

## **In a state of becoming a human rights city: The case of Eugene, Oregon**

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### **Introduction**

The United States is characterized as ‘exceptionalist’ when it comes to the implementation of international human rights principles and standards (Shulz 2009). The United States has been slow to ratify more than a handful of UN-sanctioned human rights treaties. Moreover, the United States has attached significant ‘reservations, understandings, and declarations’ to those treaties it has signed and ratified which limit the extent to which these treaties are allowed to apply to the United States (Venetis 2011).

Given US exceptionalism, some may find it surprising to learn that a small but increasing number of US municipalities have pledged to abide by the principles and standards of the Universal Declaration and are designating themselves as ‘human rights cities’. In effect, US exceptionalism, wherein the United States has ignored its domestic human rights responsibilities, has prompted increasing numbers of municipalities to endorse and undertake human rights implementation.

This paper will discuss activities that have taken place in Eugene, Oregon, which began to address local implementation of international human rights in 2007 and continues to do so. As a member of the Eugene Human Rights Commission, I have actively participated in encouraging the implementation of human rights in Eugene and thus have had an opportunity to see first-hand the challenges and successes that have occurred since that year.

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.

With the encouragement of the City’s Human Rights Commission (Kaufman 2011: 95) and with the approval of the City Council, executives, managers and staff have begun to embed and institutionalize human rights norms and standards in City operations (MacNaughten and McGill 2012: 399-405; Sok and Neubeck 2011: 240-242). Eugene has received national recognition for these implementation efforts from human rights NGOs (Columbia HRI and IAOHRA 2010: 9; Columbia HRI 2012: 12, 15, 23; US Human Rights Fund 2010: 95-97; US Human Rights Network 2012: 22). As elected officials periodically have publicly linked Eugene to the goal of becoming a human rights city, grass-roots social justice organizations in the city have increasingly adopted human rights language in addressing local problems.

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That is the story told in brief. Now it is necessary to fill in more of the details to see what can be learned from Eugene's successes and on-going challenges.

## **The US human rights movement**

Human rights cities in the United States are being created as part of the US human rights movement. This movement is seeking to build upon and extend the gains of the civil rights movement while encompassing a far wider range of fundamental rights, including social and economic human rights. As Martin Luther King Jr. famously stated not long before his tragic death: 'We have moved from the era of civil rights to the era of human rights' (King, Jr. 1967). The movement, which has arisen and slowly gathered strength and momentum over the last decade or so, is a direct attack on US exceptionalism (Thomas 2008). It is informally led by the US Human Rights Network, founded in 2003.

Originally involving some 60 domestic social justice groups and organizations, USHRN'S organizational membership is now well over 300. It is an eclectic movement with national, regional, and local members who pressure governments and encourage civil society to recognize the value of using a human rights lens when it comes to legislative, program, policy, and budgetary decisions.

The issues addressed by network members include homelessness and affordable housing, health care, hunger, environmental justice, reproductive rights, capital punishment, human trafficking, along with the rights of immigrants, indigenous peoples, women, people of color, the LGBT population, people with disabilities, workers, prisoners, and people who are impoverished (Sooahoo, Albisa and Davis 2008).

## **The creation of human rights cities**

The idea to nurture and create 'human rights cities' originated with the international non-profit People's Decade for Human Rights Education or PDHRE, now known as the People's Movement for Human Rights Learning. An organizational member of the US Human Rights Network, PDHRE has aided in the creation of at least seventeen human rights cities either in operation or formation in countries such as Argentina, Austria, India, Kenya, the Philippines, Canada, and Taiwan. Washington, DC was, in 2008, the first city in the United States to declare itself a human rights city. Since then, similar announcements have been made by Chapel Hill and Carrboro, NC; Richmond, CA; Boston; Pittsburgh; and Seattle.

The PDHRE model for creating a human rights city contains a number of steps, the first of which is the establishment of a city-wide, democratically-functioning steering committee that represents all segments of the municipal population, with special attention to representation of those groups who have been historically disempowered and marginalized. The steering committee's charge includes (1) developing a plan of action to identify and prioritize local human rights challenges; (2) implementing learning activities so that inhabitants understand their human rights; and (3) monitoring and evaluating the work of all sectors of the human rights city on progress being made toward meeting human rights goals (Marks, Modrowski and Lichem 2008: 47-50).

Self-designation as a human rights city, as has occurred in a handful of cities in the United States, takes the form of resolutions and proclamations, not ordinances, and these declarations lack

the force of law. However, they may help to provide a political reference point as well as legitimize and open up political space for the activities of local human rights advocates around violations of rights of concern to them (Finnegan, Saltzman and White 2010:47-50). In the United States, progress toward creation of human rights cities has been slow. Moreover, it is not clear just how fully the PDHRE model has been implemented in the US municipalities that have designated themselves human rights cities.

### **The city of Eugene, Oregon, addresses human rights**

Eugene, Oregon, is a Pacific Northwest city of some 160,000 residents. Home of the University of Oregon, Eugene is known as being generally politically progressive. It regularly experiences rallies, demonstrations, and vigils around such issues as militarism and war, environmental abuse, free speech, immigrant rights, corporate power, and homelessness. It is an overwhelmingly white city (like Oregon as a whole) with a poverty rate of 16.6 per cent in 2012 (Hammond 2013).

Eugene is governed by an eight-member City Council and the six city departments are operated from day-to-day under the supervision of a Council-appointed City Manager. Under this 'weak mayor' system the Mayor chairs Council meetings and votes only to break ties. The Council sets broad policy and the City Manager decides how to implement it. This arrangement gives a good deal of freedom to the City Manager who, in turn, relies heavily upon department executives, managers, and staff.

Fortunately, in the case of Eugene, from the City Manager on down, there has generally been openness to the idea of implementing the human rights framework within the city organization. Encouragement to do so has primarily come from the Eugene Human Rights Commission (HRC), composed of community volunteers appointed by the Council, and the Human Rights and Neighborhood Involvement Office (HRNIO, formerly called the Equity and Human Rights Center), a small city-staffed unit located in the City Manager's Office. The HRC can be seen as a component of civil society, given its relative autonomy from the city organization.

The 'human rights framework' developed in Eugene refers to ways in which the City can implement human rights standards and principles in its overall operations and in all departments (City of Eugene, Equity and Human Rights Center 2011a: 7). The framework calls on the city organization and elected officials to proactively identify and seek solutions to human rights problems and issues; address human rights violations even when these violations can be considered unintentional; establish mechanisms to insure active public participation in human rights problem identification and in establishing solutions; be transparent and open about all government decisions bearing on people's human rights; be publicly accountable for progress in remedying human rights problems by timetables, benchmarks, and appropriate measures; and, finally, to provide education to all residents about their human rights and how they can seek redress for rights violations.

### **Human rights implementation within the city organization**

With encouragement of the Eugene Human Rights Commission and its support staff in the HRNIO, and with cooperation by the City Manager, departmental executives, managers, and staff, the City of Eugene has implemented a number of internal policies and practices since 2007 that are positive in terms of demonstrating a commitment to human rights and becoming a human rights city. It is a municipal leader in this regard. We will discuss some examples in this section and reasons for

the success of these policies and practices.

## **Strategic planning**

The idea to develop a Diversity and Equity Strategic Plan (DESP), the first strategic plan ever developed by city staff, arose out of deliberations by a Eugene City Council ad hoc Committee on Race. The plan covered the period from July 2009 to July 2014 and is now undergoing revision. HRC discussion of the human rights framework with city staff and their positive reactions to it led staff members drafting the DESP to incorporate an action item stating the city would 'Create a plan to integrate Human Rights City concepts into City policies and procedures' (City of Eugene 2009: 11).

What has evolved since the DESP was introduced in 2009 are individually tailored departmental DESPs. Reports on departmental accomplishments are shared annually across departments and written up in an annual DESP report. A staff-led Equity and Human Rights Board, with representatives from each department and the HRC, reviews and encourages this work. The HRC has given out annual Human Rights Awards to each department for particularly notable projects, thus promoting and rewarding their commitment to human rights implementation.

Implementation of the human rights aspects of the DESP has not been problem free. Staff of the HRNIO had to clarify terms for departmental staff (e.g., '*civil*' v '*human rights*'); tell the human rights story in ways that were relevant to each department's unique function and culture; emphasize the positive work department staff already did that was actually 'human rights work'; and, stress the importance of proactively seeking public engagement and input around how services staff provided could be made to more equitably serve all members of the community (US Human Rights Fund 2010: 96).

In effect, staff of the HRNIO and members of the HRC have served two important roles in successfully moving implementation of human rights forward in the city organization. First, they have operated as *translators* who help people understand the meaning and importance of human rights, and who show them how they can use the human rights framework to think differently about the work they do and about how they might do some things differently (on the critical importance of translators, see Merry 2006 and Shawki 2011).

Second, they have functioned as *champions* of human rights, encouraging, praising, and occasionally even symbolically rewarding departmental staff who exhibit through their actions that they and their departments 'get it'. As time has gone on, champions have emerged at all levels of the city organization, including the top levels. Eugene's mayor is a champion of human rights. Consequently, the city's staff do not experience the call to implement human rights only as a top-down mandate, since they see executives and managers employing a human rights lens in their own work and supporting staff who do so. Thus, to a surprising degree human rights values are being internalized.

## **Decision making**

Eugene's city organization contains an Office of Sustainability that reports to the City Manager. The staff of this office developed a Triple Bottom Line Analysis Tool (TBL) that can be used in assessing the implications of decisions to be made regarding programs, policies, procedures, and budgets. The

tool consists of a set of questions or prompts that are intended to generate thought about implications for three areas: environmental health, economic development and prosperity, and social equity (City of Eugene 2012). Members of the HRC and the HRNIO were invited to collaborate with the Office of Sustainability, focusing on incorporating human rights language into the TBL. As a result, the TBL is now described as 'Placing priority upon protecting, respecting, and fulfilling the full range of universal human rights, including civil, political, social, economic, and cultural rights'. The intended outcome of the TBL includes Eugene becoming 'A community in which basic human rights are addressed, basic human needs are met, and all people have access to tools and resources to develop their capacity' (City of Eugene 2012: 3).

The TBL has been used to assess the need for additional public restrooms downtown; to analyze the impact of potential layoffs of city staff due to budget cuts; to determine ways to limit expenses and increase revenue for Recreational Services without reducing accessibility of its programs; and, in a Library decision to switch to printing with BPA-free paper (Columbia HRI 2012: 23). More recently it was used to examine the implications of different decisions concerning where the city's urban growth boundary should be expanded to accommodate projected growth in Eugene's population.

Both the DESP and TBL have helped to embed the implementation of human rights within the city organization. This suggests yet another condition helpful to becoming a human rights city. That condition is *progressive institutionalization* of the human rights framework in the guiding documents of the city organization.

Human rights translators, champions and progressive institutionalization are unlikely to be effective without the addition of a fourth condition: *access to training*. The training protocol for all new staff contains a strong human rights component, including orientation to the DESP and TBL, developed in cooperation between the HRNIO and the Department of Human Resources. Such trainings are important to building a resilient human rights organizational culture. Less noticed, but also of importance, is the informal peer to peer training provided by organizational champions of human rights.

With greater training opportunities for staff, implementation will become less reliant on champions and translators, and progressive institutionalization of human rights in guiding documents will become a norm.

### **Service accessibility**

More people are now living in Eugene for whom English is not a first language or a language spoken in the home. Growth of the Latino immigrant population is particularly notable.

HRNIO staff conducted outreach to Limited English Proficiency (LEP) populations identified from demographic data, using interviews, focus groups, classroom visits, and surveys translated into Spanish, Chinese (simplified), Korean, and Arabic (modern) (City of Eugene, Equity and Human Rights Center 2011b). Two hundred people were contacted and questioned on topics including their level of comfort in dealing with various City departments, their access to and use of Internet, their need for a translator to access city services, what services they currently access and which ones they would

access if a phone translator or translated materials were available to them. Participants were also offered the opportunity to attend a session to discuss city government and provide further input on how city departments could be more welcoming and accessible.

The HRNIO also contracted with the University of Oregon's Community Planning Workshop to assess the knowledge of departmental executives, managers, and staff as to the LEP resources available to them and the ease of accessing these services when they were needed (City of Eugene, Equity and Human Rights Center 2012). This survey indicated there was a demand for LEP services across departments; a lack of consistent knowledge as to what services existed and how they could be accessed; and a perceived need for staff language training, a directory of local translation services, and more access to live translators.

Human rights standards in addressing discrimination are higher than those established by legislatures, agencies, and courts in the United States. Human rights standards call for pro-activity in identifying discrimination, as opposed to simply reacting to complaints as they come in, as well as equal attention to eliminating unintentional and intentional discrimination. Civil rights law in the United States does not for the most part require proactivity or attention to unintentional discrimination. The efforts of the city organization are becoming consistent with human rights standards such as are found in the Convention on the Elimination of Racial Discrimination (CERD). Conformity to the principles and standards of CERD is an important way in which cities can oppose US exceptionalism. But doing so takes time and capacity.

Thus, to the conditions favorable to a municipality's development as a human rights city that we mentioned earlier – champions, translators, progressive institutionalization of the human rights framework, and access to training – we must add a fifth, *resources*. The important thing about implementing human rights in a city organization like Eugene's is that it is *not* really a costly endeavor. Those costs that are necessary for implementation need to be weighed against the benefits – to the city organization, to its staff, to the community, and to the individuals and groups the city organization serves. This suggests a sixth condition that is favorable to becoming a human rights city: *benefits must be seen to outweigh costs*.

## **Public participation**

Eugene is a city with a history of active civic engagement. Residents serve on numerous city advisory committees and boards and actively speak out at City Council meetings and budget hearings. However there has been an on-going sense of 'we v. they' between many residents and the city organization, a dynamic that occasionally flares up when controversial issues arise. City officials were persuaded that developing new and better means of communicating and engaging with the larger community could reduce unproductive conflicts and help staff become more effective in meeting the needs of Eugene residents.

Consequently, staff included an action item in the DESP calling for the creation of guidelines for engagement with the broader Eugene community. The result of that action item was a document distributed to all city departments called Public Participation Guidelines: A Framework for Culturally Competent Outreach (City of Eugene 2011). The framework defined cultural competency as 'asking people how they would like to be treated' and, referencing the concept of universal design or access,

emphasized the need to ‘create environments where everyone will feel comfortable’ engaging with the city (City of Eugene 2011: 4).

The development and encouragement of city departments to use the Public Participation Guidelines is especially germane to Eugene’s becoming a human rights city. One of the basic elements of the human rights framework is participation: The assumption is that those closest to a given human rights problem know it best and that their participation in helping to address the human rights violations to which they have been subject is highly empowering for people.

For example, the guidelines, once developed, were used in reaching out to members of the community who have limited English language proficiency, to find out how they thought Eugene could improve LEP access to its services. The guidelines were also used by the HRC and city staff in doing outreach in 2010–11 to different community sectors for input on what needed revision in the then twenty-year-old Human Rights Ordinance. Special attention was paid to the voices of people who are homeless, the LGBT population, those with disabilities, youth, and people of color. The ordinance was revised in 2011 to mandate that the HRC encourage adoption of the principles and standards of the Universal Declaration of Human Rights in the City organization and across the broader community. It was approved unanimously by the City Council.

This suggests a seventh condition favorable for assuming the status of a human rights city: *having respect for community and treating it as an asset*. Seeing community as an adversary to be overcome or to be manipulated without regard to its needs and interests, is antithetical to human rights implementation.

## **Inclusiveness**

Can a municipality become a human rights city simply by changing its programs, policies, and practices to reflect human rights values and principles? Or does it also need to attend to its physical facilities and built environment? The latter is probably one of the last things the average person would think of as a condition helpful toward becoming a human rights city. In Eugene, however, the Diversity and Equity Strategic Plan specifically identified this goal (City of Eugene and University of Oregon Community Planning Workshop 2011:1) in the following terms: ‘important messages are communicated through the physical environment about what an organization values and how it operates ... Re-examine space, furnishings, layout, etc. of City facilities to ensure they are accessible and culturally inclusive ... regardless of age, race, ethnicity, religious affiliation, socio-economic status, sexual orientation, [or] physical ability’.

The strategy entails use of a self-assessment tool developed by city staff. Building common areas (e.g. entry ways, lobbies, waiting areas, hallways), meeting spaces, and offices are to be assessed in terms of whether community members feel a sense of belonging in the space.

The City’s Inclusive Environment Self-Assessment is designed to encourage departmental executives, managers, and staff to become aware of the physical environment in which they are working and take steps to insure that it is welcoming to all. Questions in the self-assessment (City of Eugene and University of Oregon Community Planning Workshop 2011: 4, 8, 11, 13) touch upon several crucial issues, such as ‘what are the ages, races, physical abilities, genders of those who use

the space?', 'Does signage include multiple languages, universal symbols? Can a non-English speaker find his/her own way?', 'What is posted on walls? Note the different cultures or ethnic groups, genders, ages, abilities, family types, included in the displays'.

The Inclusive Environment Self-Assessment suggests an eighth condition, which is favorable to a municipality becoming a human rights city: *being willing to think outside the box*. Constructing a human rights culture where no such thing has ever existed calls for being imaginative and mindful. As Lindsey Foltz, a former human rights analyst with the HRNIO, commented: 'Substituting creativity for other resources is I believe a common cultural norm within the city organization, which makes our having so many human rights champions so powerful' (Foltz, personal communication, 11 June 2014). Once looking through the human rights lens becomes the norm within a city organization, all kinds of taken-for-granted policies and practices are likely to be subject to interrogation, discussion, and change.

### **Education and outreach**

Besides working with the city organization, since 2007 the Eugene Human Rights Commission has brought the human rights framework and the importance of its local implementation to the broader Eugene community. The Commission began with community forums in which outside speakers were invited to explain human rights and engage community members in discussions of what they saw as the most important human rights problems in Eugene. Each December, the Commission has hosted an International Human Rights Day Celebration that has focused a human rights lens on local issues through speakers and tabling by Eugene social justice groups.

Commission members have published op-ed pieces on local implementation of human rights in Eugene's daily newspaper, and discussed the topic on local radio stations and in classrooms. In 2010, the HRC hosted a hugely successful Human Rights Community Summit. Some 300 people from Eugene and surrounding communities came to hear nationally known human rights advocates and participate in over 20 workshops organized by local social justice groups.

Despite these educational efforts and the level of commitment to human rights implementation that has taken hold in the City organization, social justice groups and social service non-profits have been slow to frame the work they are doing in human rights terms. This is unfortunate, as adoption of the human rights framework can encourage cross-issue work, increase intra-group solidarity among social justice groups, and increase collaboration and resource sharing among social service organizations and social justice groups serving the same populations. These processes are important to building a strong US human rights movement to combat US exceptionalism.

The exception has been protest groups that sprung from Occupy Eugene, a local organization that appeared in Eugene in 2011 as part of the Occupy Wall Street movement. Protest groups arose in response to growing familiarity with the needs of Eugene's population of people who are homeless and, while such groups have undergone a number of changes, homeless advocates and people who are unhoused have continued to challenge the City elected officials to do more to address the human right to housing if it is to be considered a human rights city.

### **Conclusion**

A number of developments have occurred within Eugene's city organization that are promising

in terms of Eugene's becoming a human rights city. Here I will recapitulate the conditions I believe have contributed to the success of these internal developments.

Of utmost importance is the fact that Eugene's city organization has *translators* who can explain the importance and meaning of the human rights framework and point to ways it is already being used in many instances, although not recognized as such. The translators are assisted by the existence of *champions* who offer praise, encouragement, and recognition of programs, policies and practices that strive to be in conformity with human rights values and standards.

Translators and champions facilitate the *progressive institutionalization* of human rights values and standards in the guiding documents of the city organization, such as the DESP and the TBL tool. This helps to create a human rights culture even as individual organizational members come and go. This culture can be sustained by providing regular *access to human rights training* for both incoming and existing staff, managers, and executives to help them in using the human rights lens to identify ways to implement human rights in their own work.

Eugene has been able to maintain its human rights efforts even while devoting minimal *resources* toward becoming a human rights city. The greatest investment entails encouraging on-going rethinking and reimagining of how the work of all city departments can be done more effectively when informed by the human rights framework. The question of costs and resources primarily comes into play in the early stages of discussing adopting human rights principles and standards in carrying out municipal operations. It is important that key organizational decision-makers can articulate to the broader community how the *benefits to the organization and to the community outweigh costs*, and that those costs are quite minimal.

Eugene's city organization generally has *respect for community and treats it as an asset*. This makes it easier for its departments to establish relationships and form partnerships with community stakeholders that can help the city organization become more transparent and collaborative in its efforts to identify community needs and to meet them. Listening to the ideas of community members helps the city organization to *think outside the box* and be imaginative and mindful in coming up with ideas that will bring the city organization's operations ever closer to conformity with human rights norms in all departments. In doing so, they not only model human rights values and standards outward to the community, but operate in opposition to US exceptionalism.

By incorporating the human rights framework and encouraging its use across all city departments, the City of Eugene is meeting human rights obligations that the federal government has turned its back upon. At the same time that the human rights framework has become institutionalized within the city organization with some success, it has begun to be picked up and used by grassroots groups to hold the city accountable for meeting its human rights obligations to the community, such as the right to housing. From a human rights perspective, both of these are progressive developments. It is more common than not for human rights violations and complaints to arise from the mistreated and marginalized, and for their voices to be amplified by vocal community allies.

As human rights language and rhetoric becomes more of a lingua franca shared and used by more and more segments of the community, and by people in other cities and states, US exceptionalism when comes to domestic human rights implementation is undermined. Herein lies the

importance of what is going on in Eugene and increasingly in other cities in the United States.