

International Guidelines on Decentralisation and Access to Basic Services for all

UNITED NATIONS HUMAN SETTLEMENTS PROGRAMME

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FOREWORD



authorities, as well as access to basic services for all.

The guidelines have been designed to assist policy reforms and legislative action at the country level in two complementary areas of UN-HABITAT's mandate. They have been prepared through an intensive consultative and participatory process involving many partners, including UN agencies as well as national and local governments over the past decade.

Milestones in this process included:

- (a) In June 1996, the Habitat II Conference, where governments adopted the Habitat Agenda, which in paragraph 177 endorsed the principle of subsidiarity. The Governing Council at its nineteenth session in May 2003 re-affirmed that the principle of subsidiarity constitutes the underlying rationale to the process of decentralization. According to this principle, public responsibilities shall be exercised by those elected authorities, which are closest to the citizens;
- (b) In 1998–2000, the draft charter of local self-government, which provided an international framework for endorsement by governments covering the political, financial and legal relations between central and local government and the respective rights and responsibilities of each;
- (c) In 1999, the Global Campaign on Urban Governance, which promoted a global dialogue on the principles of good urban governance, which includes not only subsidiarity, but also sustainability, efficiency, equity, transparency and accountability, civic engagement and security;
- (d) In June 2001, the special session of the General Assembly for an overall review and appraisal of the implementation of the Habitat Agenda ("Istanbul + 5"), which acknowledged the important role played by local authorities and their associations in the implementation of the Habitat Agenda and recommended to further strengthen their capacities;
- (e) In 2002, the first session of the World Urban Forum, during which a dialogue on decentralization was organized. That led to the adoption by the Governing Council of resolution 19/12 in May 2003.
- (f) In parallel, the discussion on access to basic services for all gained momentum at the World-Summit on Sustainable Development (WSSD), held in Johannesburg, in South Africa, from 26 August to 4 September 2002. It continued at the 12th session of the United Nations Commission on Sustainable Development (CSD), in New York, USA, from 14 – 30 April 2004.
- (g) In April 2005, the Governing council of UN-HABITAT adopted resolution 20/5, which took into account a proposal to develop a set of codes and recommendations on partnerships and on the role of various actors submitted during the CSD 12. That proposal was set out in a working paper entitled "Access to basic services for all: towards an international declaration on partnerships", which was produced by the United Nations Human Settlements Programme (UN-HABITAT) and the United Nations Institute for Training and Research (UNITAR) based on informal consultations with various partners. Participants at the second session of the World Urban Forum, held in September 2004 in Barcelona, Spain, also had recommended that the issue of access to basic services for all should be placed on the agenda of the twentieth session of the Governing Council.

There have been considerable efforts to support the preparatory process henceforth with the establishment of the Expert Group on Decentralization (AGRED), the strengthening of the United Nations Advisory Committee of Local Authorities (UNACLA) and the establishment of an Expert Group on Access to Basic Services. The two sets of guidelines presented here are the ultimate results of these international efforts.

This publication stresses the coherence and complementarity between the Guidelines on decentralization and strengthening of local authorities and the Guidelines on access to basic services. Both guidelines may now be adapted to the specific country situations.

A handwritten signature in black ink, appearing to read 'Joan Clos'.

Dr. Joan Clos
Executive Director, UN-HABITAT

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INTERNATIONAL GUIDELINES ON DECENTRALISATION AND STRENGTHENING OF LOCAL AUTHORITIES

I. OBJECTIVES

1. The international guidelines on decentralization and strengthening of local authorities were approved by the Governing Council of UN-HABITAT on 20 April 2007¹ as a key instrument to promote good governance at all levels and to strengthen local authorities. They shall serve as a catalyst for policy and institutional reform at the national level to further enable and empower local authorities to improve urban governance in attaining the human settlements- related Millennium Development Goals.
2. The Habitat Agenda recognizes, in paragraph 177, that sustainable human settlements development can be achieved “through the effective decentralization of responsibilities, policy management, decision-making authority and sufficient resources, including revenue collection authority, to local authorities, closest to and most representatives of their constituencies”. It also recommends, in paragraph 180, that “Governments should examine and adopt, as appropriate, policies and legal frameworks from other States that are implementing decentralization effectively”.
3. In recent years, the concepts of local autonomy or local self-government have been used to reflect, from a local authority perspective, the widely recognized need for decentralization. Effective decentralization is today regarded as an element of good governance and an expression of democratic practice and effective and efficient public administration. It is also recognized that elected local authorities, alongside national and regional authorities, are key actors in democratic governance and administration, which collaborate with national and regional authorities but also have their own autonomous spheres of public action.

2. BACKGROUND

4. In the follow-up to the Habitat II Conference held in 1996, local and national spheres of Government, in close collaboration with UN-HABITAT, started exchanging ideas on a possible “World Charter of Local-self Government” to strengthen the role of local authorities in implementing the Habitat Agenda. A first draft of the Charter was discussed among interested parties in a series of regional consultations between 1998 and 1999.
5. Following these discussions and taking into account their outcomes, the Governing Council in 2001 requested UN-HABITAT to intensify its efforts to make the international dialogue on decentralization “as open-ended and inclusive as possible” and to forge consensus among member states on decentralization policies in the development process.
6. UN-HABITAT commissioned a survey and presented a report in 2002 stressing the importance of effective decentralization for enhancing local governance in support of the implementation of the Habitat Agenda. The survey noted that a number of developed and developing countries were involved in redefining relations between their different territorial jurisdictions on one or more of the following: transferring or streamlining functions, redefining decision-making powers and authority, and reallocating resources. Invariably, the consequences of such changes had a bearing on the political, economic and administrative roles and responsibilities in the management of social, economic and environmental affairs at the local level.
7. These and other findings informed a series of focused debates involving experts and interested groups, which created a new momentum in the ongoing dialogue on decentralization.
8. Further to this report, the Governing Council, in Resolution 19/18 of 9 May 2003, called on UN-HABITAT to “establish a multi-disciplinary ad hoc advisory panel on decentralization with balanced participation of developing and developed countries to support the dialogue process”. The Advisory Group of Experts on Decentralization

¹ See resolution 21/3

(AGRED) was subsequently established with the mandate to provide advice on the international dialogue on decentralization and to contribute substantively to developing recommendations and documenting best practices on decentralization and strengthening of local authorities.

3. PREPARATORY PROCESS

9. The inaugural meeting of AGRED was held in Gatineau, Canada, in March 2004, with the support of the Federation of Canadian Municipalities (FCM). From 2004 to 2007, the secretariat of UN-HABITAT, supported by the members of AGRED, carried out intensive analytical activities to capture the state of decentralization in the world. These efforts included: (i) reviewing the existing relevant international legal instruments of relevance to the strengthening of local democracy², (ii) analyzing national legislation and regulations and other norms of decentralization, as well as evaluating the experience of countries with such policies and their legal frameworks, and (iii) identifying cases of best practices in the development and implementation of decentralization legislation and policies around the world. Apart from regular electronic correspondence to share information and knowledge, the Experts Group held a several substantive meetings³.
10. At its twentieth session in 2005, the Governing Council of UN-HABITAT was presented with a comprehensive report⁴, which annexed a first draft of the requested guidelines on decentralization. The Governing Council adopted Resolution 20/18 in an attempt to forge further consensus inviting national governments to provide their comments on the draft guidelines, and to assist in documenting cases of best practices for incorporation in the compendium of best practices.
11. Resolution 20/18 requested UN-HABITAT to revise and finalize the draft guidelines based on the feedback from the governments and to re-submit the guidelines for consideration by the Governing Council at its twenty-first session. In the same resolution, the Governing Council further requested UN-HABITAT, building on the experience of the Global Urban Observatory (GUO), to assist United Cities and Local Governments (UCLG), to develop the concept of a global observatory that

would assess, monitor and evaluate the state of decentralization and accountability to people at the local level and local governance in the world, as important conditions for achieving the goals of the Habitat Agenda.

12. The guidelines outline the main principles underlying the democratic, constitutional/legal and administrative aspects of local governance and decentralization. At the same time, they must be applied to specific conditions of state form (federal, regionalized or unitary), with different state traditions (for example, Napoleonic, Germanic or Anglo-Saxon, as well as traditions found in Asia, or in the Arab world). For that reason, they do not provide a uniform and rigid blueprint applicable to all Member States of the United Nations. They may be subject to national adaptations. Their main objective, however, is to support and guide legislative reform where necessary and appropriate.
13. The approval of the guidelines by the Governing Council of UN-HABITAT in April 2007 has been a major breakthrough, as they represent the ultimate outcome of over a decade of normative and advocacy work, which has involved extensive consultations between member states and the United Nations, through UN-HABITAT, working with local authorities and a large number of experts. The guidelines are, therefore, the product of a general consensus among all Habitat Agenda partners, who have been involved in their development. They provide the international community with the means to engage member states in one of the key aspects of the Habitat Agenda and the Millennium Development Goals – to support efforts in strengthening local authorities worldwide.

² Such as the Universal Declaration on Human Rights (1948), the International Covenant on Civil and Political Rights (1966), the International Covenant on Economic and Social Rights (1966) and other norms from international sources such as the European Charter of Local Self-government (1985), other documents approved by the Council of Europe and its organs.

³ Barcelona (2004), Nairobi (2005), Vancouver (2006).

⁴ HSP/GC/20/7

A. GOVERNANCE AND DEMOCRACY AT THE LOCAL LEVEL

1. REPRESENTATIVE AND PARTICIPATORY DEMOCRACY

1. Political decentralization to the local level is an essential component of democratization, good governance and citizen engagement; it should involve an appropriate combination of representative and participatory democracy.
2. Participation through inclusiveness and empowerment of citizens shall be an underlying principle in decision-making, implementation and follow-up at the local level.
3. Local authorities should recognize the different constituencies within civil society and should strive to ensure that all are involved in the progressive development of their communities and neighborhoods. Local authorities should have the right to establish and develop partnerships with all actors of civil society, particularly non-governmental organizations and community-based organizations, and with the private sector and other interested stakeholders.
4. Local authorities should be entitled, either through the constitution or national legislation, to define appropriate forms of popular participation and civic engagement in decision-making and in fulfillment of their function of community leadership. This may include special provisions for the representation of the socially and economically weaker sections of society, ethnic and gender groups and other minorities.
5. The principle of non-discrimination should apply to all partners and to the collaboration between national and regional governments, local authorities and civil society organizations.
6. Participation of citizens in the policy-making process should be reinforced in status, at all stages, wherever practicable.
7. With a view to consolidating civil engagement, local authorities should strive to adopt new forms of participation such as neighborhood councils, community councils, e-democracy, participatory budgeting, civil initiatives and referendums in as far as they are applicable in their specific context.
8. The participation of women and the consideration of their needs should be a cardinal principle embedded in all local initiatives.
9. The participation of young people should be encouraged in all local initiatives in order to: develop the school as an important common arena for young people's participation and of the democratic learning process and encourage youth associations; promote "children's council" and "youth council" type experiments at local level, as genuinely useful means of education in local citizenship, in addition to opportunities for dialogue with the youngest members of society.

2. LOCAL OFFICIALS AND THE EXERCISE OF THEIR OFFICE

10. Politicians and officials in local authorities should discharge their tasks with a sense of responsibility and accountability to the citizens. At all times they should maintain a high degree of transparency.
11. While local political office should be viewed as a commitment to the common good of society, the material and remunerative conditions of local politicians should guarantee security and good governance in the free exercise of their functions.
12. There should be a code of good conduct that requires civil servants to act with integrity and avoid any situation that may lead to a conflict of interests. Such a code should be made public.
13. Mechanisms should be put in place to allow citizens to reinforce the code.
14. Records and information should be maintained and, in principle, made publicly available not only to increase the efficiency of local authorities but also to make it possible for citizens to enjoy their full rights and to ensure their participation in local decision-making.

B. POWERS AND RESPONSIBILITIES OF LOCAL AUTHORITIES

1. SUBSIDIARITY

15. The principle of subsidiarity constitutes the rationale underlying to the process of decentralization. According to that principle, public responsibilities should be exercised by those elected authorities, which are closest to the citizens.
16. It is recognized that, in many countries, local authorities are dependent on other spheres of government, such as regional or national governments, to carry out important tasks related to social, political and economic development.
17. In many areas powers should be shared or exercised concurrently among different spheres of government. These should not lead to a diminution of local autonomy or prevent the development of local authorities as full partners.
18. Local autonomy aims to allow local authorities to develop to a point where they can be effective partners with other spheres of government and thus contribute fully in development processes.
19. Decisions should be taken at the level appropriate to the type of decision --international, national, regional or local.
20. National, regional and local responsibilities should be differentiated by the constitution or by legislation, in order to clarify the respective powers and to guarantee access to the resources necessary for the decentralized institutions to carry out the functions allocated to them.

2. INCREMENTAL ACTION

21. An increase in the functions allocated to local authorities should be accompanied by measures to build their capacity to exercise those functions.
22. The policy of effective decentralization may be applied in an incremental manner in order to allow for adequate capacity-building.
23. Where decentralization is a new policy, it may be implemented on an experimental basis and the lessons learned may be applied to enshrine this policy in national legislation.
24. National principles relating to decentralization should ensure that the national or regional government may intervene in local government affairs only when the local government fails to fulfill its defined functions.
25. The burden of justifying an intervention should rest with the national or regional government. An independent institution should assess the validity of such intervention.
26. As far as possible, nationally determined standards of local service provision should take into account the principle of subsidiarity when they are being drawn up and should involve consultation with local authorities and their associations.
27. The participation of local authorities in decision-making processes at the regional and national levels should be promoted. Mechanisms for combining bottom-up and top-down approaches in the provision of national and local services should be established.

C. ADMINISTRATIVE RELATIONS BETWEEN LOCAL AUTHORITIES AND OTHER SPHERES OF GOVERNMENT

1. LEGISLATIVE ACTION

28. Local authorities should be acknowledged in national legislation, and, if possible, in the constitution, as legally autonomous sub-national entities with a positive potential to contribute to national planning and development.
29. National legislation and, if possible, the constitution should determine the manner in which the local authorities are constituted, the nature of their powers and the scope of their authority, responsibilities, duties and functions.
30. Constitutional and legislative provisions for local government organizations may vary depending on whether a state is federal, regionalized or unitary.
31. Legislative provisions and legal texts should clearly articulate the roles and responsibilities of local authorities vis-à-vis higher spheres of government, providing that only those roles and responsibilities beyond their scope and competence should be assigned to another authority.
32. Local authorities should have full responsibility in spheres involving interests of local citizens except in those areas specified by national legislation, which should state what lies outside their competence.
35. Local authorities and their institutions should be assisted by other spheres of government to determine local policy and strategic frameworks within the parameters set by national policies.
36. Other spheres of government should support initiatives to develop responsive, transparent and accountable instruments necessary for efficient and effective management at a local level.

3. SUPERVISION AND OVERSIGHT

2. EMPOWERMENT

33. Local authorities should freely exercise their powers, including those bestowed upon them by national or regional authorities, within the limits defined by legislation. These powers should be full and exclusive, and should not be undermined, limited or impeded by another authority except as provided by law.
34. Other spheres of government should consult local authorities and their associations when preparing, or amending, legislation affecting local authorities.
37. The supervision of local authorities should only be exercised in accordance with such procedures and in such cases as provided for by the constitution or by law.
38. That supervision should be confined to a posteriori verification of the legality of local authority acts, and should respect the autonomy of the local authority.
39. The law should specify the conditions - if any - for the suspension of local authorities. In the event that there is a need to suspend or dissolve a local council or to suspend or dismiss local executives, the exercise shall be carried out with due process of law.
40. Following the suspension or dissolution of local councils, or the suspension or dismissal of local executives, the prescription of the law should determine the resumption of their duties in as short a period of time as possible.
41. There should be independent bodies, such as administrative courts, to oversee such suspensions or dissolutions by higher spheres of government, and to which appeal may be made.

D. FINANCIAL RESOURCES AND CAPACITIES OF LOCAL AUTHORITIES

1. CAPACITIES AND HUMAN RESOURCES OF LOCAL AUTHORITIES

- 42. Local authorities should be supported by other spheres of government in the development of their administrative, technical and managerial capacities, and of structures, which are responsive, transparent and accountable.
- 43. Local authorities should be allowed to determine as far as possible their own internal administrative structures, to adapt them to local needs and to ensure effective management.
- 44. Local authorities should have full responsibility for their own personnel. There should be common standards of qualification and status in the management of such personnel.
- 45. The service conditions of local government employees, as defined by national legislation, should be such as to permit the recruitment and retention of high-quality staff on the basis of best performance, professional competence and experience and of gender equality, and should exclude any type of discrimination based on religion, language or ethnicity.
- 46. Adequate training opportunities, remuneration and career prospects should be provided to local government employees in order to enable local authorities to reach a high quality performance in the provision of services to the citizens.
- 47. Training opportunities should be provided or supported by governments, in collaboration with local authorities and their associations.

2. FINANCIAL RESOURCES OF LOCAL AUTHORITIES

- 48. Effective decentralization and local autonomy require appropriate financial autonomy.
- 49. Local authorities' financial resources should be commensurate with their tasks and responsibilities and ensure financial sustainability and self-reliance. Any transfer or delegation of tasks or responsibilities by the state shall be accompanied by corresponding and adequate financial resources, preferably guaranteed by the constitution or national legislation, and decided upon after consultations between concerned spheres of government on the basis of objective cost assessments.
- 50. Where central or regional governments delegate powers to them, local authorities should be guaranteed the adequate resources necessary to exercise these powers as well as discretion in adapting the execution of their tasks to local conditions and priorities.
- 51. Local authorities should have access to a broad variety of financial resources to carry out their tasks and responsibilities. They should be entitled, preferably on the basis of constitutional and/or national legislative guarantees, to adequate resources or transfers, which they may freely use within the framework of their powers.
- 52. A significant proportion of the financial resources of local authorities should derive from local taxes, fees and charges to cover the costs of services provided by them and for which they have the power to determine the rate, notwithstanding their possible framing (tax brackets) or co-ordination by legislation.
- 53. Taxes which local authorities should be entitled to levy, or of which they receive a guaranteed share, should be proportional to their tasks and needs and of a sufficiently general, dynamic and flexible nature to enable them to keep pace with their responsibilities.

54. Local taxes, such as land-based taxes, should preferably be collected by local authorities themselves, provided that they have appropriate capacities and oversight mechanisms in place.
55. Financial sustainability should be ensured through a system of financial equalization, both vertical (between state and local authorities) and horizontal (among local authorities). This should happen especially where the local tax-base is weak or non-existent.
56. Legislation should guarantee the participation of local authorities in framing the rules governing the general apportionment of redistributed resources, including both vertical and horizontal equalizations.
57. As far as possible, financial allocations to local authorities from governments should respect their priorities and shall not be earmarked for specific projects. The provision of grants shall not remove the basic freedom of local authorities to exercise policy discretion within their own jurisdiction.
58. Earmarked allocations shall be restricted to cases where there is a need to stimulate the local implementation of national policies, in areas such as environmental protection, social development, health and education.
59. For the purpose of borrowing for capital investment, local authorities should, within guidelines and rules established by governments and the legislation, have access to national and international capital markets. State supervision and monitoring may however be necessary in countries affected by volatile macro-economic situations.
60. Local authority borrowing should not endanger the fiscal policies designed to ensure financial stability of national governments.



INTERNATIONAL GUIDELINES ON ACCESS TO BASIC SERVICES FOR ALL

I. OBJECTIVES

1. The international guidelines on access to basic services for all represent a major step forward in the international agenda as they are designed to tackle these challenges while remaining sufficiently flexible to be adapted by interested countries to their individual circumstances. The guidelines were approved by the Governing Council of UN-HABITAT on 3 April 2009⁵. They constitute a broad framework to guide national policy reforms in this crucial area.
2. While contributing to human dignity, quality of life and sustainable livelihoods, basic services, as defined in paragraph 84 of the Habitat Agenda, are strongly interrelated and are of various types. For example, water supply and sanitation, waste management, energy, transportation and communication require heavy infrastructure, while education, health and public safety imply significant operating costs. As a whole, basic services are a prerequisite to the provision of other services and to improving the potential of each person to engage in economic activity. Throughout the world, basic services are unequally available and accessible. Many individuals, families, communities and even entire cities and regions continue to lack sufficient access to basic services. Regardless of the causes, this means that the poor are prevented from leading a decent life and face significant difficulties in improving their situation.
3. Improving access to basic services for all is therefore a key means to achieving the Millennium Development Goals. Furthermore, improving access contributes to the realization of the commitments made at the Earth Summit, the World Summit for Social Development and the World Summit on Sustainable Development. It is an ambitious objective that can only be achieved progressively through a sustained and lasting endeavour.

2. BACKGROUND

4. The Governing Council's Resolution 22/8 on access to basic services for all originates in Resolution 20/5, which took into account a proposal to develop a set of codes and recommendations on partnerships and on the role of various actors submitted during the twelfth session of the Commission on Sustainable Development. That proposal was set out in a working paper entitled "Access to basic services for all: towards an international declaration on partnerships", which was produced by the United Nations Human Settlements Programme (UN-HABITAT) and the United Nations Institute for Training and Research (UNITAR) based on informal consultations with various partners. Participants at the second session of the World Urban Forum, held in September 2004 in Barcelona, Spain, also recommended that the issue of access to basic services for all should be placed on the agenda of the twentieth session of the Governing Council.
5. As an intermediate step, Resolution 20/5 requested the Executive Director, in co-operation with other relevant United Nations bodies, to identify underlying principles on access to basic services for all within the context of sustainable human settlements which could be drawn from best practices on policies, norms and institutional conditions related to the delivery of basic services within the context of sustainable human settlements. The secretariat's response to that request was the subject of a report submitted to the Governing Council at its twenty-first session.
6. In its Resolution 21/4 the Governing Council adopted the guiding principles and requested the secretariat to develop draft guidelines on access to basic services for all. The resolution specified that the secretariat should consult other United Nations bodies and concerned stakeholders in the course of preparing the guidelines and that the guidelines should be in line with the international guidelines on decentralization and the strengthening of local authorities and the guiding principles on access to basic services.

5 See resolution 22/8

3. PREPARATORY PROCESS

7. With a view to mobilizing further inputs and improving the substance of the guidelines, UN-HABITAT established a group of experts including representatives of other United Nations bodies and United Cities and Local Governments. Appointed experts represented all types of international, national and local stakeholders active in the delivery of basic services: central governments; local authorities; public and private service providers; civil society organizations; United Nations bodies; financing institutions and international non-governmental organizations.⁶
8. In addition to regular consultations, the experts group held three meetings: in Geneva in November 2007 for European, Asian and Latin American experts; in Nairobi in May 2008, with a focus on Africa and least developed countries; and in November 2008 in Nanjing, China, for all experts. The initial draft was reviewed at the Geneva and Nairobi meetings and a second version of the draft guidelines was discussed at the Nanjing meeting.
9. Resolution 21/4 also requested UN-HABITAT to develop tools and indicators. An initial report on indicators to measure both access to basic services and the implementation of the guiding principles on access to basic services for all was presented at the Nanjing expert group meeting. Discussions focused on the role of such indicators, which could be an instrument to assess progress at the national or local levels rather than a tool to compare varying national situations.
10. In its resolution 22/8, the Governing Council invites governments to place the issue of access to basic services for all at the centre of their national development policies, with a special emphasis on filling the gaps for the poor and marginalized groups, and to strengthen their legal and institutional frameworks for facilitating partnerships at all levels, in line with the guidelines. The Governing Council also requests UN-HABITAT to develop training instruments and assist interested

governments to adapt the guidelines to their national context, where appropriate, and further to develop tools and indicators as part of its support for the implementation of the guidelines, in a manner coordinated with the continuing work on the implementation of the guidelines on decentralization approved in 2007.

⁶ Representatives of the following countries and organizations participated in the drafting process: Afghanistan; Burkina Faso; China; Cameroon; Colombia; Ethiopia; France; India; Kenya; Mexico; Philippines; Senegal; Serbia; the former Yugoslav Republic of Macedonia; United Republic of Tanzania; Zambia; United Cities and Local Governments; Citynet; United Nations Development Programme; International Labour Organization; Office of the United Nations High Commissioner for Human Rights; United Nations Population Fund; United Nations Human Settlements Programme; United Nations Institute for Training and Research; World Bank; Columbia University; Institut de la gestion déléguée; Veolia Environnement; Environment and Development Action in the Third World (Enda Tiers Monde).

A. TRANSPARENT, PARTICIPATORY AND EFFECTIVE GOVERNANCE

11. *Principles*⁷

- (a) *Governance has a double political and technical dimension. In its political dimension it requires participation, decision-making and leadership. In its technical dimension it requires needs assessment, planning, the negotiation of contracts, accounting mechanisms, monitoring and impact assessment. Both dimensions require transparency and the appropriate training of the stakeholders involved. National and international policies should promote adequate urban governance to improve access to basic services for all.*
- (b) *The participation of beneficiaries contributes to the delivery of services adapted to their needs. It creates a sense of responsibility and ownership that encourages users to care for infrastructure and to pay related charges. The participation of beneficiary groups should be sought systematically in needs assessment, planning, decision-making, implementation and monitoring.*

12. All actors, central and regional governments, local authorities, civil society organizations and service providers have a role to play and responsibilities to assume with regard to access to basic services for all. The competence and finances of each level of government and the general rights and obligations of each stakeholder are clarified by constitutions, legislation or regulations. Mechanisms to promote consultations between relevant stakeholders, to monitor compliance with international and national technical rules and norms and to assess performance in delivering services help to ensure that existing rights are respected, protected and fulfilled and to improve management and budget allocation. By developing their capacities and skills to participate in consultations and negotiations, all stakeholders will discharge their responsibilities more effectively.

13. *National Governments* should submit to their parliaments:

- (a) Bills that determine the competence and responsibilities of central and regional governments and local authorities according to the international guidelines on decentralization

and the strengthening of local authorities, including the principle of subsidiarity;⁸

- (b) Bills that clarify the rights and responsibilities of civil society organizations and enterprises, as necessary.

14. National and regional governments, in consultation with local authorities and their associations and other stakeholders, should:

- (a) Establish integrated policies for the provision of basic services based on a strategic assessment of their expected economic, environmental, social and poverty-related impacts;
- (b) Take into account the inter-sectoral and inter-territorial links between the various basic services;
- (c) Establish standards and baselines for the provision of local services for various categories of settlements, towns and cities;
- (d) Identify vulnerable, marginalized and excluded groups and those who lack access to basic services and develop specific programmes to ensure their non discriminatory and effective access to basic services;
- (e) Empower local authorities to organize the planning and provision of services in consultation with all relevant stakeholders;
- (f) Inform all stakeholders about national policies and international norms, standards and conventions related to the delivery of and access to basic services.

15. *National and regional governments* should:

- (a) Recognize in practice the right of all stakeholders, traditional and community leaders and marginalized and excluded groups to obtain information on issues and decisions that directly affect them and to participate effectively in decision-making processes;
- (b) Ensure that local authorities engage in participatory democracy at the local level;
- (c) Hold regular quadripartite consultations with local authorities, civil society organizations

⁷ Principle in italics were endorsed by the Governing Council in its resolution 21/4

⁸ As described in the guidelines on decentralization and the strengthening of local authorities. See footnote 2.

and service providers on policies related to access to basic services with a view to developing a culture of dialogue.

16. *National and regional governments* should:

- (a) Establish indicators for the monitoring and evaluation of service delivery at the national and regional levels;
- (b) Create an accountability framework for the delivery of basic services that includes an effective regulatory system and penalties for non-compliance by service providers;
- (c) Monitor service providers' and local authorities' management performance as a basis for technical assistance, capacity-building or corrective action;
- (d) Develop an anti-corruption legal framework and take strict and timely action to tackle corruption cases, including criminal penalties where necessary;
- (e) Ensure, in consultation with local authorities, that effective legal aid programmes are put in place to ensure that poor, marginalized and other vulnerable groups enjoy equal access to the law and access to effective remedies.

17. *National and regional governments* should:

- (a) Develop capacity-building mechanisms for their employees with a view to ensuring that they are effectively informed on the Millennium Development Goals and the commitments made at the Earth Summit, the Habitat II Conference, the World Summit for Social Development and the World Summit on Sustainable Development and to enable them to develop mechanisms for consultation with non-State partners, including beneficiaries;
- (b) Support capacity-building programmes at the local level;
- (c) Offer training opportunities to civil society organizations.

18. Local authorities, in consultation with relevant service providers and civil society organizations, should:

- (a) Establish a database on the availability and quality of existing services and an inventory of needs, taking into account and focusing on the specific circumstances of vulnerable, marginalized and excluded groups;
- (b) On the basis of the database referred to in subparagraph a, prepare spatial plans and

regulations for future urban growth and extension of services consistent with regional and national planning and with national and international norms, with the particular aim of providing sustainable access to basic services to the poor;

- (c) Adopt quantitative and qualitative annual goals and local standards for services;
- (d) Establish or apply existing sets of indicators at the local level.

19. *Local authorities* should:

- (a) Promote civic engagement through consumer education and awareness, ombudsmen, public hearings and participatory planning;
- (b) Ensure that all stakeholders enjoy access, in their own language and through a means that is understandable to them, to all relevant information on matters of public concern and should also ensure that effective channels are created for their voices to be heard;
- (c) Devise, in consultation with affected communities, projects that focus on poor, vulnerable, marginalized and excluded groups;
- (d) Recognize, where appropriate, the value of community management of basic services at the neighborhood and village levels and of the work of small-scale enterprises and communities, including self-help initiatives, as a tool for self empowerment and call upon them to provide basic services at the local level, particularly to the poor and to vulnerable groups;
- (e) Mobilize knowledge and skills from local communities for project implementation and management. This includes consultation with all community sectors, including traditional leaders whose opinions should be carefully considered, when planning and implementing projects, particularly in rural areas.

20. Local authorities should:

- (a) Monitor and adjust programmes based on regular and timely feedback from service beneficiaries and service providers;
- (b) Assess the impact of policies and investments, particularly on the poor and vulnerable groups;
- (c) Ensure that service providers respect their contracts.

21. Local authorities should take advantage of capacity-building facilities available nationally or internationally to exercise their responsibilities

fully. Local authorities and their staff need the appropriate capacity to understand international existing rights and standards with regard to service delivery and to develop spatial and social and economic development plans, supervise project feasibility studies, undertake consultations with civil society organizations and communities, select the most suitable partners, prepare and monitor contracts, prepare capital budgets, mobilize resources, evaluate long-term financing plans and borrow on national and international markets, where appropriate.

22. *Civil society organizations* should:

- (a) Represent populations, and particularly the poor and vulnerable groups, in public dialogue on the provision of services;
- (b) Contribute to programme preparation and financial planning;
- (c) Help governments and local authorities to identify priorities and determine minimum acceptable service standards;
- (d) Exercise their rights to be consulted in conformity with existing legal frameworks or international agreements.

23. *Civil society organizations* should:

- (a) Contribute constructively to the monitoring of service delivery by central institutions, local authorities and service providers;

- (b) Promote vigilance in the service delivery process;
- (c) Denounce corrupt practices via the courts and assist victims of corruption and human rights violations;
- (d) Enable individuals to access relevant information regarding access to basic services and participate in decision-making processes;
- (e) Foster public-private-community partnerships.

24. *Civil society organizations* should build their capacity to acquire the necessary knowledge and competences to perform the above-mentioned tasks.

25. *Service providers* should:

- (a) Execute their contracts in accordance with instructions from the authorities, national and international legislation and decent work principles,
- (b) Participate in planning, decision-making, monitoring and capacity-building processes as invited;
- (c) Submit to transparent auditing and develop accountability mechanisms related to service delivery.

B. DECENTRALIZATION AND THE ROLE OF LOCAL AUTHORITIES

26. *Principle:*

Local authorities are well placed to assess the needs of the users of basic services (including through non governmental organizations and communities), define priorities, bring together the various stakeholders and decide on the best way to provide services. Their role and responsibilities should be clarified in legislation and regulations and they should be granted access to appropriate financial and technical resources.

27. National policies meet community needs at the local level. This justifies giving local authorities extended responsibilities in the provision of basic services and, at the same time, the means to as-

sume them. Within the limits imposed by national legislation and in compliance with the principle of subsidiarity, they should enjoy full discretion to exercise and finance their initiatives with regard to any matter that is not excluded from their competence nor assigned by the central authorities to any other stakeholder.

28. *National and regional governments* should:

- (a) Transfer to local authorities clear and extended responsibilities in the provision and delivery of basic services through enabling legislation;
- (b) Ensure that local authorities have predictable budgetary transfers to allow them to provide the

basic services that have been transferred to them;

- (c) Permit local authorities to have access to, and to control, financial resources commensurate with their responsibilities, including income or land-based taxes, user charges, donations, grants and, within a proper framework, credits;
- (d) Establish, in consultation with local authorities, an effective regulatory system that includes independent monitoring, genuine public participation and the imposition of penalties for non compliance.

29. *National governments* should determine conditions and criteria under which local authorities are permitted to borrow and to issue bonds on national financial markets to finance infrastructure for basic services. They should:

- (a) Develop a national framework that provides guidance for lending to local authorities at reasonable rates, including in cases where the State sublets international loans;
- (b) Create specialized financial facilities for local authorities if national capital markets are insufficient and facilitate the emergence of financial markets;
- (c) Design a regulatory framework, clarifying the responsibilities of lenders and borrowers;
- (d) Set rules in the event of bankruptcy that guarantee the continuity of services to customers,
- (e) Monitor the indebtedness of local authorities to maintain national macroeconomic stability.

30. *National governments* should:

- (a) Authorize local authorities to benefit from transfers from foreign governments or from other local authorities in the framework of decentralized cooperation and to receive directly soft financial resources from bilateral or international finance institutions for the development of basic services;
- (b) Where appropriate, authorize those local authorities that have the required capacity to borrow directly or to issue bonds on international markets and to access the World Bank's International Finance Corporation and other lending facilities.

31. *National governments* should, in involving regional governments and local authorities, promote, through financial partnerships, equal access to capital and a fair sharing of costs between rich and poor territories for those services that require heavy investment or significant operating costs.

32. *Local authorities* should establish:

- (a) Equitable tax systems;
- (b) Relevant rules of enforcement to ensure the collections of revenues;
- (c) User charges and monitoring mechanisms.

33. Local authorities, to improve their creditworthiness, should:

- (a) Ensure participatory governance and, through appropriate consultations, ensure that the people support projects for which loans are sought;
- (b) Strengthen service delivery, generate cash from tariffs for existing services and make efforts to mobilize resources legitimately due;
- (c) Adopt sound accounting practices;
- (d) Assess their own financial positions (sound accounts, level of debt and future budgetary sustainability, risks associated with foreign exchange, inflation linked with interest rates) and fiscal performance;
- (e) Develop and update regularly inventories of their physical assets that could be used as collateral;
- (f) Use credit resources only to finance investments and not to fund current operations or service debt;
- (g) Improve accountability and transparency (external audits, financial reporting) to permit control of potential excessive borrowing;

C. ENABLING INSTITUTIONAL FRAMEWORKS FOR PARTNERSHIPS

34. Principle:

Since national governments, local authorities, public or private service providers and civil society organizations share responsibility for the delivery of basic services to all there is a need to negotiate and formalize partnerships among them, taking into account their respective responsibilities and interests. Accordingly, partnerships should be encouraged and facilitated through appropriate legal and regulatory frameworks, including clear results-oriented contracts and monitoring mechanisms.

35. Beyond occasional cooperation between various stakeholders, formal and informal partnerships permit the development of lasting coordinated efforts for the provision of accessible, affordable, acceptable and good-quality basic services under sound economic conditions.

36. National and regional governments and local authorities, at their respective levels, should:

- (a) Design, implement and publicize partnerships that secure the necessary public control and the protection of public interests in a formal, transparent and accountable manner;
- (b) Establish monitoring and dispute settlement mechanisms.

37. National governments should:

- (a) Enable local authorities to develop partnerships with service providers, to settle contracts with national or international and small or large enterprises and to engage civil society organizations;
- (b) Establish, in consultation with local authorities, clear rules and standards related to the various modes of participation by public and private service providers, such as service contracts, lease contracts, concession contracts, concession-BOT contracts, joint ventures, multi-utility contracts, etc.;
- (c) Provide for revision of clauses against unforeseen difficulties and access to justice in the event of litigation;
- (d) Establish a clear and transparent regulatory framework for selecting service providers;
- (e) Establish a national supervisory system for

awarding contracts and assisting local authorities, as necessary, in the negotiation of local contracts;

- (f) Establish a delineated legal framework for delegation or privatization as a regulatory system, including independent monitoring, participation and the imposition of penalties in case of non compliance.

38. National governments should:

- (a) Recognize the rights of local authorities to alter their contractual decisions, provided that affected contracting parties are properly indemnified;
- (b) Establish procedures in the event of bankruptcy or insolvency that prevent the interruption of services;
- (c) Ensure access to justice for individuals and communities, local authorities, service providers and civil society organizations so that contractual conflicts that have not been solved through dispute settlement mechanisms are resolved through the judicial system in a transparent manner;
- (d) Recognize that service providers have access to appropriate indemnities and time-scaled-adaptation in the event of legislative changes (in particular related to land, property or contract duration).

39. National and regional governments or local authorities, depending on the applicable decentralization framework, should:

- (a) Determine the best mode of providing service through the comparative examination of rates of return, quality of provision, social and human rights impact, environmental protection and sustainability;
- (b) Decide whether to retain all or part of the production and delivery system as a public provider or to establish contracts based on an accurate inventory of fixtures indicating the obligations of the contracting parties and a time horizon, in compliance with national rules and procedures for the selection of partners;

- (c) Establish dispute resolution mechanisms in the public interest;
 - (d) Set norms and goals to be delivered by the chosen enterprises in the event of privatization and monitor implementation in cooperation with civil society organizations;
40. Local authorities should develop inter-municipal partnerships whenever doing so could improve effectiveness and achieve economies of scale in producing, delivering and managing basic services;
41. Service providers should fulfill contractual obligations, including compliance with norms and goals in a timely and efficient manner, deliver quality services to the population and seek regular and timely feedback from service recipients in conformity with sound public management or sound business practices when the private sector is involved.

D. SUSTAINABLE FINANCING AND PRO-POOR POLICIES

42. Principles:

- (a) *Central and local authorities, civil society organizations and service providers* share responsibilities for improving access to basic services for the poor. Pro-poor policies should entail affirmative actions, targeted interventions for the most vulnerable groups, awareness raising campaigns, special tariffs and subsidies and an enabling legal framework.
 - (b) Fees for basic services should ensure adequate cost-recovery but should be affordable for all. Making services affordable for the poor requires affirmative finance policies and grants and soft loans from national and international sources.
43. Policymakers at the national, regional and local levels must combine sustainable financing and pro-poor policies. Well-conceived financing and fee-setting are necessary for the implementation of policies, strategies and practices that are both fiscally feasible and accessible to the poor and vulnerable.
44. *Governments and local authorities*, at their respective levels, should:
- (a) Study the profiles of informal and low-income settlements and conduct social and economic surveys on the situation of the poor, their aspirations and their priorities with a view to identifying potential beneficiaries of pro-poor policies. This should be done in consultation with legitimate and representative civil society organizations and community leaders and women's and young people's groups, making particular efforts to reach excluded social groups that lack representatives and are less able to take effective part in public consultations. Affected communities must also be enabled to participate in decision-making processes in relation to the provision of basic services;
 - (b) Secure inter-jurisdictional co-ordination and concerted action and develop regional and local planning to ensure that low-income settlements are integrated into infrastructure development schemes;
 - (c) Develop adequate frameworks for financing and supporting integrated slum upgrading programmes, with a focus on improving non-discriminatory access to basic services, ensuring security of tenure and fostering local development;
 - (d) Consider with all relevant partners how to provide services to informal settlements located on untenable, environmentally sensitive or privately owned land;
 - (e) Encourage microcredit mechanisms to facilitate community investments in basic infrastructure.
45. *Governments and local authorities*, at their respective levels, should:
- (a) Negotiate tariffs with service providers that enable both sound business operations and accessibility for all. Accessibility for the poor may mean free services up to a certain quantity, cross subsidies between consumers or between various services and, eventually, subsidies directed to the poorest. Sound

- business means that fees permit operation and maintenance costs to be covered with, for private service providers, a reasonable profit;
- (b) Consider, depending on the service and the circumstances, whether to promote full cost recovery, which would enable service providers to reach financial autonomy for operation and investment needs (i.e., to operate without incurring losses), or to fill any financial gaps with public resources, ensuring in both cases that the poor enjoy access to basic services.
46. *Governments and local authorities*, at their respective levels, should:
 - (a) Set conditions for the effective enforcement of taxes and fees for services, distinguishing between customers who choose not to pay their bills and those who are unable to pay;
 - (b) Monitor tariffs in the event of monopolies.
 47. *Local authorities*, to build a compact city that is economic in terms of spatial use, thus reducing the cost of infrastructure, and to ensure security of land tenure and better access to basic services for the poor, should:
 - (a) Develop strategic planning based on a holistic approach to the city and regulate and control urban sprawl through density and land market regulations and public management policies that maximize access to urban locations where jobs are concentrated;
 - (b) Design the broad layout of new settlements in anticipation of further urban growth;
 - (c) Mobilize slum-dwellers and other local stakeholders in the implementation of plans.
 48. *Local authorities and service providers*, to enable everyone to access basic services, should:
 - (a) Give priority to reaching the entire population instead of providing top quality services for a minority and adapt technologies and modes of delivery to populations' needs and ability to pay;
 - (b) Negotiate alternative service standards where appropriate and progressively scale up the level and standards of services, while recognizing that some obligations, such as non discrimination, must be complied with from the outset.
 49. *Civil society organizations* should:
 - (a) Remind central and local authorities of their commitments;
 - (b) Contribute to the provision of basic services to the poor;
 - (c) Raise potential beneficiaries' awareness of their rights and obligations.
 50. *Service providers* should:
 - (a) Step up, in good faith, efforts to hire local workers and to build their capacities;
 - (b) Comply with norms and standards related to working conditions;
 - (c) Recognize their corporate responsibility to the communities where they operate and consider supporting health, educational or social services in those communities.

E. ENVIRONMENTAL SUSTAINABILITY

Principle:

51. If the process continues unabated, the depletion of natural resources and increase in pollution will render impossible the delivery of basic services to all. Central and local authorities, service providers and civil society organizations share the responsibility to make producers and users aware of this problem and to promote management methods and techniques that economize scarce natural resources and avoid further deterioration of the environment.
52. *National governments* should assess the new challenges in providing basic services created by climate change, particularly those affecting the poorest, most vulnerable and marginalized people. The effects of climate change will vary in various climatic zones, and will include longer and more intensive drought periods, heavier rain-falls and an increased variability of precipitations, inland flooding and sea level rise, increasingly intensive tropical cyclones, water scarcity, ground-water salinization and pollution from flooded sewages, crop insecurity and increased health problems. All stakeholders will have to join forces to meet these challenges.
53. *Central and local authorities, service providers and civil society organizations* should promote demand optimization and management among households and other service users by raising

awareness, particularly among women and young people, of the need to adopt sustainable consumption patterns.

54. *National governments* should:

- (a) Set general standards and regulations for the protection of natural resources and ecosystems and their sustainable management, which would apply to all service production and delivery;
- (b) Set specific standards and regulations in such sensitive sectors as water and sanitation, waste management, energy and transportation;
- (c) Ensure that standards are correctly implemented.

55. *National and regional governments and local authorities* should:

- (a) Systematically promote mitigation and adaptation measures to tackle the manifold impacts of climate change;
- (b) Prepare themselves to provide basic services to displaced persons as a result of floods, drought, development of large projects, war and migratory flows from neighbouring nations.

56. *National and regional governments and local authorities*, in their contractual arrangements with service providers, should:

- (a) Include provisions to ensure the sustainable management of natural resources and ecosystems, together with health protection and decent work practices;
- (b) Make the emission level of carbon dioxide a criterion for measuring urban pollution and carry the responsibility for its improvement;
- (c) Promote technologies and approaches that facilitate waste recycling and reuse.

57. *Local authorities*, in designing plans for the development of services, should:

- (a) Identify sensitive areas that require specific protection;
- (b) Set standards and regulations for the protection and sustainable management of local natural resources and ecosystems, taking into account the need to protect public health.

58. *Service providers* should look for and apply eco-efficient technologies in the use of natural resources.

ANNEX 1

RESOLUTION 21/3 GUIDELINES ON DECENTRALIZATION AND STRENGTHENING OF LOCAL AUTHORITIES

THE GOVERNING COUNCIL,

Recalling its resolution 20/18, in which it took note with appreciation of the draft guidelines on decentralization and the strengthening of local authorities prepared by the members of the Advisory Group of Experts on Decentralization¹ in collaboration with the secretariat of the United Nations Human Settlements Programme, and cognizant of the report of the Executive Director on cooperation with local authorities and other Habitat Agenda² partners, which contains in its annex the most recent version of the draft guidelines on decentralization and the strengthening of local authorities, prepared in collaboration with United Cities and Local Governments,³

Bearing in mind paragraph 177 of the Habitat Agenda, adopted in Istanbul in 1996, which stresses that sustainable human settlements development can be achieved through the effective decentralization of responsibilities, policy management, decision-making authority, and sufficient resources, including revenue collection authority, to local authorities, closest to and most representative of their constituencies ,

Recognizing the importance of decentralization policies to achieving sustainable human settlements development in line with the Habitat Agenda and the Millennium Development Goals of the United Nations,⁴

Acknowledging the role of national Governments within the overall context of sustainable development and their responsibility for good governance within each nation, with local authorities as their partners,

1. *Expresses appreciation* for the role that the United Nations Human Settlements Programme is playing in the international dialogue on decentralization through its promotion of improved governance at all levels by means including the consultative process on the finalization of the guidelines on decentralization;
2. *Approves* the guidelines on decentralization and strengthening of local authorities, as set out in the annex to the report on cooperation with local authorities and other Habitat Agenda partners,⁵ as a key instrument to promote good governance

at all levels and to strengthen local authorities;

3. *Requests* the United Nations Human Settlements Programme to assist interested Governments to adapt the guidelines to their national contexts, where appropriate, and to develop tools and indicators further as part of its support for the application of the guidelines, bearing in mind that the guidelines do not constitute a uniform or rigid blueprint to be applicable to all Member States of the United Nations;
4. *Invites* Governments to undertake further concerted and coordinated action to place decentralization and local development at the centre of governance and development policies and to strengthen their legal and institutional frameworks with regard to decentralization and governance at all levels, in line with the aforementioned guidelines;
5. *Calls upon* the United Nations Human Settlements Programme to develop innovative partnerships with local authorities and their associations, including United Cities and Local Governments, to support the ownership and application of the guidelines, including assisting United Cities and Local Governments in developing the concept of an observatory;
6. *Invites* United Cities and Local Governments to facilitate the sharing of best practices, skills and knowledge between the local authorities of Member States and to contribute its expertise to the Executive Director's progress report;
7. *Encourages* Governments to provide technical and financial support to the future work of the United Nations Human Settlements Programme on decentralization, especially its application of the guidelines on decentralization and strengthening of local authorities;
8. *Requests* the Executive Director to include a discussion of the implementation of the present resolution in her overall progress report to the Governing Council at its twenty-second session.

¹ Established under Governing Council resolution 19/12.

² Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3-14 June 1996 (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annex II.

³ HSP/GC/21/2/Add.2.

⁴ See document A/56/326, annex.

⁵ HSP/GC/21/2/Add.2

7th plenary meeting
20 April 2007

ANNEX 2

RESOLUTION 22/8 GUIDELINES ON ACCESS TO BASIC SERVICES FOR ALL

The Governing Council,

Recalling its resolutions 20/5 of 8 April 2005, on access to basic services for all within the context of sustainable human settlements, and 21/4 of 20 April 2007, on guiding principles on access to basic services for all¹, and cognizant of the report of the Executive Director on guidelines on access to basic services for all, which contains in its annex the draft international guidelines on access to basic services for all that were prepared in consultation with other United Nations bodies and concerned stakeholders and in line with the guidelines on decentralization and the guiding principles on access to basic services for all,

Recalling also General Assembly resolution S-25/2 of 9 June 2001 adopting the Declaration of Cities and Other Human Settlements in the New Millennium, by which the Assembly resolved to promote access to safe drinking water for all and to facilitate the provision of basic infrastructure and urban services, including adequate sanitation, waste management and sustainable transport, through transparent and accountable management of public services as well as partnerships with the private sector and non-profit organizations for the delivery of those services,

Acknowledging the coherence and complementarity between the guidelines on access to basic services for all and the international guidelines on decentralization and the strengthening of local authorities adopted by its resolution 21/3 of 20 April 2007,

Recalling General Assembly resolution 60/1 of 16 September 2005, in which the Assembly recognized the need for more efficient environmental activities in the United Nations system, with better integration of environmental activities in the broader sustainable development framework,

Emphasizing the need to promote environmental sustainability in the delivery of basic services for all, including sustainable urban planning, risk reduction, early warning systems and appropriate response to natural disasters,

1. *Expresses appreciation* for the leading role of the United Nations Human Settlements Programme and the contribution of the United Nations Institute for Training and Research and other agencies and partners in the consultative process that led

to the development of the draft guidelines on access to basic services for all;

2. *Approves* the guidelines on access to basic services for all included in the annex to the report of the Executive Director² as a valuable instrument in the attainment of the Millennium Development Goals and therefore in contributing to human dignity, quality of life, sustainable livelihoods and the enjoyment of human sustenance;
3. *Invites* Governments to place the issue of access to basic services for all at the centre of their national development policies, with a special emphasis on filling the gaps for the poor and marginalized groups, and to strengthen their legal and institutional frameworks for facilitating partnerships at all levels, in line with the aforementioned guidelines;
4. *Requests* key international financial institutions, development agencies and the United Nations Human Settlements Programme, within its approved medium-term strategic and institutional plan and biennial work programme, to develop training instruments and assist interested Governments to adapt the guidelines to their national contexts, where appropriate, and further to develop tools and indicators as part of its support for the implementation of the guidelines, in a manner coordinated with the continuing work on the implementation of the guidelines on decentralization;
5. *Requests* the United Nations Human Settlements Programme to develop innovative partnerships with other United Nations bodies, development banks, Governments, local authorities and their associations, including United Cities and Local Governments, private service providers and other Habitat Agenda partners, to support the ownership and application of the guidelines to local and national circumstances;
6. *Recommends* that the guidelines on basic services, together with the guidelines on decentralization, be considered by the United Nations Economic and Social Council with a view to promoting their use, as appropriate, among United Nations bodies as a complement to existing international guidelines for specific services or in

¹ HSP/GC/22/2/Add.6.

² HSP/GC/22/2/Add.6 and Corr.1/Rev.1.

developing particular guidelines for services that are not covered by such instruments;

7. Encourages Governments and partners to provide institutional, technical and financial support for the future work of the United Nations Human Settlements Programme with all levels of government on access to basic services for all, especially for promoting the implementation of the guidelines on access to basic services for all in complementarity with the support provided for the implementation of the guidelines on decentralization;
8. Encourages Governments, according to their circumstances, to promote sustainable criteria in planning and construction while taking into account access to clean water and safe drinking water, adequate sanitation, urban services, sustainable waste management and sustainable transport;
9. Requests the Executive Director, in close cooperation with member States and other relevant stakeholders, to prepare an assessment of the implementation and complementarity between the guidelines on decentralization and the guidelines on access to basic services and to report on the progress made in the implementation of the present resolution to the Governing Council at its twenty-third session.

*7th plenary meeting
3 April 2009*

This brochure includes two sets of guidelines approved by the Governing Council of UN-HABITAT in 2007 and 2009. By approving these guidelines, member states of the United Nations committed themselves to the promotion of decentralisation and strengthening of local authorities, as well as access to basic services for all.

The guidelines have been designed to assist policy reforms and legislative action at the country level in two complementary areas of UN-HABITAT's mandate. They have been prepared through an intensive consultative and participatory process involving many partners, including UN agencies as well as national and local governments over the past decade.

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