights city.

As argued in Chapter 1, fulfilling human rights is a shared responsibility across all governmental levels. Due to this reason, a human rights city will be completely operational when information, recognition and responsibilities are shared by all levels of government.

³⁹⁷ The preamble of The Human Rights Declaration of the City of Graz, available at http://www.etc-graz.at/typo3/fileadmin/user_upload/ETC-Hauptseite/themen/MRS/H_u_m_a_n_R_i_g_h_t_s_D_e_c_l_a_r_a_t_i_o_n_-_Graz.pdf

Additionally, at the local level, commitment of all stakeholders is also needed. Graz is a clear example where, even with a weak political will to integrate asylum seekers and refugees, most of the integration practices are being successful due to the strong role of the civil society.

While trying to assess if human rights cities possess an added value when it comes to the local integration of asylum seekers and refugees, the following findings can be made. After this case study, we can conclude that a human rights city does not contain an outstanding added value in comparison with a non-human rights city that is engaging with local integration. In Graz, where the civil society is carrying out a significant role, all NGOs interviewed affirmed that their activities were not facilitated by the fact that Graz is a human rights city. Besides, all of them proclaimed that their efforts will stay the same regardless of the status of the city.

The Human Rights Declaration calls directly on public institutions in Graz to respect the principles of human rights, but this is hard to appreciate in reality. While the ETC-Graz and its HRAB are oriented to the fulfilment of the mandate of the Human Rights Declaration³⁹⁸, public institutions such as the Migrants' Advisory Council or the Integration Office do not mention the concept of the human rights city as a core principle and a driving force of their activities.³⁹⁹ Moreover, the Migrants' Advisory Council was already functioning before the Human Rights Declaration in 2001.

Nevertheless, the case study of Graz allows us to highlight that the status of a human rights city grants the city some space for resilience compared to non-human rights cities. It serves as an obstacle and as an umbrella for those politicians that threaten the human rights of the city's inhabitants and, at the same time, enhances human rights awareness. This is the reason why the attempt of the FPÖ to shut down the Migrants' Advisory Council and the HRAB has not been successful.

³⁹⁸ Interview with Klaus Starl, Executive Director of ETC-Graz, 7 May 2018.

³⁹⁹ Interview with Godswill Eyawo, Management of the Migrants' Advisory Council, 25 June 2018 and interview with Roswitha Müller, Head of the Integration Office of the City of Graz, 4 July 2018.

However, there is a risk of treating human rights measures as “feel-good” standards with little practical impact.⁴⁰⁰ But even if the concept of human rights city is used as a slogan and there is not a strong political commitment, cities need to project a public image of being this kind of city, which at the very least implies some engagement towards human rights. It can be valuable as a promotional tool and it can stimulate civil society involvement.

The status of a human rights city boosts the creation of human rights’ watchdog institutions and promotes a culture of respecting, protecting and fulfilling human rights at the local level.

With a strong and a committed political will, the status of a human rights city will be taken seriously, which will be translated in a serious application of the human rights of all the inhabitants of the city.

⁴⁰⁰ Klaus Starl, *Human Rights and the City: obligations, commitments and opportunities*, in Oomen et.al (2016). P. 219.

GENERAL CONCLUSION

“A little less conversation, a little more action please”⁴⁰¹
Erna Solberg, Prime Minister of Norway

As of 2018, European cities face the challenge of accommodating a large number of asylum seekers and refugees and enabling their social integration. This thesis has shown that local integration of asylum seekers and refugees can become a reality. However, specific instruments and mechanisms are needed.

This thesis acknowledges that local governments can contribute to the respect, protection, fulfilment and promotion of the human rights of their inhabitants. Every time a city delivers a service, it is also delivering a human right. Human rights are universal regardless of where they are applied: asylum seekers and refugees have the right to equal treatment and non-discrimination. Moreover, cities are better equipped to ensure the local integration of asylum seekers and refugees.

There is a lack of a model of how to deal with these new arrivals, since approaching asylum seekers and refugees as people in transit is no longer valid anymore. This is the reason why an effective HRBA to integration should be put into place. For this purpose, cities should embrace the concept of the right to the city, which with its principles of universality and non-discrimination, allows for a city for all.

The concept of the right to the city can be both a working slogan as well as an opportunity to improve and expand human rights at the local level. In this sense, Hansen and Clark argue that in a human rights city the right to the city is institutionally anchored.⁴⁰²

Good practices of cities that are trying to effectively integrate asylum seekers and refugees can both be found in human rights cities and non-human rights cities, since all cities are involved in this process. However, this thesis has proven that a human rights

⁴⁰¹ Speech at the UN General Assembly on September 25, 2015, when the 2030 Agenda for Sustainable Development was adopted.

⁴⁰² Anders Lund Hansen and Eric Clark, *The Right to Freedom from Displacement – Practical Implementation and Challenges* in Davis et.al (2017). P. 24.

city could be better equipped to locally integrate this vulnerable group. There is a potential for human rights cities if the HRBA that is already in place is applied to integration. Human rights cities could be a source of inspiration to non-human rights cities.

The case study of Graz has found a clear commitment of the city towards human rights. The public institutions established under the framework of the human rights city in order to monitor human rights and the academic centres have allowed a better local integration.

Nonetheless, the case study of Graz has also shown that human rights are not assured only by their title and that the city faces challenges every day. The right to the city and the concept of a human rights city are not only a marketing slogan; however, a strong political will to promote human rights, financial resources, a multi-level governance approach and strong coordination between stakeholders are needed to make it work.

The case study of Graz has shown how political will can threaten local integration of asylum seekers and refugees, for instance, by imposing obstacles regarding social housing or by cutting funds. In Graz, these obstacles can be addressed by the significant efforts that civil society organisations, academia and particular individuals are carrying out, but NGOs are also suffering from budget cuts. This is the reason why a multi-stakeholder approach is needed. Measures should be taken to strengthen civil society's capacity to monitor and engage with the local government. As we have already argued, efforts should not only be made at the local level; a multi-level governance should also be aimed at. Initiatives need to come from the bottom-up and from the top-down.

Graz registers a variety of positive practices and activities that other cities can take advantage of. Additionally, cities that are willing to integrate asylum seekers and refugees into their communities can put to use the recommendations from the Congress of the CoE, OECD or FRA's toolkit to a joined up governance.

The recent international and regional legal developments, along with the (quasi)legal instruments need to be applied in the local sphere. All the instruments analysed in this

thesis allow for a space of local integration and can be invoked to ensure the human rights of asylum seekers and refugees. Therefore, cities should make an effort and implement them. Human rights cities count with the adequate structure for the realisation of the NUA and the localisation of SDGs. There are also a variety of tools that local authorities can make use of in order to localise SDGs.

The existent city networks can also be very useful: engaging with UCLG or ECCAR, for instance, could be an advantage for the cities. The TKE developed by ETC-Graz is a useful tool to counter the xenophobic discrimination acts against migrants that are happening all over Europe. Developing an integrated and common strategy of cities is also needed.

A human rights city is a work in progress. It is a means to an end. Cities should not only become human rights cities when they already respect all the human rights of their inhabitants; on the contrary, a city that aims at respecting, protecting, fulfilling and promoting the human rights of all its inhabitants should consider the option of becoming a human rights city too.

This is the reason why we might consider the option of overturning our reasoning. Since there are numerous cities that are actively engaging with the integration of asylum seekers and refugees and want to ensure their human rights, would it be helpful for those cities to become a human rights city?

This step would entail a move forward and cities could raise the awareness of human rights. It would involve a language of human rights on the institutions and the respect for the principles of non-discrimination and equality in all their policies. The status of a human rights city would grant the cities more resilience against backlashes. Here is where we see the real added value of a human rights city.

A city's values are reflected in how it treats its most vulnerable citizens. It is time for cities to claim their seat at the international table and together build sustainable cities for all. It is time for local governments' strong leadership to advocate for asylum seekers' and refugees' rights from a HRBA to integration.

BIBLIOGRAPHY⁴⁰³

I. Articles in Academic Journals and Research Papers

- Alexandra Fielden, *Local integration: an under-reported solution to protracted refugee situations*, New Issues in Refugee Research, Working Paper N° 158, UNHCR: Geneva, 2008.
- Alexandra König, Bernhard Perchinig, Jimy Perumadan and Katharina Schaur, *Country Report AUSTRIA*, ITHACA Research Report N. 1/2015.
- Anders Lund Hansen and Eric Clark, *The Right to Freedom from Displacement – Practical Implementation and Challenges* in: Davis, M., Gammeltoft- Hansen and Hanna, E. (eds.), *Human Rights Cities and Regions: Swedish and International Perspectives*, Raul Wallenberg Institute/SALAR, 2017.
- Attoh, K.A., *What kind of right is the right to the city?*, *Progress in Human Geography*, 35 85, 2011.
- Barbara Franz, *Bosnian refugees and socio-economic realities: change in refugee and settlement policies in Austria and the United States*, *Journal of Ethnic and Migration Studies*, 2010.
- Barbara Oomen and Moritz Baumgärtel, *Human Rights Cities*, in: Mihr, A. and Gibney, M. (eds.), *The SAGE Handbook of Human Rights*, 2014.
- Chetail Vincent, *The Common European Asylum System. Bric-à-brac or System?*, in: Chetail, de Bruckyer, Maiani (eds.), *Reforming the Common European Asylum System: The New European Refugee Law*, Leiden/Boston: Brill, 2016.
- Colin Harvey, *Time for Reform? Refugees, Asylum-seekers, and Protection Under International Human Rights Law*, *Refugee Survey Quarterly*, Volume 34, Issue 1, 1 March 2015.
- David Harvey, *The right to the city*, *International Journal of Urban and Regional Research*, Volume 27.4, 2003.
- David Harvey, *The right to the city*, *New Left Review* 53, 2008.
- Elsa Stamatopoulou, *Monitoring cultural human rights: the claims of culture on human*

⁴⁰³ Author's note: all the links were checked in July 2018.

- rights and the response of cultural rights*, Human Rights Quarterly, 34(4), 2012.
- Esther van der Berg and Barbara Oomen (eds.), *Human Rights Cities: Motivations, Mechanisms, Implications – a case study of European HRCs*, University College Roosevelt, 2015.
- Henri Lefebvre (1967), *The Right to the City*, in Attoh, K.A., *What kind of right is the right to the city?*, Progress in Human Geography, 35 85, 2011.
- Henri Lefebvre (1968), *The Right to the City*, in Peter Marcuse, *Reading the Right to the City*, City, 18:1, 2014.
- Jackie Smith, *Local Responses to Right-Wing Populism: Building Human Rights Cities*, Studies in Social Justice, Volume 11, Issue 2, 2017.
- Jeff Crisp, *The local integration and local settlement of refugees: a conceptual and historical analysis*, New Issues in Refugee Research, Working Paper N° 102, UNHCR: Geneva, 2004.
- Jessica Brandt and Lucy Earle, *The Global Compact on Refugees Bringing Mayors to the Table: Why and How*, January 2018, Foreign Policy at Brookings.
- Kevin Appleby, *Strengthening the Global Refugee Protection System: Recommendations for the Global Compact on Refugees*, Journal on Migration and Human Security, Volume 5 Number 4, 2017.
- Klaus Starl, *Human Rights City Graz: Lessons Learnt from the First 15 Years*, in: Davis, M., Gammeltoft-Hansen and Hanna, E. (eds.), *Human Rights Cities and Regions: Swedish and International Perspectives*, Raul Wallenberg Institute/SALAR, 2017.
- Koen De Feyter, *Localizing Human Rights*, Institute of Development, Policy and Management and University of Antwerp, January 2006.
- Kohlbacher, J., Rasuly-Paleczek, G., Hackl, A. und Bauer, S., *Wertehaltungen und Erwartungen von Flüchtlingen in Österreich (Values and expectations of refugees in Austria)*, 2017.
- Manisha Thomas, *Turning the Comprehensive Response Framework into reality*, Forced Migration Review, Issue 56, October 2017.
- Mark Purcell, *Excavating Lefebvre: The right to the city and its urban politics of the inhabitant*, GeoJournal 58, 2011.

- Mark Purcell, *Possible Worlds: Henri Lefebvre and the right to the city*, Journal of Urban Affairs, Volume 36, Number 1, 2013.
- Markus Möstl, Isabella Meier, Manuel Ammer, Yannik Philipp, *Politically motivated crime in the light of current migration flows: Observations on the media discourse and party programs in Austria*, ETC-Graz, December 2017, available at http://www.etc-graz.at/typo3/fileadmin/user_upload/ETC-Hauptseite/publikationen/Occasional_papers/Occasional-Paper_37-2017_POMIGRA.pdf
- Michele Grigolo, *Local Governments and Human Rights: Some Critical Reflections*, Columbia Human Rights Law Review, Vol. 49, No.1, Fall 2017.
- Morten Broberg and Hans-Otto Sano, *Strengths and weaknesses in a human rights-based approach to international development – an analysis of a rights-based approach to development assistance based on practical experiences*, The International Journal of Human Rights, 22:5, 2018.
- Myriam Cherti & Michael Collyer, *Immigration and Pensée d'Etat: Moroccan migration policy changes as transformation of “geopolitical culture”*, The Journal of North African Studies, 20:4, 2015.
- Peter Marcuse, *From critical urban theory to the right to the city*, City, 13:2-3, 2009.
- Peter Marcuse, *Reading the Right to the City*, City, 18:1, 2014.
- Prettenthaler, F., Janisch, D., Gstinig, K., Kernitzkyi, M., Kirschner, E., Kulmer, V., Niederl, A. und Winkler, C., *Ökonomische Effekte von Asylberechtigten in Österreich. Analyse der arbeitsmarktrelevanten Zahlungsströme (Economic Effects of Asylum Seekers in Austria. Analysis of Labor Market Cash Flows)*, 2017.
- Risa E. Kaufman, *Localizing human rights in the United States through the 2030 Sustainable Development Agenda*, Columbia Human Rights Law Review 49.1:1, 2017.
- Silvia Angeloni and Francesco Maria Spano, *Asylum Seekers in Europe: Issues and Solutions*. Int. Migration and Integration, 2018.
- Susan Parnell and Edgar Pieterse, *The ‘Right to the City’: Institutional Imperatives of a Developmental State*, International Journal of Urban and Regional Research, Volume 34.1, 2010. Pp. 146-162.

Vincent Chetail, *Are Refugee Rights Human Rights? An Unorthodox Questioning of the Relations between Refugee Law and Human Rights Law*, in: Rubio-Marin Ruth, *Human Rights and Immigration*, Oxford: Oxford University Press, 2014.

Wagner, M., Dimitriadi, A., O'Donnell, R., Perumadan, J., Schlotzhauer, J. H., Simic, I., & Yabasun, D., *The implementation of the common European asylum system. Study for the LIBE Committee*, 2016.

II. Conference and Discussion Papers

Brando Benifei, member of the Group of the Progressive Alliance of Socialists and Democrats in the European Parliament, State of the Union, EUI, Florence, May 2018, available at <https://stateoftheunion.eui.eu/video-recordings/>

David Harvey, *Neoliberalism and the City*, Lecture given at the University of Windsor on September 25, 2006.

Gudrun Mosler Tornström, President of the Congress, *Human dignity in times of conflict and crisis*, Conference of Human dignity in times of conflict and crisis - Human rights and Humanitarian Law at the crossroads, Nafplio (Greece), 26 May 2017.

Martin Luther King Jr., *The Negro and the American Dream*, Address at the Annual Freedom Mass Meeting of the North Carolina State Conference of Branches of the NAACP, Charlotte, North Carolina, September 25, 1960.

Michael O'Flaherty, director of the EU Agency for Fundamental Rights, State of the Union, EUI, Florence, May 2018, available at <https://stateoftheunion.eui.eu/video-recordings/>

III. Contributions to books

Barbara M. Oomen, *Introduction*, in Barbara Oomen, Martha F. Davis and Michele Grigolo (eds.), *Global Urban Justice: the rise of human rights cities*, Cambridge University Press, 2016.

David Harvey, *Rebel Cities: from the right to the city to the urban revolution*, Verso, 2012.

Eva García Chueca, *Human rights in the city and the right to the city*, in Barbara

- Oomen, Martha F. Davis and Michele Grigolo (eds.), *Global Urban Justice: the rise of human rights cities*, Cambridge University Press, 2016.
- Felipe Gómez Isa, *Freedom from Want revisited from a local perspective: evolution and challenges ahead*, in Koen De Feyter, Stephan Parmentier, Christiane Timmerman and George Ulrich (eds.), *The Local Relevance of Human Rights*, Cambridge University Press, 2011.
- Gaby Oré Aguilar, *The local relevance of human rights: a methodological approach*, in Koen De Feyter, Stephan Parmentier, Christiane Timmerman and George Ulrich (eds.), *The Local Relevance of Human Rights*, Cambridge University Press, 2011.
- James C. Hathaway, *Refugees and Asylum*, in *Foundations of International Migration Law*, edited by B. Opekin, R. Perruchoud, and J. Redpath-Cross, Cambridge: Cambridge Univ. Press, 2012.
- Klaus Starl, *Human Rights and the City: obligations, commitments and opportunities*, in Barbara Oomen, Martha F. Davis and Michele Grigolo (eds.), *Global Urban Justice: the rise of human rights cities*, Cambridge University Press, 2016.
- Koen De Feyter, *Sites of rights resistance*, in Koen De Feyter, Stephan Parmentier, Christiane Timmerman and George Ulrich (eds.), *The Local Relevance of Human Rights*, Cambridge University Press, 2011.
- Lynn Hunt, *Inventing Human Rights: a History*, W.W. Norton & Co., 2007.
- Manfred B. Steger and Ravi K. Roy, *Neoliberalism: A Very Short Introduction*, Oxford University Press, 2010.
- Mark Goodale, *Introduction: Locating Rights, Envisioning Law between the Global and the Local*, in Mark Goodale and Sally Engle Merry (eds.), *The Practice of Human Rights: Tracking Law Between the Global and the Local*, Cambridge Studies in Law and Society, 2007.
- Stephen P. Marks and Kathleen A. Modrowski with Walther Lichem, *Human Rights Cities – Civic Engagement for Societal Development*, PDHRE, 2008.

IV. Organisations' official documents, policies, press releases, online articles

CITY OF GRAZ

Anti-Discrimination Office of Styria, available at

<http://www.antidiskriminierungsstelle.steiermark.at>

Anti-Discrimination Office of Styria, “BanHate” app, available at

<https://www.banhate.com>

City of Graz. *Integrationserklärung der Stadt Graz (Integration Declaration)*.

City of Graz, *Present population by domicile and gender per district in 01.01.2018*.

City of Graz, social housing, available at

https://www.graz.at/cms/beitrag/10273051/7763343/Gemeindewohnung_Ansuchen_Voraussetzungen.html

Danaida, available at <http://www.danaida.at>

ETC-Graz, *Der Menschenrechtsbericht der Stadt Graz 2016/17 (Human Rights of the City of Graz 2016/17)*, November 2017.

ETC-Graz, *Annual Report 2017*.

Human Rights Advisory Board of the City of Graz, Annual Human Rights Reports, available at

https://www.graz.at/cms/beitrag/10152653/7771447/Menschenrechtsberichte_der_Stadt_Graz.html

Human Rights Advisory Board of the City of Graz, election monitoring, available at

<http://www.wahlkampfbarometer-graz.at/cms/index.php?id=2>

Integration Office of the City of Graz. *2015-2020 Integration Strategy. Effective Integration through Participation*. 2015.

Integration Office of the City of Graz, *INTEGRATION. GEMEINSAM. GESTALTEN. Annual Report 2017*.

Integration Office of the City of Graz, “Booklet for Parents of Graz”, available at

<https://www.graz.at/cms/beitrag/10166601/7745642/>

Integration Office of the City of Graz, “Heroes”, available at <https://vmg-steiermark.at/de/heroes/>

Integration Office of the City of Graz, “IBOBB Café”, available at

<https://www.graz.at/cms/beitrag/10254711/7745582/>

Menschenrechtserklärung der Stadt Graz (Declaration of Human Rights of the City of Graz), available at

<https://www.graz.at/cms/beitrag/10284058/7771447/Menschenrechtserklaerung.html>

Migrants' Advisory Council of the City of Graz, available at

www.graz.at/migrantinnenbeirat

Migrants' Advisory Council of the City of Graz, *Activity Report and address on the situation of female women*. Annual Report 2016.

“New in Graz: A User Manual for Newcomers” brochure, available at

https://www.graz.at/cms/beitrag/10312509/7745490/Neu_in_Graz_Broschuere.html

Startpunkt Deutsch (Starting Point German), available at <http://startpunktdeutsch.at>

COUNCIL OF EUROPE

Congress of Local and Regional Authorities of the Council of Europe, *Graz Declaration on the Implementation of Human Rights*, May 2015, available at

<https://rm.coe.int/168071916e>

Congress of Local and Regional Authorities of the Council of Europe, *From reception to integration: the role of local and regional authorities facing migration*.

Rapporteurs: György ILLES, Hungary (L, ILDG) and Yoomi RENSTRÖM, Sweden (R, SOC). Document CG32(2017)07.

Congress of Local and Regional Authorities of the Council of Europe, *Promoting human rights at local and regional level*. Rapporteur: Harald BERGMANN, Netherlands (L, ILDG), Congress Spokesperson on Human Rights at Local and Regional Level. Document CG34(2018)10.

Parliamentary Assembly of the Council of Europe, *Recommendation 773 on the Situation on De Facto Refugees*, 26 January 1976.

Council of Europe, “No Hate Speech”, available at <https://nohatespeechmovement.org>

EUROPEAN COALITION OF CITIES AGAINST RACISM (ECCAR)

ECCAR, available at <http://www.eccar.info>

ECCAR, *Basic Information*, available at <http://www.eccar.info/en/welcome-eccar>

ECCAR “Toolkit for Equality”, available at <http://www.eccar.info/en/eccar-toolkit-equality>

General Conference of ECCAR in 2015 in Karlsruhe “Welcoming Cities”, *Final declaration*.

EUROPEAN UNION (EU)

European Commission, *Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions on immigration, integration and employment*. COM (2003) 336 final. Brussels, 2003.

European Commission, *A rights-based approach, encompassing all human rights for EU development cooperation*, Brussels, 2014.

European Commission, *Report from the Commission to the Council on the Urban Agenda for the EU*, COM (2017)657 final, Brussels, 2017.

European Migrant Advisory Board, available at

https://ec.europa.eu/futurium/sites/futurium/files/one-pager_advisory-board.pdf

European Parliament. Directorate General for Internal Policies. Policy Department A: Economic and Scientific Policy. *Integration of Refugees in Austria, Germany and Sweden: Comparative Analysis*. IP/A/EMPL/2016-23 PE 614.200. January 2018.

European Union: Council of the European Union, Directive 2011/95/EU of the European Parliament and of the Council of 13 December 2011 on standards for the qualification of third-country nationals or stateless persons as beneficiaries of international protection, for a uniform status for refugees or for persons eligible for subsidiary protection, and for the content of the protection granted (recast), 20 December 2011, OJ L. 337/9-337/26; 20.12.2011, 2011/95/EU.

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

Fundamental Rights Agency of the European Union, *Joining up fundamental rights: toolkit for local, regional and national public officials*, available at:

<http://fra.europa.eu/en/joinedup/home>

Fundamental Rights Agency of the European Union, *Together in the EU, Promoting the*

participation of migrants and their descendants, Luxembourg, 2017.

Fundamental Rights Agency of the European Union, *Fundamental Rights Report 2018*.

Fundamental Rights Agency of the European Union, *Current migration situation in the EU: impact on local communities*, February 2018.

Joint statement by the Council and the representatives of the governments of the Member States meeting within the Council, the European Parliament and the Commission, *The new European Consensus on Development “Our world, our dignity, our future”*, 2017/C 210/01, 2017.

“Urban Agenda for the EU” Pact of Amsterdam, available at

<https://ec.europa.eu/futurium/en/content/pact-amsterdam>

Urban Agenda for the EU, Partnership on Inclusion of migrants and refugees, *Action Plan*, available at <https://ec.europa.eu/futurium/en/inclusion-migrants-and-refugees/final-action-plan-partnership-inclusion-migrants-and-refugees>

GOVERNMENT OF MOROCCO

Conseil National des Droits de l’Homme (CNDH) Etrangers et Droits de l’Homme au Maroc. *Pour une politique d’asile et d’immigration radicalement nouvelle (For a radically new asylum and immigration policy)*, 2013.

Ministre Chargé des Marocains Résidant à l’Étranger et des Affaires de la Migration, *Stratégie Nationale d’Immigration et d’Asile (National Immigration and Asylum Strategy)*, 2014.

GOVERNMENT OF THE REPUBLIC OF AUSTRIA

Austrian Integration Fund, available at <https://www.integrationsfonds.at/en/home/>

Bundesgesetz, mit dem die Grundversorgung von Asylwerbern im Zulassungsverfahren und bestimmten anderen Fremden geregelt wird (Federal law, which regulates the basic care of asylum seekers in the admission procedure and certain other strangers) (Grundversorgungsgesetz – Bund 2005 – GVG-B 2005).

Bundes-Gleichbehandlungsgesetz (Federal Equal Treatment Act) (B-GBG), (BGBl. 1993/100).

Europa Integration Federal Ministry of the Republic of Austria, *Beiträge der*

Bundesministerien zur Umsetzung der Agenda 2030 für nachhaltige Entwicklung durch Österreich (Contributions of the Federal Ministries to the Implementation of the Agenda 2030 for Sustainable Development by Austria), 2016.

Integrationsvereinbarung-IV (*Integration Agreement IV*).

Integration Agreement, available at <https://www.migration.gv.at/en/living-and-working-in-austria/integration-and-citizenship/integration-agreement/>

Styrian Provincial Government, 2030 Agenda, available at

<http://www.nachhaltigkeit.steiermark.at/cms/beitrag/12598369/139105965>

The Expert Council for Integration. Ministry for Europe, Integration and International Affairs of Austria. *Integration Report*. 2017.

GOVERNMENT OF THE UNITED STATES OF AMERICA

United States Mission to the United Nations, Statement of Nikki Haley, December 2, 2017, available at <https://usun.state.gov/remarks/8197>

THE ORGANISATION FOR ECONOMIC CO-OPERATION AND DEVELOPMENT (OECD)

OECD, *Immigrant Students at School: Easing the Journey towards Integration*, OECD Publishing, 2015.

OECD, *Working Together for Local Integration of Migrants and Refugees*, OECD Publishing, Paris, 2018.

NON-GOVERNMENTAL ORGANISATIONS

Austrian Red Cross, “Projekt Xchange”, available at <http://www.projektxchange.at>

Austrian Red Cross, “Social Buddy – A Social Service of the Austrian Red Cross”, available at <https://www.rotekreuz.at/pflege-betreuung/soziales/sozialbegleiter/>

Caritas Austria, Aliens Employment Act, available at: <https://www.caritas.at/hilfe-beratung/migrantinnen-fluechtlinge/faqs-zum-thema-flucht-und-asyl/faqs-refugees-and-asylum/>

Caritas Styria, “Buddy Project”, available at <https://www.caritas-steiermark.at/spenden-helfen/freiwillige-mitarbeit/dringender-bedarf/dringender-bedarf->

[detailansicht/news/70624-gesucht-freiwillige-fuer-integrations-patenschaften-bzw-lernpatenschaften/](https://www.caritas-steiermark.at/detailansicht/news/70624-gesucht-freiwillige-fuer-integrations-patenschaften-bzw-lernpatenschaften/)

Caritas Styria, “DIVAN”, available at <https://www.caritas-steiermark.at/hilfe-angebote/migrantinnen-fluechtlinge/beratung-betreuung/divan/>

Caritas Styria, “FranzisCa”, available at <https://www.caritas-steiermark.at/franzisca-frauenwohnhaus/>

Caritas Styria, “Marienambulanz”, available at <https://www.caritas-steiermark.at/hilfe-angebote/menschen-in-not/gesundheit/marienambulanz-medizinische-erst-und-grundversorgung/>

Caritas Styria, “Open Learning Center”, available at <https://www.caritas-steiermark.at/hilfe-angebote/migrantinnen-fluechtlinge/bildung/open-learning-center/>

Caritas Styria, refugee houses, available at <https://www.caritas-steiermark.at/hilfe-angebote/migrantinnen-fluechtlinge/unterbringung/>

Caritas Styria, “Starter Package German & Integration”, available at <https://www.caritasakademie.at/spracherwerb/projekte/startpaket-deutsch-integration/>

Caritas Styria, “Welcome” facilities, available at <https://www.caritas-steiermark.at/hilfe-angebote/migrantinnen-fluechtlinge/unterbringung/quartiere-fuer-unbegleitete-minderjaehrige-fluechtlinge-welcome/>

International Council on Human Rights Policy, *Local Government and Human Rights: Doing Good Service*, 2005.

ISOP, educational counselling, available at <http://www.isop.at/tatigkeitsfelder/beratung/bildungsberatung-fuer-junge-fluechtlinge/>

ISOP, “German integration courses”, available at <http://www.isop.at/tatigkeitsfelder/qualifizierung-bildung/deutschkurse-fur-migrantinnen/>

ISOP, “IKU - Spielend erleben (Playful experience)”, available at <http://www.isop.at/iku/>

Jugend am Werk. *Warten auf ein neues Leben - Menschenwürdige Unterbringung von Asylbewerberinnen (Waiting for a new life - Decent housing of asylum seekers).*

2015.

Omega, “Building bridges – Overcoming Barriers”, available at <http://www.omega-graz.at/projekte/02-dolmetschpool.shtml>

Omega, “Community Health”, available at <http://www.omega-graz.at/projekte/01-communityhealth.shtml>

Omega, Transcultural Centre for mental and physical health and integration, *Annual Report 2016*.

Zebra, *Annual Report 2017*.

Zebra, “Connecting People”, available at

<https://www.zebra.or.at/cms/cms.php?pageName=bildung&detailId=11&referer=%2Fcms%2Fcms.php>

Zebra, intercultural psychotherapy, available at

<https://www.zebra.or.at/cms/cms.php?pageName=6&detailId=15>

UNITED CITIES AND LOCAL GOVERNMENTS (UCLG)

Global Taskforce of Local and Regional Governments, *Roadmap for localizing the SDGs: implementation and monitoring at subnational level*, 2016.

UCLG, *Competitive metropolises and the prospects of spatial justice – The role of metropolitan areas within the global agenda of local and regional governments for the 21st century*, January 2018.

UCLG, “Mandala”, available at <https://www.uclg-cglu.org/en/media/news/uclg-carries-forward-monitoring-sdg-localization>

UCLG, *National and sub-national governments on the way towards the localization of SDGs*, Local and Regional Governments’ Report to the 2017 HLP.

UCLG, *The role of decentralization in strengthening Moroccan democracy*, 2015, available at: <https://www.uclg.org/en/media/news/role-decentralization-strengthening-moroccan-democracy>

UCLG, “The Sustainable Development Goals: What local governments need to know”, available at <https://www.sdgs.uclg.org>

UCLG, “Toolbox to support local stakeholders in SDGs”, available at <http://www.localizingthesdgs.org>

UNITED NATIONS (UN)

Population Division of the UN Department of Economic and Social Affairs, *2018 Revision of World Urbanization Prospects*, available at <https://esa.un.org/unpd/wup/>

UN General Assembly, Universal Declaration of Human Rights, GA Res. 217 A (III), UN Doc. A/810/71, 10 December 1948.

UN General Assembly, Convention Relating to the Status of Refugees, 28 July 1951, United Nations, Treaty Series, vol. 189.

UN General Assembly, Vienna Declaration and Programme of Action, 12 July 1993, A/CONF.157/23.

UN, *The Human Rights–Based Approach to Development Cooperation: Towards a Common Understanding Among UN Agencies* (2003), available at <http://hrbaportal.org/the-human-rights-based-approach-to-development-cooperation-towards-a-common-understanding-among-un-agencies>

UN General Assembly, *Transforming our world: the 2030 Agenda for Sustainable Development*, Resolution adopted by the General Assembly on 25 September 2015, RES/70/1, 21 October 2016.

UN General Assembly, *New York Declaration for Refugees and Migrants*, Resolution adopted by the General Assembly on 19 September 2016, A/RES/71/1, 3 October 2016.

UN General Assembly, *New Urban Agenda*, RES/71/256, 23 December 2016.

UN-Habitat, Morocco – Urban Issues, available at <https://unhabitat.org/morocco/urban-issues/>

UN, Sustainable Development 11, available at <https://sustainabledevelopment.un.org/sdg11>

UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION (UNESCO)

UNESCO, *Cities Welcoming Refugees and Migrants: Enhancing effective urban governance in an age of migration*, 2016.

UNESCO, *Draft agreement between UNESCO and the Republic of Austria on the*

establishment of the International Centre for the Promotion of Human Rights at the Local and Regional levels under the auspices of UNESCO (Category 2) in Graz (Austria), 2017.

UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES (UNHCR)

Comprehensive Refugee Response Framework, available at

<http://www.unhcr.org/comprehensive-refugee-response-framework-crrf.html>

ExCom, *Local integration and self-reliance*, Standing Committee 33rd meeting, EC/55/SC/CRP.15, 2 June 2005, available at: www.unhcr.org/42a0054f2.pdf

Open letter from local governments to UN High Commissioner for Refugees Filippo Grandi on December 4, 2017, available at <http://www.unhcr.org/5a33d4447.pdf>

UNHCR Executive Committee of the High Commissioner's Programme (2005),

Conclusion on Local Integration, N° 104 (LVI), available at:

<http://www.unhcr.org/excom/exconc/4357a91b2/conclusion-local-integration.html>

UNHCR, *Handbook and Guidelines on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol Relating to the Status of Refugees*, December 2011, HCR/1P/4/ENG/REV. 3.

UNHCR, *The benefits of belonging: local integration options and opportunities for host countries, communities and refugees*, UNHCR's Operational Solutions and Transition Section (OSTS), 2011, available at: www.unhcr.org/4e3276e26.html

UNHCR, *Towards a Global Compact on Refugees: Organizational note for the formal consultations*, April 16, 2018.

UNHCR, *Global Trends: Forced Displacement in 2017*, 20 June 2018.

UNHCR Europe Emergency, Operational Portal Refugee Situations, available at http://data2.unhcr.org/en/situations/mediterranean#_ga=2.176956261.1145106214.1530630656-2042246991.1508833780

UNITED NATIONS HUMAN RIGHTS COUNCIL

UN Human Rights Council, *Final Report of the Human Rights Council Advisory Committee on the role of local government in the promotion and protection of human rights*, 7 August 2015, A/HRC/30/49.

WORLD HEALTH ORGANISATION (WHO)

World Health Organisation, *Urban population growth*, available at:

http://www.who.int/gho/urban_health/situation_trends/urban_population_growth_text/en/

V. (Quasi)legal instruments

European Charter for the Safeguarding of Human Rights in the City, 2000, Saint-Denis, France.

European Charter for the Safeguarding of Human Rights in the City, complete list of signatory cities available at https://www.uclg-cisd.org/sites/default/files/signatory_cities_European_Charter_2014%20%281%29.pdf

World Charter for the Right to the City, Quito, July 2004.

Global Charter-Agenda for Human Rights in the City, UCLG Committee on Social Inclusion, Participatory Democracy and Human Rights, Florence, Italy, December 2011.

Gwangju Declaration on Human Rights City, 2011 World Human Rights Cities Forum.

Gwangju Guiding Principles on a Human Rights City, 2014 World Human Rights Cities Forum.

VI. Internet sources

Arrival Cities, available at <http://urbact.eu/arrival-cities>

Cities of Migration, available at <http://citiesofmigration.ca>

CoMun (Municipal Cooperation for Local Participatory Governance in the Maghreb Region), available at <http://www.cmimarseille.org/programs/comun>

Eleanor Roosevelt, *Where do human rights begin?* (1958), in Amnesty International, *What is the Universal Declaration of Human Rights?*, available at <https://www.amnesty.org.uk/universal-declaration-human-rights-UDHR>

Emilia Saiz, Secretary-General UCLG, *The 2030 Agenda needs to be owned locally if we want it to succeed*, 30 May 2018, available at

<https://sustainabledevelopment.un.org/hlpf/2018/blog#30may>

Expected participants in the Intergovernmental Conference to adopt the Global Compact for Safe, Orderly and Regular Migration. 10-11 December 2018, Morocco, available at <https://refugeesmigrants.un.org/intergovernmental-conference-2018>

Local2030 Hub, available at <https://www.local2030.org>

Medienservicestelle (2017), *Asylanträge halbierten sich, Außerlandesbringungen steigen (Asylum applications halved, returns increased)*, available at:

http://medienservicestelle.at/migration_bewegt/2017/01/20/2016-asylantraege-halbierten-sich-ausserlandesbringungen-steigen/

Patrick Taran, *The Sustainable Development Goals and Migrants/Migration*, Global Migration Policy Associates, 23 February 2017, available at

http://www.un.org/en/development/desa/population/migration/events/coordination/14/documents/backgrounddocs/GMPA_14CM.pdf

Patrick Wintour, *Donald Trump pulls US out of UN global compact on migration*, The Guardian, December 3 2017, available at

<https://www.theguardian.com/world/2017/dec/03/donald-trump-pulls-us-out-of-un-global-compact-on-migration>

REUTERS, *Austria to shut down mosques, expel foreign-funded imams*. June 8, 2018.

Available at <https://www.reuters.com/article/us-austria-politics-islam/austria-to-shut-down-mosques-expel-foreign-funded-imams-idUSKCN1J40X1>

Solidarity Cities, available at <https://solidaritycities.eu>

The Integration Strategy Group (The German Marshall Fund of the US) available at:

<http://www.gmfus.org/integration-strategy-group>

2018 World Human Rights Cities Forum available at

http://www.whrcf.org/E_index.php

ANNEX A | OECD “Checklist for public action to migrant integration at the local level”

Block 1. Multi-level governance: Institutional and financial settings

Objective 1. Enhance effectiveness of migrant integration policy through improved vertical co-ordination and implementation at the relevant scale.

Objective 2. Seek policy coherence in addressing the multi-dimensional needs of, and opportunities for, migrants at the local level.

Objective 3. Ensure access to, and effective use of, financial resources that are adapted to local responsibilities for migrant integration.

Block 2. Time and space: Keys for migrants and host communities to live together

Objective 4. Design integration policies that take time into account throughout migrants’ lifetimes and evolution of residency status.

Objective 5. Create spaces where the interaction brings migrant and native-born communities closer

Block 3. Local capacity for policy formulation and implementation

Objective 6. Build capacity and diversity in civil service, with a view to ensure access to mainstream services for migrants and newcomers

Objective 7. Strengthen co-operation with non-state stakeholders, including through transparent and effective contracts.

Objective 8. Intensify the assessment of integration results for migrants and host communities and their use for evidence-based policies.

Block 4. Sectoral policies related to integration

Objective 9. Match migrant skills with economic and job opportunities.

Objective 10. Secure access to adequate housing.

Objective 11. Provide social welfare measures that are aligned with migrant inclusion.

Objective 12. Establish education responses to address segregation and provide equitable paths to professional growth.

ANNEX B | LIST OF INTERVIEWS

The following interviews were conducted with different stakeholders of the city of Graz:

Anti-Discrimination Office of Styria

Daniela Grabovac, Head of the Anti-Discrimination Office of Styria, 26 April 2018.

Caritas Styria

David Rimpf, Head of the Mobile Integration Office, 5 June 2018.

City of Graz

Thomas Rajakovics, spokesman of the mayor, 27 March 2018.

European Training and Research Centre for Human Rights and Democracy (ETC-Graz)

Klaus Starl, Executive Director of ETC-Graz, 7 May 2018.

Integration Office of the City of Graz

Roswitha Müller, Head of the Integration Office, 4 July 2018.

Migrants' Advisory Council of the City of Graz

Godswill Eyawo, Management of the Migrants' Advisory Council, 25 June 2018.

Red Cross Styria

Michael Moser, District Managing Director of Red Cross Styria, 19 April 2018.

Zebra

Alexandra Köck, Manager and Head of Education & Society of Zebra, 4 June 2018.

ANNEX C | ECCAR “Ten-Point Action Plan”

1. Greater Vigilance Against Racism

1.1 Monitoring, vigilance, consultation

2. Assessing Racism and Discrimination and Monitoring Municipal Policies

2.1 Collect data, establish objectives, set indicators

3. Better Support for the Victims of Racism and Discrimination

3.1 Support victims: legal support, psychological support...

4. More Participation and Better Informed City Dwellers

4.1 Provide information to the citizens with their rights and obligations

5. The City as an Active Supporter of Equal Opportunity Practices

5.1 Equal employment opportunities

5.2 Support diversity in the labour market

6. The City As An Equal Opportunities Employer and Service Provider

6.1 Training programs for discriminated groups

6.2 Training for local authority staff

7. Fair Access to Housing

7.1 Against housing discrimination

8. Challenging Racism and Discrimination Through Education

8.1 Strengthen measures against discrimination in the access to education

8.2 Promote intercultural dialogue

9. Promoting Cultural Diversity

9.1 Representation of the cultural expression

9.2 Promote interculturality in city life

10. Hate Crimes and Conflicts Management

10.1 Establish mechanisms to fight against hate crimes