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PROTECTING HUMAN RIGHTS CITY



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There are several definitions of human rights utilized by international institutions, sovereign governments, and human rights organizations that can be helpful in understanding the concept of a human right.

THE UNITED NATIONS

"Human rights are rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. Human rights include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and many more. Everyone is entitled to these rights, without discrimination." [1]

This definition is stated in the Universal Declaration of Human Rights (UDHR), which was written in 1948 and is considered the foundational human rights document. The Declaration includes 30 distinct Articles (Figure 1) that outline the "common standard" of rights that all nation-states should strive to achieve for their citizens. This definition is the one often cited by governments around the world when they raise the topic. For example, the U.S. State Department has appointed the Universal Declaration and other authoritative documents from the UN as the cornerstone of its foreign policy mission [2].

HUMAN RIGHTS INSTITUTE AT COLUMBIA LAW SCHOOL

"Human rights are internationally accepted norms that recognize and promote dignity, fairness and equality for all people and enable individuals to meet their basic needs. Encompassing civil, political, social, economic and cultural rights, these norms are universal, interdependent and inherent in all human beings by virtue of being born. They are universal and inherent because they belong equally to all people without distinction based on race, sex, religion, nationality, age, disability, sexual orientation, social class or other status. The interdependence of human rights means that in order to achieve dignity, equality and freedom, the broad range of rights must be protected." [3]

This interpretation of human rights is influenced by the Universal Declaration of Human Rights. It additionally identifies the interdependence of all human rights, and the normative aspects of life that makes human rights universal across space and time.

It also categorizes the five core elements of human rights, i.e. civil, political, social, economic, and cultural rights, that are important when outlining international human right laws.

STANFORD ENCYCLOPEDIA OF PHILOSOPHY

"Human rights are norms that aspire to protect all people everywhere from severe political, legal, and social abuses." Human rights are universal, plural, high-priority, rights meant to address the fundamental privileges for all persons. These rights may be philosophically unalterable, but ultimately emerge from the enactment of national and international laws, standards, and judicial processes and decisions that explicitly define them." [4]

This definition focuses on the fundamental and aspirational attributes of human rights. It provides a keen review of the existence, necessity, and procedural attainment of human rights through legal ratification.

This definition shies away from the idealism of the previous two descriptions and instead opts for a "lower bound" approach to human rights as the essential minimum requirements for the state to uphold.

It acknowledges the unalterable nature of these freedoms and distinguishes the need to fully incorporate human rights into law to ensure their advancement and protection.

MULTICULTURAL HUMAN RIGHTS

In <u>Toward a Multicultural</u>

<u>Conception of Human Rights</u>, Boaventura De Sousa Santos, a Portugese scholar, describes how the international human rights framework is incorporated into the language of progressive politics.

He argues that human rights, or "progressive multiculturalism," are "incomplete" in the sense



that there is no "complete culture" and that there is sensibility in having knowledge of and curiosity for other cultures and the answers that they can provide to human rights issues.

He argues that the human rights framework or "progressive multiculturalism" should have "wide versions of culture" rather than "narrow." Additionally, it should recognize the internal variety within cultures and the importance of expanding human rights beyond Western, liberal, political rights and should include social and economic rights as well.

The framework should not be "unilaterally imposed," but instead "mutually chosen," because communities also have a right to select what issues are included within intercultural dialogue.

MULTICULTURAL HUMAN RIGHTS

He purports that human rights should not be universalized, but instead should focus on a shared discomfort for political, social, and economic conditions.

Finally, the framework should be both "equal" and "different" rather than either or, because "people have a right to be equal whenever difference makes them inferior, but they also have the right to be different whenever equality jeopardizes their identity." [5]

This definition and interpretation of human rights acknowledges Western influence in establishing and universalizing international human rights. Due to the global order inherent in the formulation, the author argues that the framework should be mutually intelligible and translatable throughout all global languages of emancipation from human rights abuses; rather than creating a hierarchy of people and places.

"... people have a right to be equal whenever difference makes them inferior, but they also have the right to be different whenever equality jeopardizes their identity."

BOAVENTURA DE SOUSA SANTOS

People-Centered Human Rights Framework (PCHR)

This human rights framework fundamentally critiques the international human rights framework established under the UDHR; not on the basis of human rights by virtue of being human, but on how they were established and how they have failed to be promoted and protected equitably.



This human rights framework fundamentally critiques the international human rights framework established under the UDHR; not on the basis of human rights by virtue of being human, but on how they were established and how they have failed to be promoted and protected equitably. Systems of oppression continue to exist throughout the world due to the Western project of neocolonialism. This means that the current framework of human rights is limited. While marketed as universal truths, the framework was and continues to be informed by the world-views and experiences of the Global North and their elites. This does not mean that the project and framework lack value.

Systems of oppression continue to exist throughout the world due to the Western project of neocolonialism

People-Centered Human Rights Framework (PCHR)

They represent significant development toward the liberation of people from human rights abuses. However, the vision is limited because it is driven by ideology and both rationalizes and maintains Western dominance.

In order to reimagine a people-centered human rights framework, it is essential to epistemologically break from the human rights ideology grounded in Eurocentric liberalism, to re-conceptualize human rights from the perspective of the oppressed, to restructure prevailing social relationships that perpetuate oppression, and to acquire power for the oppressed in order to reimagine society. This can be described as a political project that identifies all systems of oppression that constrain the ability to promote and protect human rights.

This framework utilizes a Black feminist intersectional analysis to establish its demands for social justice. In order for all human rights to be legitimately realized, they must be guided from the bottom-up, be participatory and be democratic in nature [6].



This human rights framework offers a critique to the UDHR and provides an explanation of why human rights have failed to be promoted and protected.

People-Centered Human Rights Framework (PCHR)

It is essential to recognize that human rights frameworks should address the reality and consequences of systems of oppression; from the perspective of those being actively oppressed through a narrative of decolonization. Without this framing, a human rights framework doesn't have relevance to people engaging in the struggle of liberation.

In order for all human rights to be legitimately realized, they must be guided from the bottom-up, be participatory and be democratic in nature.

The People-Centered Human Rights Framework effectively addresses the issue of translating the concept of human rights from principles and processes into local realities; by creating new meanings and possibilities.

The Universal Declaration of Human Rights (UDHR) was adopted by the UN General Assembly on the 10th of December, 1948, as a direct response to the overwhelming loss of life and genocide from World War II.



Upon the end of the

war, and the subsequent creation of

the United Nations, the international community vowed to prevent the inhuman and genocidal atrocities of the war from being repeated.

World leaders rallied to complement the UN Charter with a contemporary document expressing the inherent, universal rights of every human. The testimony they compiled led to the Universal Declaration of Human Rights, which would become the world's first multilateral acknowledgement of human rights.

The first draft of the Declaration was proposed in September 1948; with over 50 Member States participating in the final drafting. Under resolution 217 A (III) of December 10th, 1948, the General Assembly, while meeting in Paris, adopted the Universal Declaration of Human Rights with eight nations abstaining from the vote but none dissenting [7].

At a time when the world was beginning to split along ideological markers, the international community found common ground in the pursuit of universal human rights, ultimately composing the document in less than two years. The drafting committee tasked with writing the initial outline of the declaration included a global group of leaders in the fields of human rights, diplomacy, philosophy, law, and economics. Among these delegates were Eleanor Roosevelt from the United States, P.C. Chang from China, C.H. Malik from Lebanon, W. Hodgson from Australia, H. Santa Cruz from Chile, R. Cassin from France, A. E. Bogomolov from the U.S.S.R., C. Dukes from the U.K., and the director of the UN Division of Human Rights, J.P. Humphrey [8].

Recalling the moment, the Member States officially adopted the Universal Declaration of Human Rights, delegate Hernán Santa Cruz wrote:

"I perceived clearly that I was participating in a truly significant historic event in which a consensus had been reached as to the supreme value of the human person, a value that did not originate in the decision of a worldly power, but rather in the fact of existing—which gave rise to the inalienable right to live free from want and oppression and to fully develop one's personality. In the Great Hall... there was an atmosphere of genuine solidarity and brotherhood among men and women from all latitudes, the likes of which I have not seen again in any international setting." [9]

Considered a significant and foundational text in the history of human rights, the Declaration's 30 Articles detail the specific rights belonging to each individual; as agreed on by a broad consensus of attending members (Figure 2).

Included among the rights are basic endowments of dignity, freedom, and equality, individual civil liberties, rights relating to the rule of law and judicial processes, political rights, economic and social rights,



Figure 2: "Signing of the Universal Declaration of Independence"

and the rights of communities separate from the state. The Articles reference the continual expansion of the Declaration to include applicable rights for future generations. However, it's important to note that the document itself is normative and does not require any ratification by states involved in the United Nations (UN).

It is the duty of the member nation-states themselves to enforce the principles outlined in the Universal Declaration through international and national laws, treaties, standards and norms developed independently from the General Assembly.

The drafters of the Declaration failed to envision an adequate accountability system between nation-states to ensure participants followed through on their promises to integrate human rights at the core of their nation's legislative process.

The Universal Declaration of Human Rights stands as a fundamental building block in the contemporary history of human rights. Its formulation in 1948 marks a critical juncture for humanity in the 20th century; spurring a global commitment to instill human rights into laws and norms on both an international and national scale. Though the articles included within the Declaration fail to directly guide nations on how to implement human rights into legislation, its existence alone serves as a strong indicator of the basic freedoms guaranteed to everyone; irrespective of race, ethnicity, sex, language, religion, political opinion, social status or any other distinction.

The drafters of the Declaration failed to envision an adequate accountability system between nation-states to ensure participants followed through on their promises to integrate human rights at the core of their nation's legislative process.

SIGNIFICANCE OF HUMAN RIGHTS TODAY

Human rights embody the key values held in society, including fairness, dignity, equality, and respect. While documents such as the Universal Declaration of



Human Rights serve as a guideline for international and national debate over the definition and implementation of human rights in society, the ultimate responsibility for the promotion and protection of these rights remains in the hands of states, NGOs, and vigilant individuals.

While the United States has played a prominent role in the development of international human rights documents, the history and current reality of human rights within the United States is complex. The idea of fundamental and inalienable rights is reflected in the founding documents of the country, such as the Declaration of Independence, the Bill of Rights, and the Constitution, but these rights have yet to be realized for all Americans. For example, many people were excluded from the founding documents including the enslaved population, Indigenous people, those who identify as women, and non-citizens.

SIGNIFICANCE OF HUMAN RIGHTS TODAY

Today, rights continue to be inequitably promoted and protected for BIPOC, LGBTQIA+, and immigrant communities, as well as other marginalized populations. And while these American documents protect the freedom of religion, speech, press and assembly, as well as the right to life, liberty and property, the international human rights framework goes further by obligating governments to ensure economic and social rights, such as the right to adequate housing [10].



In response to this lack of equity in the United States and around the world, social movements addressing the promotion and protection of human rights continue to take place; recognizing the intersectional nature of human rights issues.

An example of modern social movements in the United States is the Black Lives Matter movement, which was founded in 2013 after the acquittal of the police officer who murdered Trayvon Martin



- an unarmed, 17 year old, African American. The movement is now a global phenomenon, and its mission is to eradicate white supremacy, to intervene in the violence inflicted on Black communities by the state, to create space for Black imagination and innovation, and to center Black joy.

SIGNIFICANCE OF HUMAN RIGHTS TODAY

In the Spring and Summer of 2020, after the murder of George Floyd

by the Minneapolis Police Department, protests erupted across the United States in response; including in the 31% City of Seattle where local, grassroots organizations and activists fought for the reimagining of people killed by the of the City's legal system, which police in America are included the re-allocation of poorly black invested funds from local police https://socialjusticeresourcecenter.org departments in order to redistribute those funds to public safety solutions for marginalized communities. Despite ongoing community involvement, changes outside of performative activism and minimal tangential reform have yet to be achieved by the City of Seattle and its officials.

The ultimate responsibility for the promotion and protection of the inalienable rights outlined in the Universal Declaration of Human Rights remains in the hands of states, NGOs, and vigilant individuals.



We researched human rights cities around the world. We focused on cities that have been the most active in promoting and protecting human rights. The concept of a human rights city is a relatively novel one. A lot

of the discussion on the effectiveness of human rights cities has predominantly taken place in Europe. The stakeholders in these conversations come from Non-Governmental Organizations (NGOs), governments, and universities. They all frequently evaluate and publish on the varying methods, toolkits, and plans for the promotion of human rights.

History

The UDHR established a framework for human rights that subsequent treaties built upon. However, it was not until nearly the end of the 20th century that the concept of a human rights city began to emerge. There are several factors that contributed to the emergence of human rights cities. The first major factor was the transition in operational focus of human rights work. In other words, the practice of human rights management changed from "standard setting" to "active implementation." [11]

In fact, it was not until 1993, more specifically the Vienna Declaration and Program of Action, that the international world began to focus more on the actual implementation of human rights. This Declaration stressed the importance of human rights education, human rights monitoring, and the establishment of human rights institutions [12].

History

The implementation of human rights standards emphasized in the Vienna Declaration heralded the emergence of other agents in the field of human rights realization. Before too long, actors such as NGOs, businesses, and most importantly local governments began to play significant roles in the realization of human rights standards at a local level.

the practice of human rights management changed from "standard setting" to "active implementation."

One such organization that played a key role in the emergence of human cities was The People's Movement for Human Rights Learning (PDHRE), who helped to create and facilitate this new concept. In 1997, PDHRE teamed up with 35 local institutions in Rosario, Argentina to sign a Commitment Act in becoming a human rights city. This group of actors included local human rights organizations, Indigenous peoples, and academic bodies, amongst many others [13].

A few years later, in 2001, the European city of Graz, Austria, in collaboration with the European Training and Research Center for Human Rights and Democracy (ETC), declared itself a human rights city using the PDHRE model [14]. In the past two decades, the concept of a human rights city has become increasingly popularized amongst local governments, NGOs, and other institutions as they strive to promote the implementation of human rights rather than just the creation of human rights standards.

Defintion

A human rights city is...

a municipality that refers explicitly to the Universal Declaration of Human Rights and other international human rights standards in their policies, statements, and programs. [15]

The human rights city initiative emerged from the global human rights movement and reflects efforts of activist groups to improve respect for human rights principles by governments and other powerful actors who operate at the community level.

Due to their focus on local dynamics and specifics, human rights cities tend to emphasize economic, social, and cultural rights as they affect the lives of the residents of their cities and communities, emphasizing their ability to actually enjoy civil and political human rights.

Generally, a human rights city is understood to be a local government that explicitly refers to international or regional human rights treaties and uses human rights in their local policies, programs and projects.

There are several networks of human rights cities, but the designation is often self-declared. Some of these human rights city networks have developed human rights city-toolkits.

Defintion

For example, the first human rights city alliance, Peoples Movement for Human Rights Learning (PDHRE), has developed a human rights city <u>methodology</u>. To be part of the PDHRE list of human rights cities, a local government must commit to their methodology. Likewise, during the 2014 World Human Rights Cities Forum in Gwangju (South Korea) another 'methodology' was developed: <u>The Guiding Principles for a</u> <u>Human Rights City</u>. Concurrently, the city network 'United Cities and Local Governments' promotes the adoption of the <u>Global Charter-</u> <u>Agenda for Human Rights in the City</u>, as well as the <u>European Charter for</u> <u>the Safeguarding of Human Rights in the City</u>.

Establishing a network with other prominent human rights cities is a major factor in making progress as a human rights city. Another option for cities wanting to take this path is to develop a city-specific plan. On this path, cities decide what they prioritize, whether human rights

have legal implications locally, the impact on systems and structures, and who should benefit from the declaration. Establishing a network with other prominent human rights cities is a major factor in making progress as a human rights city. Networks allow for the collaboration in the job of human rights progress; whether creating, evaluating, or implementing policies.

Defintion

One of the most important factors in becoming a human rights city is the goal and purpose of the commitment. By recognizing the value of human rights, state and local agencies (and their officials) are able to incorporate international human rights standards into their daily work. This, in turn, enhances government decision making and enables the direct response to local needs [16]. Currently, many cities struggle with this process and question what it means to fulfill the commitment to be a human rights city.

Our research was unfortunately limited due to a number of factors. The foremost being barriers of language and accessibility. In fact, this barrier severely limited our research to literature and methodology that was produced in English. For example, the team struggled to find literature on human rights cities in developing

countries, such as the first ever human rights city in Rosario, Argentina. This would have been significant as it would have allowed us to have a more perspective, rather than one focused on the Global North.

In this section, we will explore a spectrum of cities on the path to being human rights cities.



Seattle, Washington

On December 14, 2012, Seattle <u>proclaimed</u> itself a human rights city. The resolution states:



In addition, the City of Seattle implemented human rights principles in its policymaking, as demonstrated by actions such as the Race and Social Justice Initiative, a citywide initiative to address racial and social disparities and achieve racial equity; and the Ten-Year Plan to End Homelessness in King County.

The idea of a "Human Rights City" developed to provide a model for municipal government to translate and implement universal human rights principles at the local level.

A "Human Rights City" consciously aspires to respect, protect and fulfill universal human rights as spelled out in the Universal Declaration of Human Rights and the human rights instruments enumerated in the Human Rights City Resolution.

Seattle, Washington

The resolution specifically calls out and states that it is the intent of the City to incorporate the universal human rights principles outlined by the United Nations Declaration of Human Rights (UDHR) into the operations and decision-making of its government. The proclamation symbolized Seattle's agreement and affirmations of the assumptions present within the UDHR.

The goal of the designation was for the City of Seattle to promise to do everything in its power to fully realize all human rights, for all its residents. It is important to note that by proclaiming itself a human rights city, elected officials and staff affirmed that the basis of authority of government is found in its residents, and as such are duty-bound to execute their will and uphold their human rights. This emphasizes the importance of community activism in advocating for human rights and holding the city of Seattle accountable to its commitment [17].

> The goal of the designation was for the City of Seattle to promise to do everything in its power to fully realize all human rights, for all its residents.

Graz, Austria

Graz's path to becoming a human rights city was started by the State government; who announced its intention at the 2000 UN Millennium Conference. The initiative was supported by the Mayor and City Council of Graz



who enlisted the help of the European Training and Research Center on Human Rights and Democracy (ETC Graz).

The initial procedural steps included the promotion of ETC Graz; with emphasis on enabling the collaboration with the Council to prepare annual human rights reports. The purpose of these reports was to "inform the Human Rights City about the local human rights situation, reflect deficiencies, offer recommendations, and serve as a basis for further evaluation of enacted measures." The hope was that these reports would be able to provide a "formalized framework for human rights-based policies" that would in turn influence the direction the City took.

The City of Graz embraced the impact that being a human rights city had on its regional politics through its concept of "geographic responsibility," which is defined as:

> "a commitment-driven, political responsibility for the human rights of all persons" [18]

Graz, Austria

They noted that it is the responsibility on the part of city government, city administration, and civil society to push for the implementation of proper human rights policies. If proposed



recommendations fall outside of the city's jurisdiction, they should be proposed to the competent bodies at the regional or federal level.

It is important to note that the City of Graz also initially undertook substantial collaborations with international actors. Graz signed on to the European City Coalition Against Racism (ECCAR), which has fundamentally changed the way cities approach discrimination through its <u>Toolkit for Equality</u>. This toolkit came together through the collaborative participation of ETC Graz and UNESCO, who helped found ECCAR. Graz also participated in work, led by the International Coalition of Inclusive and Sustainable Cities (ICCAR), that resulted in the establishment of the UNESCO Category 2 Center for the Promotion of Human Rights at the Local and Regional Levels and the UNESCO Chair in Human Rights and Human Security.

> Graz signed on to the European City Coalition Against Racism (ECCAR), which has fundamentally changed the way cities approach discrimination through its <u>Toolkit</u> <u>for Equality</u>.

Utrecht, The Netherlands

Similarly to Graz, Utrecht experienced early success through extensive outreach efforts with local stakeholders. This collaborative effort by civil society and government resulted in



considerable adjustments in 2011. After adopting universal standards of human rights, Utrecht <u>evaluated</u> its compliance efforts in ten different policy areas and decided that a new approach was surely needed. This new approach would need to guarantee the participation of all the local stakeholders. Thus, the <u>Utrecht Human Rights Coalition</u> was born; consisting of NGOs, local civil society organizations, businesses, politicians, policy officers, and scientists.

The aim of this coalition was to create awareness and ownership of local human rights in order to enhance the quality of life for members of the City [19]. One of the keys to the coalition is the necessity to spread knowledge and concern about local human rights as many people fail to realize that these rights are violated locally. By including a wide swath of actors across a variety of local spectra, the chances of widespread awareness increases. Another fascinating feature of this approach is the effort put forth by each coalition member to ensure that the overall quality of life for residents is improved.

> Utrecht experienced early success through extensive outreach efforts with local stakeholders.

Barcelona, Spain

For Barcelona, the connection between policy and human rights was novel and difficult to accept. This was mainly because human rights have a clearly established legislative



framework, but lacked public policies that are necessary to protect and guarantee them [20]. To solve this conundrum, Barcelona placed human rights at the center of all public policy.

Barcelona evaluated their local human rights situation and concluded that <u>a guide</u> was needed to help "turn the grand principles and declarations of human rights into real policies." [21] This methodology quickly became known as the Human Rights Based Approach (HRBA). It took a substantial effort to quantify and define the



peculiarities of the approach. The objective of HRBA was to "promote a diverse, intercultural, and multifaceted city model where everyone has real and effective access, under equal conditions, to all human rights recognized and guaranteed in the city."

Barcelona, Spain



The HRBA defines each of the actors involved in the ecosystem and gives them each a role to perform. These actors have rights and they also have responsibilities with regards to fulfilling human rights.

The first defined group of actors are the responsibility bearers, which consists of NGOs, businesses, universities, and the media. The second group is the duty bearers, which contains the State and other public public authorities. These actors have legal and moral obligations in relation to the fulfillment and development of human rights. They have an ultimate responsibility to fulfill their duty and commitment. The final group is the rights holders that is made up of the inhabitants of the City.

Defining the role that a stakeholder plays in this process is crucial to understanding points of overlap. This encouraged collaborative efforts between parties and resulted in the design and implementation of real, effective, and equal human rights policies for Barcelona.

The Human Rights Based Approach defines each of the actors involved in the ecosystem and gives them each a role to perform.

Eugene, Oregon

Eugene is technically not a human rights city; but rather a city that is striving to become a human rights city. This was made clear by former Eugene Human Rights Commission member, Ken Neubeck:



"Unlike the handful of self-designated human rights cities in the United States, Eugene has been treating this title as aspirational. Local advocates see Eugene as having a long way to go to be a city in which attention to human rights guides institutional operations and people's everyday relationships. Nonetheless, Eugene has made progress in ways that self-designated human rights cities in the United States have not by internalizing human rights principles and standards into the operations of all city departments." [22]

Ken Neubeck

Eugene has been able to internalize human rights principles and standards by creating their <u>Diversity and Equity Strategic Plan (DESP)</u>, which is intended to guide the efforts of the city in ensuring that "the city organization provides access, removes barriers, and is inclusive of all community members and employees." The DESP fulfills this goal by providing useful tools that encourage the principles of "accountability, collaboration, engagement, innovation, stewardship,

Eugene, Oregon

and sustainability." This plan also holds that "diversity and human rights should no longer be viewed as 'programs,' but as core values integrated into the very fiber of the



organization." [23] The DESP is driven by Eugene's Human Rights Commission in collaboration with Eugene's Human Rights and Neighborhood Involvement Office (HRNI).

Eugene's Human Rights Commission identified the lack of visibility of discrimination as a major concern for the City and conducted focus groups with communities of color, Muslim and LGBTQ communities (starting in 2016) that led to the <u>report on</u> <u>marginalized voices in Eugene</u>.

"Between February 2016 and April 2017, the Anti-Discrimination Work Group of the Eugene Human Rights Commission hosted 10 focus groups comprised of people from communities of color and the Muslim and LGBTQ communities in Eugene. The purpose of the focus groups was to listen and learn about the experiences of marginalized individuals living in Eugene at this moment in time and to glean possible ways that the City could help make Eugene a more welcoming, comfortable and safe place for these particular communities and for all of Eugene's residents." [24]

Marginalized Voices in Eugene

Eugene, Oregon

After examining the issue for four years and trying solutions, the Eugene Human Rights Commission started seeing positive results - an increase in visibility [25]. This allowed



for the design and implementation of the appropriate policies necessary to address the varying issues that are now blatant. The issues included institutional discrimination on the part of law enforcement and intersectional discrimination. It found that "white LGBTQ people have white privilege; people of color are more subject to mistreatment." [26] The work group allowed for the identification of intersections that are all too apparent for the diverse populations of modern day cities.

The work group found that "white LGBTQ people have white privilege; people of color are more subject to mistreatment."

Lessons to Learn:



Each of the other cities previously showcased holds lessons for the City of Seattle. We must also bring an important consideration to light, which is the argument that what works for a European city or a smaller city would not necessarily work for the City of Seattle. This argument is inherently wrong as it only concerns the differences

between the cities and not the similarities.

Even if the size, culture, and region are different, the underlying issues are still very much the same; mainly due to the ability of human rights to take their most universal interlinked form. This form allows for the unique overlap of varying issues from a host of different sources. Significantly, this overlap is something that we have seen as common to human rights cities; mainly because they have similar commitments concerning the involvement of the UDHR in City policies.

Instead of ignoring this overlap we should embrace it and acknowledge the benefits this bestows on human rights. This would in turn allow for us to see the accompanying benefits on the design and implementation of public policy.

Lessons to Learn: Graz

The City of Graz's annual human rights report has proven to be useful and valuable in the City's advancement. It is not lost on the Fellows that this specific report that you are reading right now may model steps taken by the City of Graz. This document certainly has many similarities in both its makeup and purpose. We take this as a small positive marker from the efforts of the Seattle Human Rights Commission.

We must also highlight that the effect and possible impact of this report are certainly diminished when confronted with City officials who do not want to help contribute to the report. This has certainly been the case here and is the most glaring difference when you compare this effort to the success in Graz.

Another observation in the development of Graz as a human rights city is the political effect that its designation had on its geographic

region. Human rights cities will be (rightly) limited in the actions that they can perform due to legal constraints around



human rights. We are fully aware that some cities may not have proper competence or abilities to transition into being a human rights city due to constitutional constraints. This is the case in the U.S. where common international standards, such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

Lessons to Learn: Graz

or the Convention on the Rights of Persons with Disabilities (CRPD), have failed to be ratified. Thus, they have no legal binding (federally) and no basis for cities to implement them. This is a common and constant struggle for human rights globally. The City of Graz combated this issue with their concept of "geographic responsibility." This concept highlights that it is the responsibility of the city government, city administration, and civil society to push for the implementation of proper human rights policies.

As stated previously, if proposed recommendations fall outside of the city's jurisdiction, they should be proposed to the competent bodies at the regional or federal level. This is a responsibility on the part of the City and is certainly an area of emphasis where efforts should be placed as Seattle holds a unique role as an economic, innovative, and progressive City upholding the mantle of the Pacific Northwest.

The coalitions that the City of Graz are a member of were pivotal to its success on the human rights arena. Though these coalitions may seem quite foreign and distant to Seattleites, they are extremely

important; especially when you consider that Seattle has signed on as a member city to the International Coalition of Inclusive and Sustainable Cities (ICCAR).

The coalitions that the City of Graz are a member of were pivotal to its success on the human rights arena.

Lessons to Learn: Graz

Seattle has access to international toolkits like the *Toolkit for Equality*. Seattle also has the ability to reach out and connect with stakeholders at the international level, like UNESCO, through its connection at ICCAR. As was seen in Graz, these connections can only help local stakeholders as they work to research and implement the proper policies for the City.


Lessons to Learn: Utrecht



The Utrecht coalition model is instructive. The model is now best practice for advancement in the human rights space. A localized Seattle-based human rights coalition made up of many different stakeholders would be of great benefit to human rights progress. Such a coalition would allow for the representation of human rights amongst all actors in the City; whether this is an NGO, civil society organization, academic, or government actor. It would also allow for increased transparency and participation in local human rights practices that would involve a diverse array of local actors from varying areas of the City.

For Seattle, coalitions would likely be quite difficult to get started. It would involve reaching out to the many hundreds of local organizations to gauge their interest and organizing an event to get

Lessons to Learn: Utrecht

the discussion started. However, we believe that our local Human Rights Commission is uniquely situated with the local human rights entities in the City; thanks to more than 50 years of work. The connections forged during these last decades are strong ones and it is these that we must rely on if we wish to push for a completely inclusive human rights city agenda. It is also significant to note that a more gradual support role would be taken as the coalition slowly takes shape and begins to create its own path forward in realizing human rights locally.

> A localized Seattle-based human rights coalition made up of many different stakeholders would be of great benefit to human rights progress.

Lessons to Learn: Barcelona

The Barcelona model has many key takeaways to offer the City of Seattle as it strives to meet their commitment for each and every City inhabitant. Significantly, their model has enabled Barcelona to take a leading role in the development of local human right standards, as apparent in their efforts to establish the European Charter for Safeguarding Human Rights in the City. This charter was enabled through the clear roles assigned to each and every stakeholder. This allows for increased accountability and action. There is no disconnect between civil society and government. This is significant as it tends to influence other human rights cities who can take direction and guidance from existing established standards.

For Seattle, this could be of much benefit in working to establish a wider coalition, the influence and impact would be felt by other

regional human rights cities, as was the case in Europe with Barcelona.

The clear objectives and obligations of the HRBA provided important guidance. The clear objectives and obligations of the Human Rights Based Approach provided important guidance.

They helped to create an atmosphere where human rights initiatives, actions, and efforts are emphasized, coordinated and reinforced throughout the administration to accomplish citywide human rights goals. Seattle is missing similar guidance. There is no overarching theme of how human rights and Seattle should interact.

Lessons to Learn: Barcelona

Without this landscape definition, the City will always fail to fulfill its goal; as there will be no set of guiding principles and no North star.

The Barcelona model showcases the importance of the involvement of various stakeholders in the formulation of a human rights city. This fact cannot be understated. These stakeholders have a unique role due to their ability to interconnect with other involved parties, including civil society and the government.

> The Human Rights Based Approach helped to create an atmosphere where human rights initiatives, actions, and efforts are emphasized, coordinated and reinforced throughout the administration to accomplish citywide human rights goals.

Lessons to Learn: Eugene

The City of Eugene demonstrates clearly the power of effective collaboration between a volunteer Commission and a Human Rights body in the city government; that are both focused on methods, systems, processes, and policy to promote, respect, realize, and protect human rights. Even more encouragement should be taken from the fact that this was done so geographically close to Seattle. Outreach could surely be performed to determine how we could emulate this concept for Seattle.

The City of Eugene demonstrates clearly the power of effective collaboration between a volunteer Commission and a Human Rights body in the city government; that are both focused on methods, systems, processes, and policy to promote, respect, realize, and protect human rights.

In fact, outreach has already been performed by the report team to the Eugene Human Rights Commission. This outreach was substantial in its nature, as the team was looking for a better understanding of the issues facing Eugene in order to see the similarities between the two localities. Significantly, the issues between Seattle and Eugene are quite similar, with the main parallels apparent in the underlying factors of homelessness. These parallels are substantial in that they are present throughout the region. Perhaps, a collaborative regional effort to eliminate these would conclude in positive results.

Lessons to Learn: Eugene



When the team presented the possibility of a collaborative effort between Eugene and Seattle, the Eugene Commissioners reciprocated positive feedback and interest in this idea [27]. Though surely difficult to create this regional coalition, the positive interest expressed and the positive benefits felt by other human rights cities should not be ignored. Interest was also expressed by Eugene in continuing dialogue between the Commissions, it is the opinion of the team to encourage and participate in this conversation.



The intention of this report is to evaluate the City of Seattle as a human rights city, highlighting and comparing the city's aspirations to reality. Given the diversity of 30 UDHR Articles (Figure 1) and their intersectionality in relation to Seattle's human rights issues, we decided to select a single human rights issue and evaluate it from the perspective of Article categories.

An alternative approach would have been to examine the actions of the City as it relates to every single Article. This would have resulted in a more comprehensive evaluation of the City's systems, policies, and processes as they relate to advancing human rights. We hope that this can be the focus of future Fellows projects. However, for this team and given our time frame, our chosen approach and path are more feasible.

We firmly believe that this approach will prove insightful, informative, and instructive; as it pertains to the City of Seattle actively, tangibly, equitably, sustainably, and collaboratively working (with community) to address human rights. This document represents our (first) contribution to the field and we hope that others will build on, extend, and continue this work.

The human rights issue that we chose to focus on for the City of Seattle is houselessness. This is because this issue is a prominent

and persistent problem that touches every neighborhood in the city; and every city in the region. Our unhoused neighbors are becoming an increasingly visible part of everyday life in the City of Seattle.

This is a complex issue as it affects a large, diverse population of people. The experience of being without

1 in 2

Americans experiencing houselessness are unsheltered

> https://endhomelessness.org/ho melessness-inamerica/homelessnessstatistics/state-of-homelessness-2020/

permanent housing is profoundly dehumanizing, victimizing and traumatic. It is a situation that unquestionably deserves to be addressed. Unfortunately, institutional responses to date have shown to be ineffective; furthering social stigmatization and exacerbating houselessness.

In discussing the human right to adequate housing, it is important to recognize the significance and behavioral influence present in the words and concepts often used to describe the issue. The difference in using "homeless" versus "houseless" or "unhoused" is important. The term "homeless" primarily evokes negative reactions in a majority of housed citizens. It is worth stating that while not everyone has permanent housing, everyone has a home. Everyone deserves to feel as though they are part of the community. Understanding the human rights issue as houselessness, and the population that experiences it as unhoused, reduces negative connotations and perceptions from the housed, and helps to correct misconceptions about the population and their experiences.

To execute our analysis, we defined our methodology, implemented it, and documented the results.

Methodology

Our methodology included performing a literature survey, interviewing stakeholders from around the City, grouping the 30 UDHR Articles into manageable categories, and then applying those categories to an analysis of Seattle's responsiveness to the human rights issue of houselessness. Our results influence and inform our report's recommendations.

Complications

As previously stated, our methodology includes conducting interviews with City stakeholders, such as commissions, city departments, city



officials, non-governmental organizations, non-profits, and community members. However, in the process of contacting these groups, we uncovered that lack of communication, connection, and responsiveness were typical of governmental engagement. For the team, we slowly realized that this was most likely a signal and indicator of the importance, relevance, promotion, and protection of human rights in the City.

Based on the interviews that we were able to secure, the lack of relationships between the different sectors of local government, and between the local government and the Seattle community was an issue that was repeatedly raised. This is something we discovered ourselves; as several attempts to reach out to stakeholders rarely resulted in a response (after repeated prompting). Thus, we were not able to gather all of the research we had hoped to.

However, while we think it's important to include this observation, we recognize the many challenges that the COVID-19 pandemic has brought to bureaucratic processes and personal lives.

Complications

We simply seek to recognize that without building relationships and strengthening communication, advocating for the promotion and protecting of human rights is challenging.

Regardless of this obstacle, the interviews we were able to conduct, and our research, provided great insight into the evaluation of the City of Seattle as a human rights city.

Universal Declaration of Human Rights Article Categorization

In order to organize the 30 Articles of the UDHR into tractable dimensions for evaluation, we placed them into five categories, namely:



Universal Declaration of Human Rights Article Categorization

Civil

This group contains Articles 1-5, 12, 13, 16, and 17. Let's elaborate on each.



Article 1: Equality

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2: Freedom from Discrimination

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs.

Article 3: Life, Liberty, and Security

We all have the right to life, and to live in freedom and safety.

Universal Declaration of Human Rights Article Categorization

Civil

Article 4: Freedom from Slavery

No one should be held as a slave, and no one has the right to treat anyone else as their slave. This includes the prohibition of the slavetrade in any of its forms.

Article 5: Freedom from Torture

No one has the right to inflict torture, or to subject anyone to cruel, inhuman, degrading, or unusual punishment.

Article 12: Privacy

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honor and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13: Freedom of Movement

Everyone has the right to move freely within their own country, this right also covers the ability to freely visit and leave other countries when desired.

Universal Declaration of Human Rights Article Categorization

Civil

Article 16: Marriage and Family

Everyone has the right to marry and start a family. All rights included in the marriage should be equal and there must be free and full consent by all to the marriage. Ethnicity, nationality, and religion should not be inhibitors to this. The family is a natural, crucial, and fundamental unit of society and is entitled to all protections by the State.

<u>Article 17: Property</u>

Everyone has the right to own property alone as well as in association with others. No one shall be arbitrarily deprived of his property.

For the purposes of this report, these rights describe and define the civil rights that all residents of Seattle have.

Universal Declaration of Human Rights Article Categorization

Rule of Law

The rights under this category include Articles 6 - 11. Let's elaborate on each.



Article 6: Recognition as a person before the law

Everyone has the right to recognition everywhere as a person before the law. This right also covers the right of everyone to have the same level of legal protection, no matter who or where they are in the world.

Article 7: Equality before the law

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination. The law is the same for everyone, and must treat everyone equally.

Article 8: Remedy by Tribunal

Everyone has the right to effective remedy by a competent tribunal body, whether local, regional, or national for acts violating the fundamental rights granted by the constitution or by law.

Universal Declaration of Human Rights Article Categorization

Rule of Law

Article 9: Freedom from Arbitrary Arrest

Nobody should be arrested, put in prison, or sent away from their country without due cause. This due cause is subject to all the requirements outlined under the laws and constitution of the country and must be examined by a fair and impartial judiciary body.

Article 10: Fair Public Hearing

Everyone accused of a crime has the right to a fair and public trial by a judicial body of competent peers. This body should be wholly independent and not influenced by others. This right also covers the right to have legal counsel present during the judicial process.

Article 11: Innocent until Proven Guilty

Everyone accused of a crime has the right to be considered innocent until guilt can be found by a fair and impartial judicial body.

For the purposes of this report, these rights describe and define the rule of law rights that all residents of Seattle have.

Universal Declaration of Human Rights Article Categorization

Political

The rights under this category include Articles 14, 15, and 18-21. Let's elaborate on each.



Article 14: Asylum

Everyone has the right to seek shelter and protection in another country in the case of impending harm, this right covers the capacity of refugees from a country experiencing violent conflicts.

Article 15: Nationality

Everyone has the right to be a citizen of a country, this right should not be imposed upon by the State or others without good reason. This right also covers the ability of everyone to become a citizen of another country if they wish to do so.

Article 18: Freedom of Belief

Everyone has the right to freedom of thought, conscience, and religion. This right is extended to include the freedom to change religion or belief and the freedom to display religion or belief in either a public or private setting. This right also includes the ability to teach a religion or belief without interference from the State.

Universal Declaration of Human Rights Article Categorization

Political



<u>Article 19: Freedom of Opinion</u>

Everyone has the freedom of opinion and expression. This right includes the freedom to hold opinions without interference and the right to explore, receive, and give information and ideas through any means deemed necessary.

Article 20: Freedom of Assembly

Everyone has the right to assemble peacefully and to belong to an association. This includes the right to assemble without interference from the police or other state forces, especially when this assembly is peaceful. No one is allowed to force another person to belong to an association, willing consent must be given before joining.

Article 21: Take Part in Government

Everyone has the right to take part in the government of his or her country. This right covers equal access to public services and also ensures that the people can express their will through free and genuine elections. These elections must have universal and equal suffrage.

For the purposes of this report, these rights describe and define the political rights that all residents of Seattle have.

Universal Declaration of Human Rights Article Categorization

Economic and Social

The rights under this category include Articles 22 - 26. Let's elaborate on each.

Article 22: Social Security



Everyone is guaranteed the right to be secure in their social status. This right includes the guarantee of the State to provide economic, social, and cultural rights that are necessary for the maintenance of his or her dignity and free development of personality.

Article 23: Work

Everyone has the right to work in any manner in which they please. This right also guarantees protection against unemployment and fair and clean working conditions. This right also guarantees equal pay for equal work and guarantees the right to earn enough pay to support a family. The right to join or create a trade union is also covered here.

Article 24: Rest & Leisure

Everyone has the right to time designated for rest and leisure. This right covers the ability of employees to have limits on working hours and to be ensured pay during holiday breaks. It also covers the capacity of employers to grant work breaks during working hours for employees.

Universal Declaration of Human Rights Article Categorization

Economic and Social

Article 25: Adequate Living Standard

Everyone has the right to enough food, clothing, housing, and healthcare for themselves and family members; basically everything that allows one to live a life. This right also covers access to support if one is unemployed, ill, elderly, widowed, or disabled.

Article 26: Education

Everyone has the right to education, this includes the right to freely choose what schooling is preferable for yourself or family members. School should be a place where each individual is allowed to develop their own unique talent. It is also a place where human rights should be substantially promoted, primarily through teaching respect due to others, no matter ethnicity, religion, or gender.

For the purposes of this report, these rights describe and define the economic and social rights that all residents of Seattle have.

Universal Declaration of Human Rights Article Categorization

Community Rights

The rights under this category include Articles 27 - 30. Let's elaborate on each.



Article 27: Participate in Cultural Life

Everyone has the right to get involved in community life, this includes the ability to enjoy the community art, music, literature, science, and the associated benefits that come with this. This right also covers the capacity of artists to protect their work and benefit from it.

Article 28: Social Order

In order for the best fulfillment, enjoyment, and protection of the rights outlined in this Declaration, society should strive to be as orderly and peaceful as possible. This places responsibility on the State, but also forces a degree of responsibility on the community.

Article 29: Mutual Responsibility

Everyone has a responsibility to the people around them, in other words, each person included in a community or society has an obligation to protect and promote other's rights and freedoms. Everyone should enjoy the same amount of mutual respect.

Universal Declaration of Human Rights Article Categorization

Community Rights

Article 30: Freedom from State or Personal Interference. No government, organization, or individual should act in any way that would destroy the rights and freedoms outlined for every human being in the Universal Declaration of Human Rights.

For the purposes of this report, these rights describe and define the community rights that all residents of Seattle have.

By categorizing the applicable UDHR Articles, we have a more tractable way to evaluate the City of Seattle as a human rights city; specifically focusing on the issue of houselessness through the lens of the human right to adequate housing.

The Human Right to Adequate Housing

Based on international and national laws, as well as the importance of permanent housing for human dignity, physical and mental health, and quality of life, the right to adequate housing is fundamental for overall well-being.

> "Respect for civil and political rights cannot be separated from the enjoyment of economic, social and cultural rights and, on the other hand, that genuine economic and social development requires the political and civil freedoms to participate in this process. It is these underlying principles, of interdependence and indivisibility, which guide the vision of human rights and fundamental freedoms advocated by the United Nations." [28]

United Nations

As previously mentioned, the UDHR international human rights framework establishes an obligation for governments around the world to promote and protect such rights. This requires local governments to refrain from taking action that "infringes on rights," to

The Human Right to Adequate Housing

take steps to "realize rights," and to "create conditions under which basic needs can be met". The UDHR framework also calls on governments to promote equality and non-discrimination, and address policies, programs, and political processes which have a disparate impact. This also includes the prevention of human rights violations from third party actors, and providing effective solutions when necessary.

International treaties that include this right to adequate housing are numerous and include the <u>Universal Declaration of Human Rights</u>, the <u>International Covenant on Economic, Social, and Cultural Rights</u>, the <u>Convention on the Rights of the Child</u>, the <u>Convention on the</u> <u>Elimination of All Forms of Discrimination against Women</u>, and the <u>Convention on the Rights of Persons with Disabilities</u>. This right implies that systems, policies, and processes are needed to ensure that houselessness is prevented and housing is accessible and improved; this should be facilitated by the local government. This approach has since been defined by the UN as the "enabling approach to shelter" and is a main contributor in the work performed by UN Habitat, who have created a <u>design and implementation guide</u> <u>for policymakers</u> [29].

The Human Right to Adequate Housing: Defintion

The UN <u>General Comment No. 4</u> (1991) and <u>General Comment No. 7</u> (1997) originally defined the human right to adequate housing, and outlined the central factors and criteria of the right. Further, the UN Committee on Economic, Social, and Cultural Rights (CESCR) has argued that the human right to adequate housing should be defined in absolute terms and broad language.

"In the Committee's view, the right to housing should not be interpreted in a narrow or restrictive sense which equates it with, for example, the shelter provided by merely having a roof over one's head or views shelter exclusively as a commodity. Rather it should be seen as the right to live somewhere in security, peace and dignity... it requires the term "housing" be interpreted so as to take account of a variety of other considerations, most importantly that the right to housing should be ensured to all persons irrespective of income or access to economic resources.... As both the Commission on Human Settlements and the Global Strategy for Shelter to the Year 2000 have stated: "Adequate shelter means ... adequate privacy, adequate space, adequate security, adequate lighting and ventilation, adequate basic infrastructure and adequate location with regard to work and basic facilities - all at a reasonable cost." [30]

UN General Comment No. 4

The Human Right to Adequate Housing: Defintion

Defining the human right to adequate housing in absolute terms and broad language allows for the universality of this human right to be realized, while simultaneously reaffirming the right of human beings to live in security, peace, and dignity in their chosen place of residence. An additional definition proposed by the UN allows for us to examine the main pillars of this right:

> "The right to adequate housing covers measures that are needed to prevent houselessness, prohibit forced evictions, address discrimination, focus on the most vulnerable and marginalized groups, ensure security of tenure to all, and guarantee that everyone's housing is adequate." [31]

The Human Right to Adequate Housing: Attainment

Though this right does not directly address all of the structural roots of houselessness, it ensures an adequate standard of living for all by requiring policymakers to consider what composes an adequate standard of living.

These necessities have been consistently denied to the unhoused population, such as proper sanitation, water, equity, access to services, etc. These necessities are all included in the minimum criteria for adequate housing, relating to the central freedoms that contribute to the effectiveness of this right.

These freedoms are integral to the realization of this right as they clearly define the parameters necessary for implementation. There is little ambiguity included in the language of these freedoms, which should guarantee understanding among the various stakeholders as to how to promote and protect this right.

The entitlements ensured by the subsequent freedoms of this right guarantee the proper humane treatment of this population. These entitlements include protections against evictions and against discriminatory access to adequate housing. They also include restitution policies for land, property, and housing, while also allowing for the participation in housing-related decision-making for this population.

The Human Right to Adequate Housing: Attainment

As alluded to earlier, there is a set of minimum criteria that must be met if shelter is to become classified as adequate housing. This criteria includes factors such as security of tenure, availability of services, affordability, habitability, accessibility, location, and cultural adequacy.

The right to housing also comes with the added benefit of obligations on the part of States, obligations that ensure the availability,

affordability and accessibility of housing. Additionally, these obligations push a certain amount of accountability on the State to ensure that this right to housing is

The freedoms, entitlements, criteria, and obligations that are contained in the language and actions of the right to adequate housing are crucial to ensuring that this right is universally promoted, accepted, and implemented.

fulfilled and guaranteed for all [32].

The freedoms, entitlements, criteria, and obligations that are contained in the language and actions of the right to adequate housing are crucial to ensuring that this right is universally promoted, accepted, and implemented.

The Human Right to Adequate Housing: Attainment

Providing proper shelter, services, and tenure security for the existing population on the street would enable an atmosphere where human rights are truly respected, which would drastically alter the way in which the local government addresses human rights. The work needed to guarantee the fulfillment of this right would be extensive and difficult. However, this approach embodies the human rights based approach to public policy that Seattle should be advancing in its efforts to become a human rights city.

Unhoused in Seattle

According to a study done by <u>McKinsey and Company in 2017</u>, the number of people experiencing houselessness in Seattle has risen, on average, by 9% each year since 2014 [33]. Third only to New York and Los Angeles, Seattle has one of the largest populations of unhoused people in the nation.

> Seattle has one of the largest populations of unhoused people in the nation.



In 2020, the annual <u>Point-in-Time</u> <u>count for Seattle and King County</u> found that a total of **11,751** people were experiencing houselessness county-wide.

The report counted 6,173 people (53 percent) sheltered and 5,578 people (47 percent) unsheltered [34].



Unhoused in Seattle

Another measurement of Seattle's unhoused population by the

Regional Homelessness Authority of Seattle and King County recorded 10,258 people using public services during January-2016, with that number rising to 13,147 by January-2020 [35].



increase in people using public services in just four years.

It's important to note, as well, that this survey took place before the COVID-19 global pandemic, and reflects the state of houselessness prior to the economic and social repercussions that followed.

Currently, Seattle has no plans to conduct a survey of its unhoused population in 2021 due to mounting challenges, such as the continued risk of in-person training and contact. The US Census Bureau's household pulse survey [36] collects data on a weekly basis on a range of ways in which people's lives are being impacted by the pandemic. For the period from June 9th through June 21st, the household pulse survey estimated that 85,154 people are at risk of being evicted or foreclosed upon.

Anecdotal evidence in the form of tent encampments across the city in municipal parks, under public bridges and on city sidewalks also demonstrate the significant growth in the ranks.

Unhoused in Seattle



A Seattle Pacific University research project conducting a tent count observed a jump from 412 tents in the fall of 2019 to 632 tents in the summer of 2020, a 50% increase [37].

Furthermore, reduced access to shelters built by the City due to unsuitable social distancing standards has left people with relatively fewer housing options during the pandemic.

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Unhoused in Seattle

There are many root causes of houselessness. In the City of Seattle, it is evident that systematic and structural inequalities such as income inequality, the lack of affordable housing, failures of the criminal justice system, and a lack of public services more generally, as well as adverse life events such as mental health, substance issues, domestic violence and the experience of oppression and discrimination, are root causes of houselessness.

Additionally, these root cases are disproportionately experienced by and have a disproportionate effect on the Black, Indigenous, and People of Color (BIPOC) and Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual (LGBTQIA+) communities of Seattle. These causes are all inter-related, with each factor compounded by the others. This intersectional reality is critical and instrumental in considering possible solutions to the issue [38].

Let's examine the City's response since its declaration as a Human Rights City on December 14th, 2012.

...root cases are disproportionately experienced by and have a disproportionate effect on the Black, Indigenous, and People of Color (BIPOC) and Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual (LGBTQIA+) communities of Seattle

Unhoused in Seattle: City Response

The primary responses to the human rights issue of houselessness that the City of Seattle has taken since its declaration as a human rights city include preventative measures, temporary shelters, encampment sweeps, budget allocations, and policy around the COVID-19 eviction moratorium.

Prevention Measures

Seattle's housing prevention efforts have been primarily centered on stopping individuals and families from losing their housing due to financial difficulty. Many of these households are amongst the lowest tier of the income level and are thus most in danger of falling into houselessness. In 2018, this problem was tackled by the City of Seattle through the establishment of the <u>Seattle Rental Housing</u> <u>Assistance Pilot Program</u>. This program was aimed at providing crucial services to those households that have been issued or were on the waiting list for the Housing Choice Voucher. It is fair to assume that this program is most likely to be viewed as successful. Many of the services provided by this program are designed to put money back into the pockets of individuals and families, while simultaneously saving expenses on crucial components like utilities.

Seattle's housing prevention efforts have been primarily centered on stopping individuals and families from losing their housing due to financial difficulty.

Unhoused in Seattle: City Response

Another service supplied by the City of Seattle is centered on diversion services. These are designed to provide creative solutions to everyday difficulties that a lower income person or family may experience. This can take the form of reuniting individuals with their families, managing conflicts with landlords, or assisting with rent payments. Another diversion program that can be of significant benefit to those who have recently entered houselessness is focused on Rapid Rehousing. This service allows individuals or families to quickly move from shelters to permanent housing, which is of major benefit to those who have just been recently pushed out of affordable housing.

Temporary Shelters:

Rather than directly administering homeless shelters, Seattle's Human Services Department works in conjunction with third party



partners to provide temporary housing to those experiencing houselessness. Currently, shelters in Seattle are operated through NGOs, such as Union Gospel Mission, Sacred Heart, and St. Martin De Porres (to name a few), that constantly operate at or near full capacity. This creates a critical need for new shelters for the increasing unhoused population. While projects focused on developing affordable low-income housing in the greater Seattle area have helped reduce this immediate need, they are not enough to cover the entirety of those seeking shelter, whether it be transitory or longer term.
Unhoused in Seattle: City Response

Temporary Shelters:

Recently, the City proposed a \$34 million investment plan as part of the 2021 budget to open up 425 short-term shelter beds and invest in housing support programs to transition people into permanent supportive housing. In upcoming years, the city hopes to open an additional 600 units of permanent supportive housing. The 2021 budget is also expected to continue supporting approximately 2,300 living spaces, investments in hygiene, and support for housing, and resources for diversion and rapid rehousing. [39]

While projects focused on developing affordable low-income housing in the greater Seattle area have helped reduce this immediate need, they are not enough to cover the entirety of those seeking shelter, whether it be transitory or longer term.

Encampment Sweeps:

As the number of our houseless neighbours has steadily increased, the city has increased the practice of encampment removal and cleanup programs to prevent the establishment of campsites on public and private property.

Unhoused in Seattle: City Response

Encampment Sweeps:

The Encampment Abatement Program, created for the purposes of inspecting and addressing 'problematic' houseless campsites through litter picks, obstruction and hazard mitigation, and 72-hour removal directives, began cataloging their activities in September of 2018.

This program acts in accordance with both rules set by the Department of Financial and Administrative Services (FAS) on Encampment Removals and Multi-Department Administrative Rules to outline the criteria of



how and when a campsite should be deemed dangerous to the public and the subsequent processes for removal and cleanup. After discerning that an encampment requires cleanup, city officials should start by informing those in the camp and the surrounding community with a notice of eminent removal stating: (1) the day the notice was posted; (2) the date the removal is scheduled; (3) the time range in which that date's removal will commence, which range may be no more than four hours; (4) where personal property will be stored if removed by the City; (5) how personal property may be claimed by its owner; and (6) contact information for an outreach provider that can provide shelter alternatives. However, two main complications arise from this approach.

Unhoused in Seattle: City Response

Encampment Sweeps:

The first complication with this measure is that the removal of campsites, while addressing the immediate issue of infringement of property rights and public safety, does not resolve the root causes of houselessness, and simply moves unhoused people from one location to another. Without stable and safe places to go or services to help, this approach is just shifting the geography of the problem and not even attempting to solve it.

The second complication is that city officials responsible for the cleanup and removal of campsites are required to provide unhoused residents with resources for alternative shelter options. However, a large majority of public shelters, non-profit housing organizations, and affordable housing and transitional housing options are at or near full capacity, leaving the soon to be removed citizens with no alternatives. Furthermore, FAS rules state that the city "is not required to provide additional alternatives to individuals who have been previously or are currently excluded from all usual and appropriate alternatives because of the individual's behavior." [40] These particular individuals, who may suffer from overlooked mental illnesses, addictions, or other trauma, often cannot find (and may not be even eligible for) alternatives to houselessness through city programs. Thus, these "sweeped" residents simply move from encampment to encampment with no definitive solution or prospects for improvement.

Unhoused in Seattle: City Response

Encampment Sweeps:

Overall, the emergence of sweeps to counter houseless encampments only provides a short-term solution to a more complicated and deeply rooted problem. In addition to these listed complications, the city's confiscation of the unhoused population's property and temporary shelter, though legally permissible, contradicts the human rights standards set by Seattle in 2012.

Encampment removal and cleanup programs infringe upon the dignity, peace, and basic rights of the unhoused without providing adequate alternatives to relieve their immediate demands for housing, food, water, and a decent standard of living. Additionally, establishing encampments as 'unauthorized,' essentially criminalizes houselessness, which is only further exacerbated by the fact that the Seattle Police Department is given the authority to forcibly remove the encampments. Often, this is a traumatizing event within an already traumatizing experience.

the emergence of sweeps to counter houseless encampments only provides a short-term solution to a more complicated and deeply rooted problem.

Unhoused in Seattle: City Response

Budget Measures:

Seattle has attempted to draw income from a number of resources, including property, income, state, and local taxes in order to fund measures to curb the houselessness problem. These efforts to



mitigate the crisis demonstrate the rising budgetary requirements needed to adequately respond to, what <u>Ordinance 124892</u> identifies as a "risk to public health and safety [that] exists in the City of Seattle" as a result of the high number of displaced persons. [41] A large portion of these additional taxes go into funding the Seattle Housing Levy, which is the program on Homelessness Prevention and Housing Stability Services managed by the Department of Human Services. It is also important for us to state that a budget allocation does not always mean that the money is spent in the intended or prescribed way. The Mayor of the City of Seattle has the discretionary power to not spend and or divert funds.

Over the last few years, the Homelessness Response team under the Department of Human Services has spent \$68 million in 2017 on the issue, \$78 million in 2018, and increased spending to \$116 million in 2020. [42] The majority of these funds have been allocated to affordable housing projects, with an estimated \$60 million invested through 2021 towards rapid rehousing for the chronically unhoused; in response to the reduced capacity of homeless shelters during the COVID-19 pandemic.

Unhoused in Seattle: City Response

Budget Measures:

Seattle has now funded over 13,000 affordable apartments for seniors, low- and moderate-wage workers, and formerly unhoused individuals and families. [43] Additionally, of all households served under this policy in 2018, 2% who exited to permanent housing became unhoused within six months after exit. [44] However, outside of affordable housing and loan assistance programs, Seattle has a relatively limited portfolio of options available for identifying both short and long-term solutions. Furthermore, these figures do not fully reflect the tremendous cost of houselessness on the city.



Figure 3: The Price of Homelessness: Puget Sound Business Journal [45]

Unhoused in Seattle: City Response

Budget Measures:

In 2017, researchers for the Puget Sound Business Journal conducted an in-depth study of all the costs associated with houselessness response for the city of Seattle, including medical treatment, law enforcement, foregone business opportunities, and affordable housing projects. [46] In total, the cost amounted to over \$1 billion annually (Figure 3), a staggering amount that symbolizes the exceptional scale and range of houseless's price for the city and greater King County area.

Two key components of the budget ecosystem of the City are the 2016 Housing Levy and the recently introduced JumpStart Tax. Let's delve into each.

Budget Measures: 2016 Housing Levy

The 2016 Housing Levy, approved by Seattle voters in August 2016, utilizes multiple property tax levies authorized for seven years, from 2017 through 2023, to subsidize affordable housing for low-income residents. The Office of Housing (OH) administers all 2016 Seattle Housing Levy programs with the exception of the Homelessness Prevention and Housing Stability Program, which is administered by the Human Services Department. The Housing Levy funding directed towards the Homelessness Prevention and Housing Stability Services Program is also used for homeownership assistance, security and/or utility deposits, move-in costs, homelessness prevention, and rental and utility areas. [47]

Unhoused in Seattle: City Response

Budget Measures: 2016 Housing Levy

In 2018, Seattle's Human Services Department provided \$2.07 million in Levy funds, combined with other City funds, to community-based agencies for homelessness services and rent assistance. The program assisted 555 households at imminent risk of eviction and houselessness to maintain stable housing, and 126 households to move into housing after living in their car, shelter or on the street – exceeding the program's annual targets. [48] The city claims that since the first Housing Bond in 1981, the Housing Levy projects have successfully funded over 13,000 affordable apartments for seniors, low- and moderate-wage workers, and formerly houseless individuals and families, while also having provided homeownership assistance to more than 900 first-time low-income home buyers and emergency rental assistance to more than 6,500 households. [49]

Budget Measures: JumpStart Tax



Unhoused in Seattle: City Response

Budget Measures: JumpStart Tax

Following the city's repeal of the "Head Tax" in 2018, the recently passed "JumpStart Seattle" tax attempts to generate revenue lost during the coronavirus pandemic by implementing an annual payroll tax on companies with high-salaried employees.

Under the JumpStart tax, businesses with at least \$7 million in annual payroll will be taxed at rates of between 0.7% to 2.4% on salaries and wages paid to Seattle employees who make at least \$150,000 per year. [50] The City Council asserts that the progressive tax will raise over \$214 million per year to respond to the immediate issues created during the COVID crisis, and subsequently focus on Seattle's long-term economic revitalization and resiliency by investing in affordable housing and essential city services. The JumpStart tax will specifically target public services and programs which help to alleviate homelessness that have lost funding over the previous years.

The bill now faces opposition from large local businesses and fiscal conservatives, with a lawsuit from the Seattle Metropolitan Chamber of Commerce finding the tax to be "illegal, invalid, and unenforceable". Though this case has now been repealed by a King County judge, the campaign against JumpStart threatens to undermine the implementation of the tax later this year, making the future of the bill uncertain.

Unhoused in Seattle: City Response

Eviction Moratorium:

Another more recent measure put in place during the Covid-19 pandemic has been the establishment of an <u>eviction moratorium</u>. Under this moratorium, landlords



are not allowed to evict tenants for non-payment of rent or any other action that would be deemed as a violation of the rental agreement. Tenants are still obligated to pay rent. However, non-payment or partial payment will not result in an eviction.

This broad measure has created an atmosphere of renter security; where tenants are ensured that their living is protected and ensured. The City has worked to prolong this measure by extending it throughout the pandemic, which has led many to be concerned about what will transpire when it ends. Since rent payments are still due and have been building over time, the financial burden will still exist and perhaps be made worse when this eviction policy ends.

In order to avoid this problem, Seattle should work to minimize the burden experienced by tenants. One could argue that the moratorium should not be ended for certain individuals and households that are at the margins of survival.

Unhoused in Seattle: City Response

Eviction Moratorium:

This policy measure could be extended for those individuals whose rent payments make up the majority of their income; as this is usually the population that is the most endangered by eviction. This is the population that would be most impacted when the moratorium ends after the pandemic. Eviction reform policies like this one allow for the protection and promotion of human rights. Seattle should make efforts to advance and promote eviction reform policies, rent and mortgage assistance programs, tenant and landlord aid facilities, and rent and mortgage cancellation policies.

> Seattle should make efforts to advance and promote eviction reform policies, rent and mortgage assistance programs, tenant and landlord aid facilities, and rent and mortgage cancellation policies.

Unhoused in Seattle: City Response

Evaluation:

Using the five UDHR Article categories, let's examine the City of Seattle's commitment to being a human rights city; using the human right to adequate housing as our foundation.

Civil

For a Seattle resident, having your civil rights would translate into several things. The first is that you would be understood and treated as equal. The second is that you would have liberty, security, and be able to exist in an environment that allows you to not only live life, but to enjoy life. The third is that you would be from harmful acts, such as torture, that do not make equitable participation in civil society possible. Finally, you would have your personal privacy and property valued.

In the context of houselessness, Seattle does not treat the unhoused as equals to those in homes; as evidenced by the encampment sweeps previously mentioned. The unhoused population does not have liberty nor security. For this community, life is often in jeopardy. Not only do the unhoused lack the right to live life, the City does not create the conditions necessary for them to enjoy life.

Unhoused in Seattle: City Response

Evaluation:

Civil

Unhoused people are frequently subject to cruel, inhumane, and degrading treatment. In fact, being unhoused is itself considered torture under international human rights law. If the City of Seattle continues policies and practices that 'sweep' unhoused people and their private property, evict people into houselessness, and fail to offer sufficient and equitable public services for people experiencing houselessness, then Seattle residents will continue to be tortured.

Someone who is unhoused does not have the ability that the rest of Seattleites have to appeal to the law against arbitrary interferences on their shelter. In a human rights city, every person should have the right to privacy in their own dwelling; regardless of whether that dwelling is a temporary structure, such as a tent, or something else.

The policy and practice of encampment sweeps involve taking of the private property of unhoused people. The actions taken by the city fundamentally disregards, as well as disposes of and destroys, unhoused folk's personal property.

These observations show that Seattle has failed in its duty as a human rights city to promote and protect the civil rights of its residents.

Unhoused in Seattle: City Response

Evaluation:

Rule of Law

For a human to have their Rule of Law rights realized, their rights must be equitably promoted and protected under the rules of the legal system and by virtue of those who have legal authority. This includes recognizing an individual's basic humanity, as well as understanding and treating everyone equally under the Law.

In the context of houselessness, if the unhoused were recognized as equal people under the Law, then the City would not have the ability to criminalize them, physically remove them, and seize their belongings. The differentiated treatment, or rather mistreatment, of an entire segment of the Seattle community under the Law is not aligned with the preservation of human rights for all.

This observation shows that Seattle has failed in its duty as a human rights city to promote and protect the rule of law rights of its residents.

Unhoused in Seattle: City Response

Evaluation:

Political

For a human to have their political rights promoted and protected, they must be able to equitably participate in political life. This includes the ability to assemble and take part in government. Fundamentally, people should have a voice in decisions in the political machinations that affect their well-being.

As previously mentioned, establishing 'unauthorized' encampments is essentially criminalizing houselessness and minimizing the ability for everyone to coexist as a community. Everyone has the same human rights. This is something that the City of Seattle recognized in its selfdesignation as a human rights city. Therefore, unhoused people should have their right to the freedom of assembly equitably promoted and protected by the City.

When it comes to political participation, the unhoused are not equitably valued nor included. Often, the best solutions to human rights issues are imagined and created by the people who experience the issue.

Unhoused in Seattle: City Response

Evaluation:



Current City approaches to houselessness generally echo the thoughts and ideas of (possibly well-meaning) housed people with minimal first-hand life experience with the issue.

These observations show that Seattle has failed in its duty as a human rights city to promote and protect the political rights of its residents.

Unhoused in Seattle: City Response

Evaluation:

Economic and Social

For a resident to have their economic and social rights, their basic needs (i.e. social security, work, rest & leisure, living standard, and education) are met.

The human right to social security and the human right to adequate housing are deeply connected. The right to social security is essential to the development of human development and dignity, which are essential in realizing adequate housing for all. Preventing and eliminating houselessness is, according to the U.N., a "minimum core obligation to ensure the satisfaction of, at the very least, minimum essential levels of each of the rights." Seattle is failing to achieve this minimum core obligation, because living in shelters, such as the temporary one's the City provides, have become what the City views as the long-term solution.

Access to rest and leisure is essential for ensuring both the basic humanity and health for the unhoused population. It is essential for surviving life on the streets. Practices and policies currently used by the City of Seattle disrupt this essential right.

Unhoused in Seattle: City Response

Evaluation:

Economic and Social

The fact that houselessness is, and has been, a concern in the City, for many decades (if not centuries), is evidence of failure to meet the adequate living standards for all residents that is required of a human rights city. According to the U.N., "Evictions should not result in individuals being rendered homeless or vulnerable to the violation of other human rights. Where those affected are unable to provide for themselves, the State party must take all appropriate measures, to the maximum of its available resources, to ensure that adequate alternative housing, resettlement or access to productive land, as the case may be, is available." [51]

These observations show that Seattle has failed in its duty as a human rights city to promote and protect the economic and social rights of its residents.

Unhoused in Seattle: City Response

Evaluation:

Community Rights

For a human to have their community rights realized, they must be free to engage in cultural community endeavours, they have the right to be in an orderly and peaceful environment, they are aware of their responsibility to protect each other's rights, and they must be free from state of personal interference.

In the context of houselessness, a lot of housed Seattleites have wholly embraced an us versus them mentality when it comes to the unhoused. It is the duty of the City to help the housed Seattle population to recognize that it should promote and defend the rights of their unhoused neighbors as aggressively as they defend their own.

The City of Seattle interferes with the unhoused population and those vulnerable to becoming unhoused through the mechanisms previously mentioned. This means that a segment of Seattle is being denied their right to not be interfered with by the State.

These observations show that Seattle has failed in its duty as a human rights city to promote and protect the community rights of its residents.

Unhoused in Seattle: City Response

Conclusion:

The UN International Human Rights Framework establishes an obligation for governments around the world to promote and protect human rights. This requires local governments to refrain from taking action that "infringes on rights," to take steps to "realize rights," and to "create conditions under which basic needs can be met." [52] The UDHR framework also calls on governments to promote equality and non-discrimination, and address policies, programs, and political processes which have a disparate impact. This also includes the prevention of human rights violations from third party actors, and providing effective solutions when necessary.

The City of Seattle is failing to promote and protect the human right to adequate housing. As the local government, it has taken direct action to infringe on the rights of the unhoused, it has not taken adequate steps to realize their rights, and it has not created conditions under which their basic needs can be met.

> The City of Seattle is failing to promote and protect the human right to adequate housing.

Unhoused in Seattle: City Response

<u>Conclusion:</u>

Additionally, housing and economic policies and programs, and general political processes, have a disparate impact on the BIPOC and LGBTQIA+ unhoused community members, as well as people with varying physical and mental abilities, formerly incarcerated people, and veterans. This clearly does not promote equality and non-discrimination.

Third party actors, such as the Seattle Police Department, continue to violate the right to adequate housing by criminalizing the unhoused population through practices and policies like encampment sweeps; and rather than providing effective solutions to these issues. The City of Seattle has only contributed to this reality through policies and practices, such as evictions, and considering temporary shelters as long-term solutions.

Based on our research, we have determined that, although there were changes made in response to the city's designation as a human rights city, and the City has responded to the human rights issue of houselessness, it has ultimately failed at its original goal of fully realizing all human rights for all its residents. Rather, in many cases, it has undermined its residents' human rights, which is evident in the failure to promote and protect the human rights of the unhoused population.



Actionable and realistic recommendations for Seattle to fulfill its commitment as a human rights city were difficult to come by, mainly because we had a difficult time connecting with the responsible City authorities. This has the potential to create a gap in information for the research team, which hampers our efforts.

However, this also allowed us to see the bigger picture; which includes a lack of responsiveness and accountability at the local governmental level when it comes to human rights discussions. Thus, the bulk of our recommendations focus on these areas.

Governance Structure

We recommend that the City of Seattle:

Design and implement of a human rights governance structure for City government

Many human rights cities incorporated the design and implementation of a human rights structure within City government; made up of full time employees responsible for addressing human rights issues and staying in communication with both local human rights advocates and corresponding human rights officials from the region.

This was missing from the City of Seattle's journey. This step was critical and fundamental for all other human rights cities that were examined by the team and is a glaring omission for the City and their subsequent pledge to fulfill human rights for all Seattle residents.

This structure influences the manner in which departments and employees operate as there is extra consideration given to human rights and corresponding violations of those rights. This governance structure usually consists of a department or city office that works with the body most responsible for fulfilling human rights in the city, be that the Mayor, the City Council, or the City Manager.

Accountable Collaboration

We recommend that the City of Seattle:

Join or create a human rights city network to learn from, contribute to, and be held independently accountable to.

Another common feature of human rights cities is the creative collaboration that each city enjoys in being a part of a collective. In its most substantial form, this collaboration involves methods of evaluation; where cities hold each other accountable to agreed upon (international) standards.

One such example of this is the European Coalition of Cities against Racism (ECCAR). This Coalition requires evaluation through written reports. These reports can then be peer



reviewed and each submitting city is held to the same standard. This engenders accountability; even if only amongst peers. It is often social pressure that holds individuals and organizations accountable for their actions.

Additionally, peer reviews of other cities could help to foster a sort of healthy competition towards putting in place the systems, processes, and procedures needed to safeguard people's human rights. In some cases, this may include the use of a city or elected official scorecard.

Accountable Collaboration

Fortunately, Seattle is in a region that includes other human rights cities; cities that are dealing with the same types of issues. A regional network would be of substantial benefit and would enable frequent discussion and analysis of similar concerns. This would allow for creative solutions to a variety of issues from a wide array of individuals; instead of risking insularity and groupthink.

Achieving this goal of connecting Seattle to fellow human rights cities begins with small, incremental steps in our immediate neighborhood; and ideally expands into a far larger and more diverse community framework. The Seattle Office of Civil Rights, supplemented by the Seattle Human Rights Commission, are currently positioned to contact companion commissions and departments in our region. Fellow human rights cities along the west coast include Eugene (Oregon), Richmond (California), and most recently, Mountain View (California). Each local municipality has their own commissions and departments responsible for upholding UDHR values.

Achieving this goal of connecting Seattle to fellow human rights cities begins with small, incremental steps in our immediate neighborhood; and ideally expands into a far larger and more diverse community framework.

Accountable Collaboration

Commissions can initiate and develop these relationships through regular contact, virtual meetings, and bi-annual summits; where members can update each other on their recent progress, research, and current issues. The initial steps can begin relatively soon and with minimal obstacles outside of time commitments from volunteer commission members; while producing meaningful dialogue and important linkages with fellow human rights organizations. Eventually, this collective can grow to encompass more municipalities outside of the west coast, with a target of establishing substantial connections with all the 12 total human rights cities in North America.

Additionally, the human rights cities established within this network could evaluate each other through independent periodic reviews based on the universal periodic reviews utilized by the United Nations [53]. These assessments promote recommendations to foster cooperation between local government and local stakeholders for the effective protection and promotion of human rights through local government programs. Each respective review board would conduct a study of a fellow human rights city to objectively assess the status of

These assessments promote recommendations to foster cooperation between local government and local stakeholders for the effective protection and promotion of human rights through local government programs.

Accountable Collaboration

their commitment to defending the freedoms of their citizens; thereby applying external pressure on local municipalities to reform their current policy objectives.

Aside from local governments, Seattle should also strive to collaborate with individuals and independent grassroots organizations that advocate for civil, political, social, economic and cultural rights. One such suitable group, the National Human Rights

City Alliance (NHRCA), meets all these requirements, and could notably augment the community impact brought by future human rights policies.

Seattle should strive to collaborate with individuals and independent grassroots organizations that advocate for civil, political, social, economic and cultural rights.

The NHRCA works to "strengthen relationships among human rights city organizers, including grassroots and local advocates for human rights cities, national and international human rights advocates, scholar-practitioners, and others working to advance human rights in the places where people live." [54] Seattle has plenty of opportunities to begin developing a network of regional human rights cities and, eventually, expanding their outreach programs to include the public to construct more informed and inclusive recommendations to bolster the human rights ambitions of the city and Northwest as a whole.

Accountable Collaboration

The advantages of this regional network are numerous. More cities and towns would have access to the policies and guides that enable the local fulfillment of human rights. A regional network could promote the value of the work performed and influence other municipalities to join the movement; this would allow for the dissemination of different ideas that impact similar issues.

As this network grows, other cities in other regions would absorb best practice, and customize for their region; enabling the activation of local human rights across the country. On the largest scale, such a network could push for the promotion and recognition of human rights at the federal level. Efforts could be made to influence those at the highest level of our government to implement policy that is supportive of international human rights standards.

For example, this network could work to promote and implement the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) throughout the region. Policies could be designed and implemented that would incorporate the standards set in the convention. The network could even follow the lead of a leading regional city, San Francisco. In 1998, San Francisco passed Ordinance No. 128-98, which allowed for the implementation of standards included in CEDAW. This ordinance designated the already existing Commission, the Commission on the Status of Women, as the local agency implementing and monitoring CEDAW in San Francisco.

Accountable Collaboration

Since then, San Francisco has made huge strides in addressing gender-based inequalities and violence, significant barriers have been identified and removed with the help of the convention.

Through collaboration with NGOs, like the <u>Cities for CEDAW</u> <u>Campaign</u>, this regional network could create a template ordinance that can be tailored for each locality. At the macro level, a regional

network could be an effective change agent in ensuring that the Federal government ratifies human rights focused international standards, such as the CEDAW.

Surprisingly, the U.S. has failed to ratify many international standards in the human rights space. This failure severely hinders the work that local governments are able to perform. There is no accountable figure for these standards and so it is up to each city to create its own accountability ecosystem.

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Internal Accountability

We recommend that the City of Seattle:

Strengthen its measures for ensuring internal accountability to human rights protection.

The authority to promote and protect human rights belongs to all local decision-makers. Therefore, fulfilling the promise of being a human rights city requires collaboration within the government; where all government entities are enforcement points for accountability. Internal accountability refers to the responsibility of Seattle to self-survey its practices so as to determine whether or not they fall in line with their duties as a self-designated human rights city. It provides a check on power.

This process is necessary to ensure that city officials and policymakers continue to promote and protect the values of human rights, and the rights themselves, which it has initially committed to. There is a need to formalize the ways in which a human rights lens is applied to all City departments and how all departments hold themselves, and other departments, accountable.

An example of an internal accountability tool can be found in Eugene, Oregon, where they have championed the Triple Bottom Line Analysis Tool (TBL) [55], which is used to assess the implications of decisions made regarding programs, policies, procedures and budgets.

Internal Accountability

TBL consists of a set of questions or prompts that are meant to generate thought surrounding civil, political, economic, and cultural rights and liberties. This is a strategic and systematic way to help guarantee that decisions made by city officials are congruent with the principles of human rights.

Seattle's <u>Racial Equity Toolkit</u> - a result of the City's <u>Racial and Social</u> <u>Justice Initiative</u> (RSJI) - may be viewed as a first step towards this broader human rights goal by the City. However, since RSJI's creation in 2005, its adoption and impact have been lackluster and its inclusion in City decision-making has been negligible. Using this example, we recognize that the next wave of internal accountability for Seattle must take a different path.

> Internal accountability refers to the responsibility of Seattle to self-survey its practices so as to determine whether or not they fall in line with their duties as a self-designated human rights city.

Public Accountability

We recommend that the City of Seattle:

Strengthen its mechanisms for the public to hold City government accountable.

In other human rights cities, the public plays a critical role in ensuring that human rights are protected. Cities employed a range of mechanisms from specific Boards and Commissions to formalize feedback processes. For Seattle, the closest formal mechanism is the Seattle Human Rights Commission (SHRC).

The SHRC is an entity that technically exists outside of the City government; while having access to and a liaison to the City (specifically the Seattle Office of Civil Rights). Theoretically, the SHRC is an independent, advisory body (of volunteers from the community) that functions as the interface between City's elected leadership (i.e. Seattle City Council and the Mayor) and the general public; as it relates to human rights.

At present, the SHRC is empowered to: 1) provide recommendations to Seattle City Council related to concerns they have heard from vulnerable citizens and community-based organizations, and 2) hear and adjudicate appeals of discrimination cases that have been investigated by the Seattle Office of Civil Rights [56]. SHRC's day-today work is focused on relaying and amplifying the voice of the community as it relates to actions taken by the city that are not consistent with human rights.

Public Accountability

Given the limited tools and functions afforded the SHRC, there is no sustainable way for this all-volunteer group to effectively provide human rights accountability on behalf of the hundreds of thousands of members of the Seattle public. For bodies like the SHRC to function as a public accountability check, there has to be investment and an expansion of its resources and authority.

For bodies like the SHRC to function as a public accountability check, there has to be investment and an expansion of its resources and authority. A boost and aid may be the establishment of an actual human rights office in the municipal government of Seattle; similar to

the Human Rights and Neighborhood Involvement Office (HRNI) in Eugene. After our interview with two commissioners from the Human Rights Commission in Eugene, we learned that the HRNI helps staff the Human Rights Commission and provides them with relevant policy data and ongoing human rights violations to review [57].

With encouragement from the Eugene Human Rights Commission and its support staff in the HRNIO, and with cooperation of the city manager, departmental executives, managers and staff, the city of Eugene has implemented a number of internal policies and practices since 2007 that positively demonstrate a commitment to human rights and align with their intent to become a human rights city [58].

Public Accountability

It is a municipal leader in this regard.



One example of such a practice is Eugene's Diversity and Equity Strategic Plan (DESP). [59] These individually tailored departmental plans include reports on departmental achievements, which are shared annually across departments and written up in a DESP report. Based on these reports, the Eugene Human Rights Commission gives out annual Human Rights Awards to each department for particularly worthy projects, thus promoting and rewarding their commitment to human rights implementation. This is a form of positive reinforcement that encourages accountability within Eugene City government. It is completely reasonable to suggest that the city of Seattle and the SHRC work together to adopt similar methods of positive reinforcement and accountability.

The City of Eugene, Oregon provides a window of what is possible when human rights is prioritized and resourced. Eugene Human Rights Commissioners developed the Public Participation Guidelines: A Framework for Culturally Competent Outreach. This guidebook is used for community outreach to ensure that they and other Commissions are communicating respectfully and effectively with the larger community; ensuring cultural sensitivity and thoughtful reflection. These guidelines were used 1) to reach out to community members with limited English language proficiency to determine how they thought Eugene could improve access to its language services, and 2) to elicit feedback on how to revise their Human Rights Ordinance.

Housing-Specific Recommendations



Based on our evaluation of the City of Seattle within the context of the human right to adequate housing and the UN international human rights framework, we have several recommendations that we believe will address the root causes of the human rights issues of houselessness.

Housing-Specific Recommendations: Humanize the Experience & The Population

The primary approaches to humanizing the experience of houselessness and the unhoused population are through language, mutual responsibility, decriminalization, and representation. This is essential in promoting and protecting the dignity of the unhoused population.

The primary approaches to humanizing the experience of houselessness and the unhoused population are through language, mutual responsibility, decriminalization, and representation.

As previously discussed in the report, using the terms 'houseless' and 'unhoused,'as opposed to 'homeless,' changes the narrative to reaffirm that everyone in the Seattle community has a home, which is both their temporary structures and the community itself. This establishes a sense of belonging by supporting the unhoused population as our neighbors.

Understanding housing as a human right acknowledges the humanity that is inherent in all beings, including those who are unhoused. It should be noted that the unhoused are often made invisible; except when they are considered an inconvenience to the privileged. Language has the power to change the understanding of the issue, and, in turn, inspire involvement in the realization of the other, more tangible recommendations in this report.
Housing-Specific Recommendations: Humanize the Experience & The Population

Additionally, mutual responsibility within the community is important for humanization. The community's response to the human rights issue of houselessness is a critical missing piece in the solution. This takes into account, and encourages, collective efforts to solve the crisis, involving the City of Seattle, its Officials, and the community.

Often, practices and policies do not address the social stigmas of people living outside. In many ways, a sense of stability comes from more than just literal housing, but also a sense of belonging. Examples of this include volunteer labor, material donations, property, and funding. Another example would be establishing inclusive space management. This is defined as:

> establishing local leaders who make public space work for all community members.

Improvements of public spaces should also be included, such as "public restrooms, showers, drinking water, safe-needle disposal, and other hygiene resources." [60]

The City of Seattle should be involved in inspiring this mutual responsibility by further educating the general public on the experience of houselessness and the unhoused population.

Housing-Specific Recommendations: Humanize the Experience & The Population

Policymakers can educate the community on the root causes of houselessness, which has the power to build public support for investment in solutions that are evidenced-based. Arguably, this is only possible if the City creates a relationship with the unhoused population itself. Developing this public engagement is necessary for countering the idea that punitive approaches are humane solutions, or solutions at all.

Further, the unhoused population is essentially being criminalized for simply not having their human right to adequate housing being promoted or protected. They are being criminalized by the City of Seattle for something the City promised to provide within its selfdeclaration as a human rights city. It is being criminalized in the sense that the Seattle Police Department is often the entity that is forcibly

removing the population from their homes outside, and destroying their private property; through encampment sweeps. This

The practices and policies that the City has decided to address the issue with results in trauma and a houselessness-to-jail cycle.

dehumanizes the population and their shelter. This reflects a lack of understanding and empathy. The practices and policies that the City has decided to address the issue with results in trauma and a houselessness-to-jail cycle.

Housing-Specific Recommendations: Humanize the Experience & The Population

Based on this, encampment sweeps should not be considered a solution, nor even a response, to the issue of houselessness. Additionally, the people and organizations responsible for connecting with the unhoused population need to be reconsidered. This

includes utilizing community volunteers, social workers, clinical therapists, and healthcare professionals.

This also involves forwarding calls related to

the people and organizations responsible for connecting with the unhoused population need to be reconsidered.

public and private concerns about the unhoused population and their encampments to special units and non-police crisis teams. As the City of Seattle should be reexamining the role of law enforcement in response to racist police brutality, the City should also reexamine the role of the law enforcement in regard to the unhoused population.

Finally, because the unhoused population is not able to equitably participate in civil and political life, they are also not equitably represented, and therefore, do not have influence on practices and policies that have the power to impact their humanity and rights.

Housing-Specific Recommendations: Humanize the Experience & The Population

An example would be establishing a coalition with people who are currently unhoused or were previously unhoused, rather than simply the Seattle/King County Coalition on Homelessness which seeks tosolve the issue, likely without having experienced it. Not only would this result in more sustainable and supportive solutions, but it humanizes the population by valuing their participation in society. All humans have the right to take part in government.

In summary, uninformed and harmful language, criminalization, and lack of representation in civil and political life worsen an already traumatizing situation. To pursue more effective and empathetic solutions, the City of Seattle needs to begin by fundamentally changing the understanding of the issue and the people who experience it, and their reaction to the issue and the population.



Housing-Specific Recommendations: Prevention and Stability

The essential approach to promoting and protecting the human right to adequate housing should be preventing the human rights issue of houselessness in the first place. While this seems logical, the economic and social rights that have the power to prevent houselessness have failed to be promoted and protected.

The first example of a solution is eviction-prevention grants that help tenants who are at the risk of becoming unhoused pay back their rent and remain in their housing through financial assistance. <u>Housing Connector</u> is a Seattle-based non-profit that provides a model that can be replicated and scaled by the City. As housing prices and rent continue to increase in the City of Seattle, while other economic factors (such as the minimum wage) remain stagnant, more people find themselves vulnerable to eviction. This has been especially true during the COVID-19 global pandemic, as evident by the 2021 Eviction Moratorium, and the eventual conclusion of the program which will ultimately lead to many evicted people becoming houseless.

The second example of a solution is legal services for low-income tenants. The legal system, including housing courts, within the United States are complicated and intimidating, and is made even more challenging for people who are struggling financially. Most tenants are not able to access nor afford legal representation. However, nearly all landlords have lawyers.

Housing-Specific Recommendations: Prevention and Stability

Therefore, free or affordable legal services are essential for promoting and protecting adequate housing. We were happy to see that the <u>Ordinance 126301</u> went into effect in April 2021 and enabled Seattle residential tenants facing eviction to an attorney at no cost. More needs to be done regionally.

Prevention also includes policies and programs that assist people within transitionary periods of their lives, such as effective discharge planning. This includes housing planning for youth aging out of the foster care system, people living with mental illness leaving institutional care, and formerly incarcerated people exiting correctional facilities. Additionally, the formally unhoused population, who have transitioned to permanent housing, benefit from support services which maintain the stability of their housing. This includes job training, child care, and community-based counseling services, among many others.

promoting and protecting the human right to adequate housing requires broad policy changes including a progressive federal tax system, livable minimum wages, universal healthcare, and other, expansive public 'benefits.'

Housing-Specific Recommendations: Prevention and Stability

Finally, and more fundamentally, promoting and protecting the human right to adequate housing requires broad policy changes including a progressive federal tax system, livable minimum wages, universal healthcare, and other, expansive public 'benefits.' While some of these broad policy changes would be addressed at the national level rather than the local level, the City of Seattle has the power to advocate and support progressive policies within its jurisdiction, and more broadly, that value people rather than profit, and promote and protect basic economic and social rights which allow other human rights to actually be experienced and enjoyed.



Housing-Specific Recommendations: Buildings & Building Support

Investment in permanent housing is effective in reducing and eliminating houselessness. It is a more cost-effective solution when compared to temporary



housing, such as shelters and institutional care. These investments save tax dollars and federal funding, which can then be redistributed to address other human rights issues in the City of Seattle. It is essential that the City of Seattle continue to fund affordable permanent housing, specifically targeted towards the unhoused, as well as strengthen recent regulation that preserves affordable housing and protects the rights of tenants.

The first example of a solution in this category is federal housing assistance. The two largest programs being public housing and federal housing vouchers, which allow "low-income households to rent modest market-rate housing of their choice and provide a flexible subsidy that adjusts with the family's income over time." [61] This ensures that people remain stably housed.

The second example is permanent supportive housing, which combines affordable housing assistance with support services for people living with mental illness, HIV/AIDS, or other serious health problems that are root causes of houselessness or make people more vulnerable to becoming unhoused.

Housing-Specific Recommendations: Buildings & Building Support

Thankfully, Council member Andrew Lewis introduced legislation, which was supported unanimously, on permanent supportive housing, which exempts permanent supportive housing from certain development mandates, allowing the City of Seattle to create more housing options for people experiencing houselessness, quickly and affordably. This legislation is a great example of a policy and practice reflecting the urgency of the promotion and protection of the adequate right to housing. [62]

Our final example is the "housing first" approach, which builds on the success of permanent supportive housing. It involves consensually

relocating members of the unhoused population who are living with mental illness, substance issues, and other serious health problems

It is essential that the City of Seattle continue to fund affordable permanent housing... as well as strengthen recent regulation that preserves affordable housing and protects the rights of tenants.

directly into subsidized housing and connecting them to support services that are either on-site or within the community. Not only does this provide permanent housing, but it also improves the population's health problems. Current Seattle solutions in this space lock out the communities that need to access these solutions and set up constraints that stop community members from successfully getting a positive long-term outcome.

Housing-Specific Recommendations: Improve & Revitalize Current Efforts

In recognizing that Seattle has made changes since its self-designation as a human rights city in 2012, and has responded to the issue of houselessness in a variety of ways, our final recommendation is to improve



and revitalize the current efforts that have been proven to be effective. This includes initiatives around data collection, budget allocation, and the implementation of practices and policies; rather than simply introducing them in spirit.

Let's delve into the issue of data. One hurdle for policymakers and municipal leaders wanting to craft laws to help this issue is the lack of efficient, reliable data that is made readily available to all necessary stakeholders, like the housing authority or local government. This lack of data causes there to be a massive disconnect between the issues on the ground and what is perceived as the problem by responsible system actors. Another problem with this data is the quantifiable methods used. Enumerating a problem that changes by the minute is difficult.

Currently, data is derived from the annual point-in-time count (PIT), which provides a snapshot of the issue and not the whole picture. This generates false knowledge surrounding the issue which will inevitably result in inefficient solutions.

Housing-Specific Recommendations: Improve & Revitalize Current Efforts

One cannot expect solutions to efficiently work if one is lacking complete knowledge on the actual issue at hand and or one is using outdated or inaccurate data.

For houselessness, this knowledge would look like increased awareness of who exactly is impacted, both in terms of the specific issues the individual faces and in the barriers hindering the individual from overcoming these issues. This approach results in more tailored solutions for individuals and solutions that match each individual's priority issues; instead of generating one general solution for all that are impacted.

Though this certainly seems like a difficult process, it is significant to point out that the existing Homeless Management Information Systems (HMIS) has already compiled aggregate



data on unhoused populations and could be adapted to incorporate tailored solutions.

Housing-Specific Recommendations: Improve & Revitalize Current Efforts

An example of this would be the creation of a by-name list (HBNL) that would include a comprehensive view of each and every individual; anonymized to protect their privacy and rights. Without data like this, specific solutions are ignored for ones that are more general and comprehensive, even though in reality these solutions fail to support even the most basic of the unhoused population's needs.

Significantly, cities like Eugene have implemented this list and received disturbing results regarding discrepancies between the PIT and the HBNL. In 2019, the increase in number between the PIT and the HBNL was a 347% increase, this is a drastic change in the statistics and highlights the necessity of efficient, reliable data in solving this issue [63].

Seattle has collaborated with the U.S. Department of Veterans Affairs in their <u>VA 25 Cities Initiative</u>, which promoted the creation of a byname list specifically for veterans experiencing houselessness. This practice could surely be extended onto all of those who are experiencing houselessness in the City of Seattle, and the benefits of this would be felt almost immediately.

CONCLUSION

The goal of this document was to examine the City of Seattle as a Human Rights City; since its selfdeclaration on December



14th, 2012. We made no assumptions about the knowledge or expertise of the reader and started with a presentation of the definition of human rights. We then highlighted the United Nations Declaration of Human Rights - the definitive human rights document across the globe. We reiterated the importance of human rights in today's world, discussed the concept of a human rights city, explored a few exemplar human rights cities, and then delved into our analysis of Seattle. Based on this evaluation, we drafted and stated a set of recommendations that we hope the City gives serious consideration.

When reading through these recommendations, it is important to remember the challenges experienced by the team. These challenges were especially significant for the recommendation section of our report because it is difficult to chart a path forward without a clear vision of the present. For this reason we have structured many of our recommendations around collaboration, specifically, the kind of collaboration that encourages the promotion and respect of human rights for all residents of the City.

Incorporating self-assessments, systematic tools of analysis and annual reflections/reports on the work of specific departments and Commissions are all effective ways of increasing accountability within city organizations.

CONCLUSION

These mechanisms provide a check on power that routinely and continually encourages policymakers and leaders to evaluate whether they are placing human rights at the top of their priorities. Practices like those adopted by the city of Eugene promote self-evaluation and introspection. In order to effectively serve the community and its needs, it is vital that all parts of a human rights city are continually evaluating and re-evaluating their policies, practices and attitudes. When seeking to improve and increase accountability in the city of Seattle, it is the recommendation of the Fellows that the city learn from other cities that are further along in their execution journey.

In order to effectively serve the community and its needs, it is vital that all parts of a human rights city are continually evaluating and re-evaluating their policies, practices and attitudes. Potential discourse amongst human rights cities presents an abundance of mutually beneficial opportunities for both crosscollaborating commissions and those communities impacted by their policy recommendations.

The exchange of relevant information and research is the most immediate advantage of outreach to our fellow human rights cities. When conducting research, we found that Seattle's local government was unaware of the policy proposals and guidelines of other human rights cities.

CONCLUSION

These external recommendations can still be implemented into Seattle's ecosystem for managing human rights; at least where issues overlap. This overlapping of issues is often common to human rights and can be utilized in a positive manner. For human rights in the City, this interlinkage is primarily positive as it can result in creative problem solving that would otherwise be ignored. Often this problem solving involves the input and advice of those who are at the forefront of the issues being faced. Without the collaboration of all actors, there is a lack of action and accountability on the part of City administration. As exemplified, this collaboration can be employed internally within the City administration itself and with local NGOs. Additionally, this collaboration can also be extended externally to communicate with regional local governments like Eugene.

Ultimately, it is the hope of the team that the City of Seattle will consider these recommendations as a starting point for the future. This future would hopefully be one that is more inclusive of the organizations and people that make up the City of Seattle. Without this effort it will become increasingly difficult to create a positive path forwards, a path that will benefit all who reside in Seattle.

It is the hope of the team that the City of Seattle will consider these recommendations as a starting point for the future.

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