SLoCaT Report on the Habitat III - “New Urban Agenda”– informal meetings and negotiations

New York, 16th – 20th May 2016

I. Background

Habitat III is the United Nations Conference on Housing and Sustainable Urban Development to take place from 17-20 October 2016. Habitat III will be the first UN global conference following the adoption of the Global Goals on Sustainable Development and the Paris Agreement on Climate Change; thus the "New Urban Agenda" (NUA) – the Habitat III outcome document – will be a key opportunity to shape the implementation of these agreements in a number of sectors, including transport.

Between the publication of the Zero Draft of the NUA on the 6th May 2016 thirteen days of informal meetings in New York are scheduled before the 3rd Preparation Committee (PrepCom3) in Surabaya, Indonesia from the 25th-27th July 2016 and Habitat III itself in Quito, Ecuador, from the 17th to 20th October 2016.

16th May and 17th May 2016 were allocated to “Informal Hearings with Local Authorities Associations”, the agenda is available here. The meeting was mandated by the UN General Assembly (UNGA) in December 2015 (A/RES/70/210). The presentations and statements are available online.

18th May until 20th May 2016 were allocated to “Informal Intergovernmental Meetings”, the agenda is available here. The statements are available online.

These meetings are particularly significant because:

1. This was the first time ever that there has been a platform for mayors and local leaders to directly address Member States during the negotiation of an international agreement.
2. This was the first time we can hear the reactions of Member States to the Zero Draft text – which gives an indication of the likely directions of the negotiations in the next weeks.

II. Informal Hearings with Local Authorities Associations Introduction – 16th and 17th May 2016

In his introduction Jan Eliasson, Deputy UN Secretary General, quoted UN Secretary-General Ban Ki-moon, saying sustainable urban development is critical to achieving the SDGs and that the battle for sustainable development will be won or lost in our cities. Habitat III Secretary-General Joan Clos mentioned that more than 10,000 people have contributed to the Zero Draft in different ways, including both government actors and civil society.

It’s worth noting the significance of mayors and local leaders being given a platform to address the Member States for the first time as they negotiate an international agreement, however as noted by Andreas Wolter, Deputy Mayor, Cologne – the meetings with local authorities are only informal. A number of local leaders called for their formal participation in “national” delegations.

It remains to be seen how seriously local leaders’ views and interests are to be reflected in the negotiations and final agreement – in particular in areas where there are tensions between local and national interests.

Statements from local leaders

Mauricio Rodas, Mayor, Quito, Ecuador, said that the Habitat III Conference will mark a new era and a new stage of urbanization in the world. He hopes that the voice of local governments will be central to Habitat III negotiations and the New Urban Agenda, and emphasized the need to state clearly the central role played by local governments, including in providing solutions to global problems, among which sustainable transport will make a critical contribution.

Anthony Shorris, Deputy Mayor, New York City, USA, was not the first to list terrorism as one of the global risks (like climate change) that cities face.

Parks Tau, Executive Mayor, Johannesburg, South Africa, made a number of very pertinent points, inter alia, calling for: enabling decentralization, noting the inclusion of local authorities in the South African Constitution; developing the financial capacity of local authorities to develop and expand their own revenue sources, access financial mechanisms and development aid directly; using networks of local authorities as the basis for partnerships with the UN and other international organizations; integrating programmes and avoiding silo thinking; and ensuring people-centered approaches, each of which is relevant to the local provision of urban mobility solutions.

Dato’ Maimunah Mohd Sharif, Mayor, Preprang Palai, Malaysia, for ICLEI-Local Governments for Sustainability (ICLEI), welcomed the zero draft’s inclusive approach. She
called for: more explicit reference to the link between urbanization and SDG 11 and the Paris Climate Agreement; detailed guidance and recommendations on implementation processes and mechanisms; clear definition of national commitments to action; and elaboration of a new architecture for dialogue and representation in and with the UN.

During discussion, stressing the need for specific mechanisms to capture land value increases, the **International Union for Land Value Taxation**, on behalf of NGOs, said that land value taxation is not only a source of revenue for communities but also a tool to control and redistribute the benefits of increased land value, which is an important nexus for increasing funding for sustainable transport infrastructure and services.

Interestingly, **Mexico** stated that decentralization is a reality and that local governments are best placed to manage urban issues, noting that the ongoing trend towards decentralization has not, however, necessarily translated into better capacity, especially in small and medium sized municipalities.

**Council of European Municipalities and Regions** (CEMR-CCRE) noting the mounting challenges facing local authorities, made the good suggestion of including a **“local code of conduct for states, intergovernmental organizations and local authorities”** in the New Urban Agenda.

**Dato’ Maimunah Mohd Sharif**, **Municipal President, Municipal Council, Seberang Perai, Malaysia**, noted that the **17 SDGs and their associated targets and indicators must be included in the overall planning system** and activities at the city level, with transport contributing directly or indirectly to at least 7 of 17 SDGs.

**Nádia Campeão**, Deputy Mayor, São Paulo, Brazil pointed out that local authorities will take a leadership role in implementation, and thus she called for a dialogue on **stronger participation for them in intergovernmental organizations**.

**Luciana Blasco**, **City of Buenos Aires, Argentina** stressed that the three pillars of sustainable development (i.e. economic, environmental, social) need to be integrated into the local level, **suggesting the inclusion of culture as a fourth pillar**.

The Women and Gender Constituency of the General Assembly of Partners emphasized the need for time-bound and concrete commitments to be undertaken by local authorities given the **lack of consistent implementation and follow-up following Habitat II**. This is essential given the on-going need to provide gender-equitable access to global transport systems.

The session on **Enhancing the Means of Implementation** inevitably included calls for more funding for local action.

**David Lucas**, Mayor of Móstoles, Spain, stressed that the NUA **should include a commitment by national governments to provide 20% of budgets to local authorities**, something many Nation States will find difficult to accept (e.g. the United States made clear that NUA language should be “non-binding”). He stressed local authorities must be full-fledged members of the New Urban Agenda and that it should be operationalized through a **new global governance mechanism and a common road map**. This is and important
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step, as competence for planning and procuring urban mobility services has been devolved to the local level, but without sufficient funds being allocated.

III. Informal Intergovernmental Meetings 18th – 20th May 2016

This three-day session was the first chance to see Member States reactions to the Zero Draft of the New Urban Agenda. While there were many supportive comments about the text and pragmatic suggestions, there were also a number of criticisms regarding the length and complexity of the text. A number of important statements were made indicating possible national “red lines” which will certainly influence the next draft of the NUA and will likely become a focus of the discussions in the next weeks.

Positions of key negotiating groups

1. The European Union

In a strong statement, the EU call for more focus on implementing the agreements made in 2015 and putting cities at the forefront of action. They even point out that in the SDGs, UN Member States have already agreed to many things including "to ensure access to adequate, safe and affordable housing and basic services, as well as to affordable, accessible and sustainable transport systems for all". They also recognise the need for a “new partnership” between states and cities, local financial mechanisms, to tackle urban sprawl and the need for local capacity building.

Welcoming the Zero Draft the EU “hope that the upcoming weeks will provide us with the opportunity to further strengthen the sections on implementation” and call for “setting clearer action-oriented priorities,” which will crucially include attention to urban mobility.

2. Position of G77 + China

The G77 + China (current President is Thailand, who in the Habitat III process are supported by Columbia, Jamaica and Kenya) in their first intervention reiterated the principle of “Common but differentiated responsibilities” (CBDR) and respective capabilities and repeatedly underlined the need for financial resources, technology transfer and capacity building. While they said they support an “action orientated” NUA they then hinted at the “complexity” of the document and the need to find the “right” balance between technical and political issues, hence setting the scene for a traditional UN split between “developed” and “developing” countries that may not be relevant or productive for addressing the needs of cities and their sustainable development.

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1 The European Union and its 28 Member States, represented by the Member State holding the Presidency of the European Union (currently the Netherlands until July 2016, when Slovakia takes over), speak as a unified bloc.

2 The G77 is an informal grouping of 133 developing countries (comprising over 60% of the world’s population) that take common position and work together in UN negotiations. Statements are often made on behalf of the G77 and China (G77+China) (so together covering almost 80% of the world´s population), hence it is worth paying special attention to their positions.
In its list of areas that need to be strengthened in text the G77 + China included, inter alia,

“urban expansion; people-centred urbanization; improving housing for the poor; improving sustainable mobility and road safety; impact of climate change; education for jobs; economic growth with the emphasis on energy, transport, infrastructure and interconnectivity”

They also called for a “foundation principle” of

“integrated planning and urban governance with integrity in the way we plan, develop, and manage sustainable cities”

They also called for strong organisational machinery to implement the NUA and support the strengthening of UN Habitat.

3. Other key parties

Canada and the United States (probably in a co-ordinated approach) both warn about the introduction of new “rights” in the NUA – e.g. the “right to the city” mentioned by many contributors. The United States can be expected to be very cautious in the Habitat III process because the United Nations is likely to be a topic of discussion in the United States’ presidential elections which will take place in November 2016 just days after Habitat III.

In their statement the United States said that “We must ask ourselves at every step along the way, is the NUA enabling the development of sustainable and inclusive cities?” To improve the clarity of the NUA they usefully suggest including “Principles” in a Section A and “Implementation” in a Section B. They hope for a NUA “that is focused, more concise, practical and ready for implementation.

However, their statement underlined that the NUA is a “non-binding declaration” and that the “language should reflect that”. They also set out their opposition to the expansion of the mandate of UN Habitat “as the lead for follow-up and review of the New Urban Agenda” and state their preference that any discussion on the role of UN Habitat should be held in the UN Habitat governing council (which has 58 Member States represented).

Norway, a normally disproportionally influential actor in international affairs, emphasised the need to strengthen the link to SDG 11 (including targets) and the need to strengthen climate and health aspects of the NUA, to which urban mobility will be a crucial contributor.

IV. Specific discussions related to sustainable transport

The local authorities and local leaders made a number of specific references to sustainable urban transport, including:

Enrique Peñalosa Londoño, Mayor, Bogota, Colombia, highlighted the importance of having public spaces, such as greenways, bicycle ways, city sidewalks and parks, and stressed the need for equitable access. He emphasized that land planning and policies are essential to decide where and how cities should grow, and ensuring government appropriation of surplus land values, rather than leaving it to private sector decisions and appropriation.
Josep Rull, Co-President, Network of Regional Governments for Sustainable Development, and Regional Government of Catalonia, Spain, emphasized flexible strategic planning for better societies, economic opportunities, safety, mobility and connectivity, and the need to support transitioning cities to sustainable models of production and consumption.

Malmo, Sweden, called for seeing cities in their regional context, stressing connecting cities to the regions surrounding them in order to achieve sustainable urban development, particularly through access to transportation infrastructure.

In the session on Planning and Managing the Urban Spatial Development the representative of Children and Youth emphasized that well planned urban spaces encourage healthy lifestyles.

As the UN Member States were giving their initial reactions to the Zero Draft it could not be expected for there to be many references to specific sectorial topics. However, the EU reminded us that in the SDG the Member States have already, inter alia, agreed to ensure access “to affordable, accessible and sustainable transport systems for all”.

Though not addressing transport directly, Canada – while acknowledging that “health” is already included - made a strong call for more attention to the “health and well-being” in the text.

V. Conclusion and outlook

The extensive preparation, wide range of participants and the depth of expertise used has enabled the Zero Draft NUA to include almost all the necessary elements for and meaningful and valuable New Urban Agenda. All parties recognise the importance of urbanisation for tackling a wide range of global challenges in the 21st Century.

From the Member States comments on the Zero Draft NUA, it is already possible to see a consensus developing on a number of concepts: the need for a “paradigm shift” in urban policy, the need for an “implementation orientated” agenda, a new partnership between local and national actors and the need for local capacity building.

At this early stage of the intergovernmental negotiations, it is still easy for delegations to make bold and ambitious statements. However as soon as the Member States took the floor for the first time to comment on the Zero Draft we see that however necessary, correct and well-meaning the Zero Draft is, there remain a number of the elements in the text which cross well established red lines for certain member states/groups.

These issues are likely to become significant in the negotiations, as while not legally enforceable texts, such as the New Urban Agenda, are very carefully scrutinised by national delegations before their signature by Heads of State and Government, not least for the United States in the run-up to its presidential elections in November 2016.

The current text is long, complex, lacks a certain coherence and uses a number of terms on which there is no agreed definition (and which are likely to be hard to agree on – especially by Member States that would be happy to use up the valuable negotiating time on non-key issues).
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Given these issues and the limited amount of negotiation time (officially only 7 days) before the close of Habitat III on the 20th October, and the combined interests of the Habitat III Secretariat, host country Ecuador and UN Member States to have unanimous agreement, we can expect a “rush to compromise” in the next months. Unfortunately, this may well mean that some of the important and meaningful elements of the current text will be deleted. To maximise the value of the NUA for sustainable urban mobility and supporting issues, it will be important for civil society and other observers to pay close attention to the evolution of the text and to hold Member States accountable for changes they insist upon.

VI. Sources

https://www.habitat3.org/the-new-urban-agenda/intersessional_process