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The UN in the globalised international system

**The role of the UN system in the process of political articulation of local authorities
as a global actor**

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1. Introduction

In May 2004, the Founding Congress of United Cities and Local Governments (UCLG) was held in Paris. With its world headquarters in Barcelona, Spain, UCLG is an association of global scope and reach¹ whose creation resulted from the merger of two previously existing, world associations of local authorities: the International Union of Local Authorities (IULA) and United Towns Organization-Fédération Mondiale des Cités Unies (UTO-FMCU). UCLG's creation thus constitutes the latest step in the process of political articulation of local governments on a world scale, and demonstrates its founders' wishes to constitute a cohesive international actor, capable of expressing its claims with a single voice.

The UN system has been the main – although not the only – framework in which this process of political articulation has taken place. As with the Group of 77 a few decades ago, the United Nations has been the venue privileged by the international municipal movement, which uses the world organization both as a meeting point and a platform for political action. Insofar as some agencies of the United Nations (notably the Secretariat of the UN-Habitat Programme) actively supported the merger of the two large local associations, and considering that participating in the UN system undoubtedly acted as one of its main incentives, it seems clear that the international organization (United Nations) has had constituent effects on the global actor (United Cities and Local Governments, CGLU). This is an effect already identified and described by the literature on transnational actors (MERLE, 1988; BOLI & THOMAS, 1999; WILLETTS, 1996; RISSE, 2002, among others).

While the United Nations have exerted their influence – both directly and indirectly – in the formation of this new actor representing local authorities, also local authorities themselves have contributed (and continue to do so) to the transformation of the UN system. Although the claim that the UN system is undergoing a process of a certain “destatalization” would indeed be an exaggeration, it is certain, however, that it is

¹ International Public Law does not recognize UCLG as an international intergovernmental organization (IGO) because its members are not central governments. Officially, then, UCLG is an association regulated by Spanish private law.

gradually opening up to greater participation of actors other than central governments, i.e., transnational actors. Transnational associations of local authorities have indeed had a leading role in the struggle to obtain greater recognition within the UN system carried out by those international actors who do not belong in the central governments' club. Seemingly, the results obtained by local governments have been better than those reached by other, non-state transnational actors. One probable reason for this is the fact that, unlike the latter – basically Non-Governmental Organizations (NGOs) –, local authorities *are* governments and, as such, have access to resources and a legitimacy that non-state actors lack.

The present contribution describes and analyses some aspects of the interaction between this new global political actor and the UN system. The theoretical question it addresses is how this new global actor has – even if partially – reached its objectives, given its limited power resources and the opposition of other (seemingly) more powerful actors. Drawing on the – mainly constructivist – literature on transnational actors and the creation of global norms, as well as on the literature on the foreign activities of sub-national governments, our hypothesis points at the “mixed actor” (partially sovereignty-bound, partially sovereignty-free) character of sub-national governments (by themselves or constituting transnational groupings) as the main source of explanation.

2. Local authorities globally articulated: who they are and what they seek

The grouping of local authorities in transnational networks of varying nature, reach and aims is not a new phenomenon, nor is it one solely related to the present age of globalization. For decades now, there has been a rich institutional tapestry of transnational associations created by local authorities on different functional, regional and political grounds, as well as two municipal associations with a world scope: the International Union of Local Authorities (IULA) and United Towns Organization (UTO)².

² The International Union of Local Authorities (IULA) was created in 1913 on the initiative of the Belgian association of municipalities, and by 2004 most of the national and regional municipal organizations in the world had joined it. Its membership included individual local organizations, associations of local authorities, and there was even a category of personal membership. IULA was a strongly regionalised organization, with six regional sections (Europe, Latin America, Africa, the Eastern

However, over the last twenty years, the number of these groupings or “networks” of local authorities has considerably increased, thanks to the new possibilities offered by communication technologies and, to a larger extent, to a growing awareness of the benefits that multilateral cooperation between like-minded local partners can provide in their common struggles against new economic, urban, social or political challenges posed by globalization. Thus, countless multilateral cooperation arrangements have emerged: some are ephemeral and others more durable; some resembling classic international organizations and some less institutionalized and with more focused objectives. Some have a political nature and aim at lobbying activities national or international authorities, notably in the framework of regional integration; others concentrate on the exchange of management practices and political or technical cooperation.

It was in this chaotic, globalised context that, in the late 1980s, a new consensus began to take shape among politicians and officers in local governments and their respective associations. This consensus was based on the conviction that the interests and claims articulated by local authorities in the whole world vis-à-vis their national governments and international organizations had much in common, and that this commonality of interests called for some kind of political expression that could provide local actors with a single voice to be heard in world forums. From its inception, this objective of political articulation was linked with the aim of obtaining a greater institutional presence in the United Nations system³, which had, until then, given a marginal treatment to the associations of local authorities, similar to that meted out to NGOs⁴. Here, the general

Mediterranean and the Middle East, North America and Asia and the Pacific). Defence of local autonomy and promotion of citizen participation in community affairs were its main stated objectives. For its part, United Towns Organization (UTO) was an association of local authorities (cities, provinces, regions etc) created in 1957 on the initiative of French local organizations. With members in 75 countries and a progressive political orientation, FMCU devoted important efforts to enhance technical cooperation between its partners, as well as to city twinning as a means of peace-building and social development in East-West and North-South relations. Especially during the Cold War, the main divide between the two organization was ideological: while UTO was considered a “progressive” organization and directed much of its efforts to soften the East-West divide, IULA’s activities were more anchored in the Western camp.

³ The first time that these two parallel goals appeared on paper was in the “Rio-Barcelona Declaration”, a document subscribed by the Mayors César Maia and Pasqual Maragall in May 1992.

⁴ Both IULA (since 1947) and UTO (since 1963) enjoyed consultative status before the ECOSOC as “NGOs”. They were therefore given the same treatment as self-considered NGOs with altruistic goals, chambers of commerce, parliamentary unions, trade unions or academic networks, among others. This conceptual confusion is, among others, an indicator of the marginal status traditionally granted to actors different from central governments in the UN system.

objective of institutional representation took shape in two, more specific sub-objectives: the creation of a subsidiary consultative body, made up by local authorities, within the United Nations; and the binding of this body to the UN Centre for Human Settlements (Habitat). Soon, a new, more substantial one was to be added to these institutional objectives: the passing by the General Assembly of the United Nations of a normative instrument which would respond to the demands for self-government made by local authorities to national central governments and international organizations.

In the early nineties, conditions seemed to favour these objectives. On the one hand, the end of the Cold War meant that no ideological obstacles would hinder the unification of the two world associations of local authorities, IULA and UTO. On the other, the UN system seemed more permeable to the influence of other actors. The UN was more involved in the search for new forms of global governance, which meant that the world organization would be more willing to take on new functions or to use its leverage on others. Notably, the promotion of the “agenda for development”⁵ of Secretary General Butros-Butros Ghali called for an ever higher presence in the field, and therefore for a need to have closer relations with local, non-state – or not central-governmental – actors, the support and commitment of which was essential for a successful implementation of development programmes. Hence the need both to enhance dialogue between the UN and these actors and to articulate, wherever possible, their different interests and points of view with a single voice that could address UN institutions coherently and effectively.

The main promoters of the parallel processes of institution-building, increased presence of local authorities in the UN and creation of international norms on decentralization, were the leaders of the main associations of cities (IULA, UTO and Metropolis)⁶, as well as some local individual local governments that led the process at different moments – like Barcelona and São Paulo –, and also the *ad hoc* coordinating bodies, like the G-4 and WACLAC. Together, since 2000, with UNACLA – the new consultative commission of local authorities that began its operations in conjunction

⁵ “An Agenda for Development”. Report of the Secretary-General. A/48/935, 6 May 1994”.

⁶ Metropolis is an association of global reach whose members (90 cities from all over the world) are local and metropolitan governments of big cities (metropolises). With the creation of CGLU, Metropolis became part of the organization as its metropolitan section.

with the UN-Habitat Programme –, these were the forces within that global actor in the making that would eventually materialize in the form of UCLG.

3. How was this accomplished? Our hypothesis

The objective of creating a single world organization of local authorities from the merger of IULA and UTO (and the participation of numerous other existing associations) was accomplished, as mentioned, in 2004. Since this objective did not depend on the will of actors other than those directly involved in the process, its accomplishment does not represent any theoretical “puzzle”. More intriguing is the partial – but far from insignificant – accomplishment of the two other main objectives: obtaining an institutional presence in the UN system and, notably, the normative one.

The main accomplishment, in terms of penetration in the UN system, took shape with the creation of UNACLA in 2000. Although UNACLA is not really the subsidiary consultative body of the Commission on Human Settlements that the local authorities had sought, but only a consultative body to its Executive Director, this does not diminish the importance of the creation of a formal body, made up of local authorities, to give advice to the United Nations on local affairs. This is even clearer if we consider the important role played by UNACLA, since its creation, in the revitalization of the UN-Habitat Programme.

On the other hand, advancements in the completion of the normative objective have also been remarkable. At the time of writing (August 2007), the UN General Assembly is about to examine a document of Guidelines on Decentralization produced by the UN-Habitat Secretariat and approved by its Governing Council in April 2006 (21st session), after a lengthy process of discussions that involved, among others, a group of experts summoned by UNACLA. Even if they are approved by the Assembly, the Guidelines will not be the Charter on Self-Government sought by the local authorities, mainly because of their lack of a binding character. Nevertheless, the objective of presenting to the Assembly a set of norms agreed upon by Habitat’s Governing Council seemed remote as recently as 2001, when this body bluntly refused the proposal.

If it is then accepted that considerable advances were made towards both objectives, despite the initial opposition of much more powerful actors – the central governments represented in Habitat’s Governing Council –, the question of how this happened clearly seems to be one worth considering.

Simply put, our hypothesis is that local governments, transnationally organized, were able to advance their objectives by using simultaneously the resources drawn from their condition of governmental actors and other resources typically associated with the actions of non-state actors, in other words, by taking advantage of their condition of “mixed actors”, (HOCKING, 1997; PAQUIN, 2004; SALOMON & NUNES, 2007), partially “sovereignty-bound”, partially “sovereignty-free” (ROSENAU, 1990).

Acting as governmental actors, globally articulated local governments exploited, with considerable success, the argument of the legitimacy of their claims. It is, in effect, very difficult simply to dismiss their demands for greater participation in programmes and in decision-making bodies with an impact on the populations of which they are the legitimate representatives and public managers. Also, the fact that local authorities participate in the governmental structures of their national States made it easier to gain governmental support for their claims.

At the same time, and using methods frequently associated with more sovereignty-free actors, notably NGOs, local governments not only showed impressive effectiveness in their transnational articulation, but also in forming a strong coalition with the managing body of the UN-Habitat Programme. (This body, originally named Centre on Human Settlements, was to become the programme Secretariat in 2002.) Local representatives sided with Habitat officials to defend their common interests before the intergovernmental body of the programme. In our opinion, the cooperative stance of the Secretariat explains a good deal of the advances achieved in relation to the objectives of local authorities within the UN system, both in institutional and normative terms. Another ability which is typically associated with non-state actors – and the main power resource of transnational advocacy networks – (KECK and SIKKINK, 1998) is the use of the power of ideas and expert legitimisation as “soft power”, a use which may sometimes modify power relations that are initially unfavourable. In our case, as we shall see, local authorities, acting as *transnational norms entrepreneurs* (FINNEMORE

& SIKKING, 1998) used as instruments to support their claims, on the one hand, their own technical knowledge of urban questions, and on the other, a series of studies carried out by independent experts which endorsed – and granted supplementary legitimacy to – the contents of their demands⁷.

4. The institutional objective: obtaining greater presence in the United Nations system

As stated before, the process of local authorities' penetration in the United Nations system that led to the creation of UNACLA was intimately linked to the parallel process of convergence between the different transnational associations of local authorities. This is shown by constant references to the UN in documents and declarations regarding the unification process (including UCLG statutes). Also of significance is the fact that the intergovernmental conferences convened by the United Nations (mainly Habitat II in 1996 and Habitat + 5 in 2001) have been used by local authorities to convene their two world assemblies, which constituted real landmarks on the road to IULA-UTO unification.

We can thus affirm that the process was two-way: the degree of presence in the UN system could not have been achieved if the unification of the worldwide municipal associations had not taken place. At the same time, the objective of having a single voice before the United Nations was the main catalyst of the unification process. This already suggests an important role for the UN in the process of articulation of local authorities into a global actor. But the key to success in the objective of institutional presence was, as we shall see next, the solidarity and commonality of purposes that arose between the local authorities and Habitat's management body, and which owed much to their complementary interests.

Next, we shall develop this argument, pointing to the parallel evolution of (a) the global political articulation of local authorities; (b) the gradual penetration of local authorities, through Habitat, into the UN system; and (c) the UN-Habitat Programme itself, whose

⁷ See a case study of a semi-governmental agency (QUANGO) using both state and non-state strategies in RODRIGUES DE MACEDO (2007).

main points of inflexion were the intergovernmental conferences Habitat II (1996) and Habitat + 5 (2001). Special attention will be paid to the interaction and mutual reinforcement of local authorities and Habitat's management body.

4.1. The “City Summit” (Habitat II, 1996)

Habitat II, the Second Conference of the United Nations on Human Settlements, also known as the “City Summit”, was held in Istanbul from June 3 to 14, 1996. It was one of the large intergovernmental conferences on social issues convened by the United Nations throughout the decade, with the objective of advancing the processes of multilateral negotiations, and also the analysis, diagnosis and treatment of global problems. Habitat II, in particular, responded to the pressing problems of growing urbanisation in a context in which almost half of the world's population lived in cities.

The earlier Habitat I (Vancouver, 1976), had given rise to a modest institutional structure in charge of financing and coordinating small projects aimed at the improvement of the quality of life in cities of the Third World, mainly in Africa. The management body, the UN Centre for Human Settlements, was known as Habitat and had its headquarters in Nairobi. It operated as a support unit to an intergovernmental body, the Commission on Human Settlements, subordinated to the General Assembly and ECOSOC. Habitat did not actually work as an administrative unit, but as a UNDP-inspired programme, but with far fewer resources and a narrower scope.

In the months prior to the holding of Habitat II, the future survival of the Habitat institutional body was, itself, uncertain. Within the framework of the process of reform and rationalization of the UN system, the possibility of eliminating both the Centre and the Commission had been considered, with their functions transferred to other bodies and agencies in the system. African countries, with the support of the Group of 77, were able to prevent their disappearance. They were interested not only in retaining a UN headquarters in Africa, but in Habitat's activities for the human settlements in the region. (ALVES, 2001).

In spite of its weakness and marginal importance within the system, the globally articulated local authorities chose Habitat (rather than other, more important programmes or agencies, like the UNDP or UNESCO) as their “front door” and “focal point” in their strategy of penetration into the United Nations. The reasons are obvious: in no other UN agency or programme was the participation of local authorities more justified, since Habitat’s functions were directly connected with local areas of responsibility and specialization. The decision was taken in 1994, within the framework of a meeting of the G-4, a group formed in 1992 by IULA, UTO, Metropolis and Summit, to coordinate the participation of local authorities in the major UN social conferences, and to which other organizations of local authorities were to be added later (BORJA & CASTELLS, 1997). This shows that long before the unification of the associations, local authorities had already made progress jointly towards their institutional objective. It was decided at the same meeting of the G-4 to convene the First World Assembly of Local Authorities in Istanbul, as part of the programme of activities of the forum that ran parallel to the Conference.

The same arguments of legitimacy that justified the participation of local authorities in Habitat (the institution) were used to support their claim to participate in Habitat (the intergovernmental conference). The strength of the arguments, together with the organizational capabilities of the local governments, explain why in Habitat II local authorities – and other transnational actors – were permitted a greater participation in the debates of the Conference in comparison with previous occasions. In fact, local authorities were treated as “full partners” of the conference, with a voice (but no vote). Their demands – reinforced by the decisions of the First World Assembly of Cities – were conveyed to the intergovernmental conference, and made it to the Conference’s final documents. Another, more substantive accomplishment, was the explicit recognition of local authorities as the Centre’s main partners in the implementation of the “Habitat Agenda”, a set of commitments and recommendations in relation to the two great objectives of the Programme: “adequate shelter for all” and “sustainable human settlements development in an urbanizing world.

The results of Habitat II therefore meant an important incentive for the unification of IULA and UTO, an objective ratified by the first World Assembly of Cities. To his end,

the G-4 was replaced by the World Associations of Cities and Local Authorities Coordination (WACLAC), whose goals were advancing the unification process, formally binding local authorities into the UN system and promoting the World Charter of Local Self-Government, as well as enhancing cooperation between local authorities. Once again, therefore, the objective of the unification of the associations was tied in with those objectives related to the UN system: institutional participation and normative impact.

4.2. The alliance WACLAC -Habitat

The intense lobbying activities developed by WACLAC and its associates soon began to bear fruit: in December 1996, the General Assembly asked the Commission of Human Settlements to revise its working methods in order to open itself up to the representatives of local authorities and their associations⁸. One idea under consideration was to reproduce the tripartite model of the International Labour Organization, whose Executive Council is made up of representatives of governments, employers and workers. However, when the proposal was discussed during the 16th session of the Commission of Human Settlements (the first after Habitat II), it was rejected by the intergovernmental body due to the opposition of several delegations (India's and China's among them), which declared that to open the Commission to local authorities was legally unacceptable. As a result, the Commission's recommendations were rather modest in character. Along with the classic solution of granting consultative status to the associations of local governments in the ECOSOC, the Commission suggested the possibility that government delegations to Habitat include representatives of local authorities. Both, needless to say, were far from satisfactory for local authorities⁹.

Against the obstacle represented by Habitat's intergovernmental body, local authorities found a natural ally in Habitat's management body, from the outset sensitive to their demands. The first manifestation of the alliance between local authorities and Habitat (Centre) was the signature of an agreement "Memorandum of Understanding" through

⁸ General Assembly, resolution 51/177, Implementation of the outcome of the United Nations Conference on Human Settlement (Habitat II), 11 February 1977.

which they committed themselves to a series of common goals, among which the joint promotion of the World Charter on Local Autonomy, the joint development of the Programme of Best Practices and Local Leadership and the joint formulation of urban indicators.

Thus, the signature of the Memorandum Habitat-WACLAC marked the beginning of a substantive influence of local authorities over Habitat's activities, an influence which has been steadily increasing to this day. The second significant step in this direction was the creation of United Nations Advisory Committee of Local Authorities (UNACLA), authorized by the Commission of Human Settlement in its 17th session (May 1999) after two years of negotiations and lobbying by WACLAC and its members¹⁰.

As already mentioned, UNACLA's creation did not fulfil the expectations of local authorities. The latter demanded for the consultative body the status of a subsidiary body similar to the EU's Committee of Regions or the Council of Europe's Congress of Local and Regional Authorities. UNACLA was not created as a subsidiary body of the Commission of Human Settlements but as a consultative body under Habitat's Executive Director. Nevertheless, in spite of the considerable gap between local authorities' demands and the modest status accorded to UNACLA,¹¹ the creation of the first formal consultative body made up of local authorities in the UN system was indeed a significant step forward, both on account of local authorities' institutional presence in Habitat and, more generally, as a manifestation of the gradual opening of the UN system to transnational actors.

After its constitution in January 2000, the influence of UNACLA in Habitat activities was soon notable. Right from the start, the Centre of Human Settlements gave UNACLA a privileged and differentiated role from the rest of the associates with which it cooperates and Habitat's Executive Director (initially Klaus Toepfer, and after 2002, Anna Tibaijuka), responsible for the designation of UNACLA's twenty members, chose

¹⁰ Commission on Human Settlement, Resolution 17/18, Cooperation with partners: role of local authorities in the work of the Commission, 14 May 1999.

¹¹ Local authorities demanded not only a superior status for the Committee but also the presence of consultative committees of local authorities in all UN agencies dealing with local affairs or local implementation of UN programmes.

some prominent figures of the international municipal movement¹². As a consequence, the collaboration with local authorities was increasingly enhanced.

4.3. Habitat + 5 and the revitalization of the Programme

In June 2001, the extraordinary session of UN General Assembly was held in New York to evaluate the progress achieved in the implementation of the Habitat Agenda (Istanbul + 5). As in Habitat II, the intergovernmental conference was preceded by the holding (this time in Rio de Janeiro) of the Second World Assembly of Cities and Local Authorities, which gave the last impulse to the merger of IULA and UTO.

As for the intergovernmental conference itself, a first remarkable element is the positive evaluation made of the implementation of the Habitat Agenda in the five previous years (contrary to the more negative evaluations generally made in other “+5” or “+10” revision conferences) and, especially, the positive evaluation of local authorities’ role in the implementation of the Agenda, together with a recommendation to strengthen their already important role¹³.

A second remarkable element, due to its important symbolism, was the fact that, for the first time in the history of United Nations, a mayor was permitted to address the General Assembly – a forum strictly reserved until then to central governments - as a representative of local powers. Joan Clos, Mayor of Barcelona, intervened before the General Assembly as UNACLA’s Chairman and demanded (from the states) a bigger role for cities and local powers in the United Nations¹⁴.

¹² Joan Clos (Mayor of Barcelona, President of Metropolis, President of WACLAC), as the first acting Chairman of UNACLA, Eva-Riitta Siitonen (Mayor of Helsinki and President of Eurocities), Cesar Maia (Mayor of Rio de Janeiro), Yves Ducharme (Mayor of Hull, Quebec) and Max Ng’andwe (President of IULA and of the Zambian Local Governments Association), among others.

¹³ General Assembly, Twenty-fifth special session of the General Assembly for an overall review and appraisal of the implementation of the outcome of the United Nations Conference on Human Settlements (Habitat II), 8 June 2001.

¹⁴ See *Agenda ONU*, no. 4, 2001, pp. 191-194.

Thirdly, the documents of Habitat + 5 exhibit a striking resemblance between the discourse of the Executive Director of the Centre for Human Settlements and local authorities' traditional claims. In the report on the results of the implementation of the Habitat Agenda presented by the Executive Director to the conference, the main demands of local authorities appear in very clear formulation, from the support of the subsidiarity principle to the engagement in the formulation of a normative document on decentralisation, together with the recognition of the role and contribution of local authorities in the United Nations¹⁵. It can be safely stated, then, that by 2001, Habitat's management body was fully "localised".

The positive evaluation of the Habitat Programme of Istanbul + 5 was fundamental to the decision of proceeding to the revitalisation of Habitat and of giving it a stronger mandate. As a result, in January 2002, the UN-Habitat Programme was created, from the merger of the Centre of Human Settlements (which became the Secretariat of the Programme), the Commission of Human Settlements (from then on the Governing Council of the Programme) and the Habitat Foundation¹⁶. This organisational reform had positive effects on Habitat's relations with local authorities. Following a proposal from the Secretariat, the new working rules of the Governing Council, adopted in December 2003, opened up the main decision-making body of the Programme to the participation of representatives of local authorities, who, since the 20th session (2005), have been permitted to participate as observers, both in Council meetings and in those of subsidiary bodies, with all the possibilities to exert direct and indirect influence over the final decisions that this presence implies¹⁷.

In parallel with this process and, once again, partly driven by it, after Habitat + 5 the merger of the world municipal association reached its last step. In May 2002, in the joint meeting of IULA and UTO in Guadalajara (Mexico), it was agreed that CGLU's headquarters would be located in Barcelona, whose local government had had a

¹⁵ HS/C/17/6, 1 December 1998, Seventeenth session, Nairobi, 5-14 May 1999. International cooperation for the implementation of the Habitat Agenda. Report of the Executive Director (§ 177, 178 & 188).

¹⁶ The change implied, for Habitat, an upgrade in the UN system: from permanent committee of the ECOSOC, Habitat became a subsidiary body of the General Assembly (although it presents its reports to the Assembly through ECOSOC).

¹⁷ The 20th session (2005) and the 21st session (2007) were attended by 19 and 22 local authorities' representatives, respectively.

particularly active role in the municipal movement and in the initiatives of convergence and rapprochement to the United Nations¹⁸.

In 2004, then, the new organization – United Cities and Local Governments – began to operate. Significantly, UCLG’s statutes make ample reference to the UN¹⁹. A UN-UCLG “Agreement of Cooperation” was signed the same year. It aimed at expanding the collaboration between the two partners on a series of issues²⁰.

Today, even though UN-Habitat still declares itself the “focal point” for local authorities in the UN system, UCLG seems to view relations with the UN in broader perspective: in recent documents, no special references are made to Habitat as UCLG’s main UN partner and UN-Habitat is not explicitly mentioned in UCLG’s 2007 work programme, which includes, among others, the goal to work towards obtaining an official observer status for UCLG at the General Assembly.

5. The normative objective: the World Charter of Local Self-Government

As pointed up by Finnemore and Sikking (1998:893), many international norms establishing standards for the appropriate behaviour of states had their origins in domestic norms that became internationalized, owing to the efforts of *norms entrepreneurs* of different kinds. In this case, the norms on decentralization that local authorities globally organized (acting as a *transnational norm entrepreneur*) promoted through WACLAC and UNACLA (with the help of Habitat’s management body), are norms already applied in Council of Europe’s member states and appear in the European Charter of Local Self-Government, a convention adopted in 1985 (and amended in 1993) by the Council of Europe on the impulse of the Council of European Municipalities and Regions (CEMR), IULA’s European section. UTO adopted the

¹⁹ Thus, for instance, among its objectives are “to ensure the effective political representation of local government to the international community, in particular the United Nations and its agencies (art. 3 c) and among its tasks, to “collaborating actively with the United Nations and its agencies, and other relevant international organisations”.

²⁰ (i) the Global Campaign on Urban Governance, (ii) the Global Observatory of Local Democracy and Decentralisation, (iii) the Urban Millennium Partnership – Localising the Millennium Development Goals, (iv) the international dialogue on Decentralisation, and lastly (v) UNACLA itself.

European Charter in 1994. Therefore, the decision taken by First World Assembly of Cities and Local Authorities (May 1996) of promoting the adoption, by the UN General Assembly, of a World Charter of Local Self-Government, was in reality the culmination of a process of diffusion of (basically European) norms already initiated decades before.

As with the European Charter, the main principle that local authorities wanted to include in the World Charter was the subsidiarity principle, i.e., the idea that decisions must be taken and services must be offered at the lowest possible level, and as close to citizens as possible. Local authorities expected the Charter to incorporate some of their long-standing demands vis-à-vis central governments, such as better resources and autonomy for local finance, including taxation and transfers; and support for direct cooperation among local governments²¹.

As it had occurred with the objective of institutional penetration, the support granted by Habitat's management body to the goals promoted by WACLAC and UNACLA was essential. In fact, promotion of the World Charter was among the common goals of the agreement signed by Habitat (Centre) and WACLAC in 1997. It is then not surprising that the first draft of the Charter was written by a group of experts made up basically by local authorities, representatives of local authorities' associations, and Habitat's officers. The draft was discussed in eight regional international conferences over the two next years.

This process gave birth to a document, approved in April 2000, that met local expectations. Together with references to their demands of decentralization and access to financial resources, the text mentioned the constitutional and legal bases of local self-government (this, "where practicable", should be "guaranteed in the Constitution" of every country), the definition of local administrative structures, state monitoring, citizen participation and cooperation among local authorities at national, regional and international levels.

The Charter's draft was submitted to Habitat's intergovernmental body (the Commission on Human Settlements) at its 18th session (February 2001). Its approval

²¹ First World Assembly of Cities and Local Authorities, Istanbul, 30-31 May 1996. Final Declaration.

and forward to the UN General Assembly was mandatory. There, those governments belonging to the Council of Europe (and therefore already bound to those principles, present in the European Charter), as well as the members of the Group of 77 (who considered that the Charter was a useful instrument for development and a facilitator for international cooperation) were favourable to the text. But the open opposition of other governments, mainly the US, China, and Canada –and, possibly, the opposition less explicitly demonstrated of other governments– prevented the Charter’s adoption. The biggest obstacle was the binding character proposed for the Charter. Japan’s representatives suggested that the General Assembly adopted the Charter as a mere declaration, an unacceptable solution for its promoters.

That opposition by central governments blocked the initiative of the transnational coalition of local governments-Habitat is not surprising. In fact, as it has been repeatedly observed by those working on transnational actors and norms-building processes, although transnational actors and coalitions are sometimes quite successful in the phase of agenda-setting, a similar success is not to be expected in the later phase of actual rule-creation and international treaty-making, where state actors (central governments) run the business (RISSE, 2002:264).

It is to a certain extent more surprising that, in spite of that initial opposition, the efforts to pass a set of international norms on decentralization had a partial success six years later with the agreement, by the same body which had previously rejected the Charter, on a document on Guidelines on Local Autonomy.

Along with the continuing support of Habitat’s management body, success can be largely explained by the ability deployed by local authorities globally articulated to make use of a resource of *soft power* available to them in abundance: technical knowledge and information. By using technical arguments in support of their demands, and reinforcing these demands with the result of empirical studies elaborated by renowned, independent experts, local authorities managed to persuade their interlocutors in the Habitat’s Governing Council of the convenience to adopt the norms on decentralization they defend.

The first step taken in this direction was the opening of a discussion on decentralization which began in the First Urban World Forum (Nairobi, April-May 2002), involving the participation of local government representatives, of experts in inter-governmental relations, and experts in the application of decentralization measures at the national level.

Next, the Secretariat asked a group of international experts to elaborate a comparative study on decentralization in order to document its present state in different legal systems and institutions, as well as the relations among the local, intermediate and national levels of government. The study, made public in October 2002, was based on a sample of 28 different cases of decentralization processes taking place in different parts of the world, in developed and developing countries, including countries with economies in transition. On the whole, its conclusions supported local authorities' claims on decentralization.

The "Dialogue on Decentralization" continued in the following session of UN-Habitat's Governing Council (May 2003), with an important participation of local authorities' representatives. Although no significant advances in relation to the adoption of a normative framework were to be noted, the government delegations accepted the proposal of Habitat's Executive Director (made to Habitat's Committee of Permanent Representatives several months earlier) on the establishment of an expert group on decentralization, as a subcommittee of UNACLA,

Constituted in 2004, the Advisory Group of Experts on Decentralization (AGRED) elaborated a first document, which was presented to the Governing Council in its 20^a session (2005). This gave lieu to a wide consulting process among the different interested parties. In 2006 the Secretariat, in consultation with UN-Habitat Committee of Permanent Representatives, finished the draft of the Guidelines on Decentralization. Finally, the Governing Council (in its 21^a session, April 2007) endorsed the Guidelines, opening the way to their adoption by the UN General Assembly in September 2007.

The Guidelines contain the main demands of the municipal movement globally articulated: the subsidiarity principle, participation, non-discrimination, etc. If they are adopted by the General Assembly, they would "support and guide legislative reform

where necessary and appropriate". Halfway between the binding instrument initially aimed at and the "mere declaration" suggested by some governmental actors, the Guidelines are not the culmination of the lengthy process of norms building and persuasion undertaken by local authorities at the global level. For the time being, however, they are not a minor achievement.

6. Conclusions

In the early 1990s, local authorities, transnationally organized, set up three common objectives. Firstly, to establish a single world organization of local authorities through the merger of the two existing large local authority associations of global scope (IULA-UTO), and with the participation of many others of lesser scope. This objective was attained in 2004 with the inception of UCLG, the institutional expression of the new, emerging international actor. Secondly, to obtain a greater institutional presence in the UN system in general and in the UN-Habitat Programme in particular. So far, this objective has been partly achieved through the creation, in 2000, of UNACLA, a consultative body reporting to the Executive Director of the Programme, and the (partial) opening of the meetings of the intergovernmental body – the Governing Council – to local representatives. These are not minor achievements, and they have had important practical results, such as increasing the efficacy of the implementation of the Habitat Agenda and moving forward into another, more substantial goal of local authorities in the UN. This third goal, the passing by the UN General Assembly of a normative instrument on local autonomy and self-government, has also registered significant progress, with a set of Guidelines on Decentralisation approved by Habitat's Governing Council and (seemingly) about to be endorsed by the General Assembly.

The theoretical question that this paper has intended to answer is how this emergent international actor has managed to advance considerably in its two objectives related to the UN system, in spite of the initial opposition of other governmental actors. The hypothesis we tried to demonstrate is that transnationally organized local authorities advanced in the fulfilment of their objectives by using capacities arising from their character of mixed actor, partially sovereignty-bound, partially sovereignty-free.

Firstly, as with other sovereignty-free actors, the power projected by transnationally articulated local authorities was not based on coercion but on persuasion. In order to persuade their (mainly governmental) interlocutors of the validity of their claims, local authorities repeatedly invoked two sets of considerations. On the one hand, they appealed to their own (and others') knowledge and expertise on urban development-related questions. On the other, they insisted upon their character of legitimate representatives of citizens living under their jurisdiction, i.e., upon the fact that they were governments, not non-state actors. The effectiveness of these arguments was soon to be demonstrated, when local governments were included as principal partners in the implementation of the Habitat Agenda. From then on, the fact of having been granted this special status was used, in turn, as a supplementary argument to move forward both in the institutional and normative objectives.

Secondly, the establishment of coalitions with other actors is a strategy frequently employed by sovereignty-free international actors. Here, the successful coalition formed between the articulated local authorities and the management body (now the Secretariat) of UN-Habitat was fundamental in advancing towards the two objectives. It was the management body that incorporated UNACLA as an advisory committee of Habitat's executive director; next, it put forward the new procedural rules enabling local authorities to participate in the deliberations of the Governing Council; and lastly, along with representatives of local authorities, it took the lead in the process of formulation and discussion of the Guidelines on Decentralisation.

Lastly, it is also important to note that becoming a transnational norms entrepreneur is also, in itself, a kind of strategy frequently used by sovereignty-free actors to advance their objectives vis-à-vis states. In this case, local governments acted as transnational norms entrepreneurs in their attempt to change, to a certain extent, the power relations and the rules of the game that normally apply in their dealings with their national governments.

Even if they made extensive use of mainly non-state strategies, transnationally articulated local governments are nonetheless public, state actors. As such, they were able to resort to other mechanisms, and effectively did so in the pursuit of their goals.

Besides the use of the legitimacy argument associated to their governmental status, local governments displayed a capacity of self-organization which other (non-state) transnational actors lack. This, of course, is related to the fact that, as governments, they are permanent, solid institutions. Furthermore, the access to their own central governments through direct, institutionalized channels, or even through informal ones, is a valuable resource indeed afforded by their governmental status.

Although our theoretical question was focused on how the emergent global actor advanced towards the achievement of its goals, this paper has also shown how the United Nations system contributed to its political articulation. It is worth distinguishing, in this regard, between two different kinds of influence. One is passive. The mere existence of the United Nations operated as an important stimulus for the constitution of the emergent actor. In fact, the creation of the first G-4, the initial coordinating forum of the main transnational association of local authorities, was owed to the will to favour a common position in the UN social intergovernmental conferences of the 1990s.

Along with this passive influence, different agencies of the system also stimulated local authorities to speak with one voice. Here we have concentrated on the one chosen as the front door to the system, Habitat. Since the beginning Habitat (Secretariat) stimulated the merger of the local associations, granted a special status to local authorities in the programme, valued highly their knowledge and expertise in urban questions and contributed to gradually opening up the intergovernmental Governing Council to local authorities.

Conversely, the increasingly important capacity of transnationally articulated local authorities to intervene in the formulation of the agenda and in the operative structures of the different spheres of UN-Habitat singles out local authorities and their associations as key players in the slow opening of the United Nations system to transnational actors.

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