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Anticipating Friction

The role of human rights in urban debates on migration and diversity: The case of Amsterdam, Hong Kong and Buenos Aires

Roodenburg, L.

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Chapter Five - The urban functions of human rights

5.1 Introduction

This research started with a discussion of the two-fold expectations that are associated with the interaction between human rights and cities: cities hold potential as a space for realising human rights, and, human rights might contribute to the flourishing of the city. Moreover, a number of qualities are assigned to local governments. For instance, they are closer to their inhabitants, can provide context-specific approaches to human rights, are better able to undertake swift action and that they are more pragmatic than their national counterparts.¹ Combine these qualities and one can imagine that cities hold potential for the realisation of human rights. At the same time, these expectations seemed to paint an overly optimistic and oversimplifying picture about cities. Cities are not a ‘neutral grid’, as Sennett argues, and the local government is not a streamlined actor with merely noble interests.²

Likewise, a number of qualities are assigned to human rights: they are moral values, with legal authority, that are applicable everywhere, but also allow for interpretation. One could imagine that local governments desire to engage with human rights. On top of that, many global challenges such as environmental change, migration and inequality play out in cities. In dealing with these challenges, local governments can use human rights as guidance.³ Human rights may create coalitions among actors that may not collaborate otherwise.⁴ At the same time, human rights may provide legitimisation in cases in which the local government’s view deviates from their national counterparts.⁵ Scholars do remark that there may be more interests at play. The engagement with human rights has other benefits. It allows the local government to frame or articulate their local policies in an attractive normative way.⁶ It opens up spaces for collaboration with international organisations, city networks and other like-minded actors, which may lead to sources of funding and expertise.⁷

The narrative above presents the prospects, or potential, of the relation between human rights and cities. In this research, I have explored how these expectations play out in three cities, and in six urban debates on migration and/or diversity:

How do human rights function in urban debates on the governance of migration and diversity?

¹ Barber, If mayors ruled the world; Oomen and Baumgärtel, ‘Frontier Cities’.

² Sennett, Building and Dwelling.

³ Nijman, ‘Renaissance of the City’; Van den Berg and Oomen, ‘Towards a Decentralization of Human Rights’.

⁴ Oomen, ‘Introduction: The rise and challenges of human rights cities’.

⁵ Nijman, ‘Renaissance of the City’; Aust, ‘Shining Cities on the Hill?’; Blank, ‘Localism in the New Global Legal Order’; Oomen and Baumgärtel, ‘Frontier Cities’.

⁶ Darling, ‘Moral Urbanism’.

⁷ Oomen, ‘Introduction: The rise and challenges of human rights cities’.

Distinguishing the right from the wrong usage of human rights is not what this research is about. For me, it matters how urban actors use human rights and why they opt for a certain approach rather than another. This research question, therefore, aims to do two things: (1) To portray how diverse, and sometimes contradictory, the functions of human rights are, also *within* cities; (2) To demonstrate that we need to understand cities in their complexity of human and non-human relations to be able to describe how human rights function in a particular situation.

This research presents two dynamic debates on migration and diversity, in which human rights played several roles, in each city. In Buenos Aires, there existed an uncomfortable tension between the work of the local Secretariat for Human Rights and Cultural Pluralism and the local government's response to the executive decree to the national Migration Law. The local Secretariat mobilised human rights to organise festivals and campaigns, to celebrate the city's multicultural population. At the same time, the local government supported a decree that, in the eyes of some, violates the human rights of (some of) these multicultural groups. In Amsterdam, the local department for 'diversity policies' became responsible for a new human rights project: the Amsterdam Human Rights Agenda. Another local department, responsible for undocumented migration, invoked human rights to legitimise the existence of their department. The Hong Kong government engaged with human rights at the global stage. They handed in reports on their human rights performance to several human rights committees, and addressed the treatment of foreign domestic workers. At the urban scale, many civil society organisations also collaborated to improve the treatment of foreign domestic workers, for example regarding the prohibition of high-rise window cleaning, but it remained difficult for them to phrase their concerns in human rights language.

The three case study chapters portray the dynamic and messy actor networks, surrounding these debates. These empirical chapters are not static. One could complement the descriptions of these debates with new details because the networks are not stable. They evolve over time. A new city council or national law might disturb all connections and the outcome could be different. Therefore, the descriptions of the three case studies may be transient, but as I show, this transience is emblematic for the functioning of human rights.

This concluding chapter is structured as follows. First, I distil five ways in which human rights functioned in the three cases studies. These five urban functions of human rights allow me to draw parallels between the three cases and explain how they differ and approximate. This conveys how human rights functioned in Amsterdam, Hong Kong and Buenos Aires, while it concurrently discusses how human rights did *not* function in some instances (contrary to expectations). For example, while human rights functioned under the radar, as an invisible normative framework in Hong Kong, they were employed habitually and explicitly in Buenos Aires' institutions and debates. In Amsterdam, human rights functioned as standards that incited the provision of shelter to undocumented migrants because the local government wanted to safeguard the 'humanitarian minimum'. But human rights were also used to reason that the same action was not an obligation under human rights law. Human rights generated coalitions between civil society actors in Buenos Aires, but they also caused the failure of (potential) coalitions between the local government and NGOs because of deviating approaches to human rights.

Human rights are one thing in one instance, and something else in another. The urban functions of human rights are inconsistent and not always complementary. In a second step, I explore what defines this ambiguity or open-endedness of human rights in the city. The three case studies expose common threads, features of the urban that are in a continuous interplay with human rights' ambivalence. This step discusses how the 'particular of the urban' shapes how human rights function in the city, which ultimately centres around an interplay between strategy on the one hand, and coincidence and practical constraints on the other.

To conclude, I elaborate on the role of the 'human rights label' in urban networks. By framing something as a human rights policy/initiative/argument an actor creates certain expectations, which opens up possible spaces for disagreement. But while an invocation of human rights indeed incites friction and disagreement as to what human rights should do or entail in the city, human rights are often employed in a relatively frictionless format. In the latter sense, urban actors try to avoid friction as they utilise human rights for governance solutions to migration and diversity challenges.

5.2 Five urban functions

To explore how urban networks shape human rights, this research centres around grasping how complex and dynamic cities are. Yet, just as crucial, this research is about the outcome: what happens when network circumstances align in a certain way, what kind of functions of human rights does one find in the city?

This section distinguishes five urban functions that I draw out of the case study chapters on Amsterdam, Hong Kong and Buenos Aires. Though actually, the term 'urban functions' does not entirely suit what will be described below. The urban functions are not well-defined usages of human rights that one can find in all cities throughout the world, perhaps they are better defined as *possibilities*. As the descriptions and comparisons below will show, these five urban functions were in no case uniformly implemented. For example, a function entailed something completely different in Buenos Aires than it did in Hong Kong. In other instances, a particular function was simultaneously present and absent in the space of one city.

5.2.1 To legitimise actions that deviate from the national government's view

The use of human rights to legitimise policies that deviate from the national stance is identified by several scholars as a reason why local governments turn to international law.⁸ Local governments refer to human rights when their local policies deviate from national legal and governance frameworks, and in doing so, human rights norms offer explanation and legitimisation towards the national government *and* the city's inhabitants.

In the case of Amsterdam, human rights functioned as such. Until the national and local governments came to an agreement in December 2018, Amsterdam's assistance to undocumented migrants was not in line with the national government's view. When the local

⁸ Nijman, 'Renaissance of the City'; Aust, 'Shining Cities on the Hill?'; Blank, 'Localism in the New Global Legal Order'; Oomen and Baumgärtel, 'Frontier Cities'.

government launched their plans to replace the night shelter for a 24-hour shelter in the spring of 2018, the national government outspokenly rejected the idea. The national government upheld the view that the national immigration system was adequate and that local governments should not step in by providing shelter to people who could not officially avail of assistance. To explain and legitimise the deviation from the national framework, the local government referred to the ‘humanitarian minimum’ and ‘humanitarian reasons’, amongst other reasons, to explain why they needed to provide 24-hour assistance to undocumented migrants.

Crucial in this case was that undocumented migrants typically search for refuge in cities. The local government, as a consequence, was confronted with migrants who protested in public spaces, squatted buildings, and made their mark on urban life. The local government, which is responsible for public order, had to respond. A response could have been to direct the undocumented migrants to the national immigration system, nonetheless, the local government chose to provide them with shelter. It takes a particular local government to do so. It has to suit the interests of the local politicians in office. Not surprisingly, in the case of Amsterdam, it involved a local government with a different political affiliation than the national government. The initiative came from *GroenLinks*, a green-left party, while the national level’s biggest party ‘VVD’ is right-wing. These parties have very different ideas about the governance of migration, and therefore came to different solutions. If one removes the political party *GroenLinks*, the specific alderman that initiated the 24-hour shelter, or the inhabitants that voted for them, and replaces it with an alderman of the VVD, one may produce a different story.

The case of Buenos Aires portrays the opposite. The actions and views of the local government regarding human rights and migration were by and large in line with interpretations by the national government. Hence, there was no need for deviation, as the local government operated as a traditional sub-level of government. The local government’s project BA Celebra, which employs the promotion of human rights as celebrating multiculturalism, fitted well to the strategy of the national government. Human rights were employed to celebrate urban diversity and the city’s multicultural groups, but human rights were not used to critically address differences in access to rights of the same multicultural groups.

The alignment between the national and local government became even more visible in relation to the decree to the national Migration Law. The national government introduced a decree that constrains some of the migrant rights that are embedded in the Migration Law. After the introduction of the decree, an urban social movement condemned it as a human rights violation because the decree allows for three-day (instead of 30-day) deportation procedures and widens the grounds for deportation. But in this case, the local government did not invoke human rights to clarify its deviating position and support the urban social movement. The local government remained silent. The then president of Argentina and the mayor of Buenos Aires, who are affiliated with the same party, both conceived of ‘uncontrolled’ migration as a security problem that affects urban space. Following their line of reasoning, the decree addresses the security problem, and officials of the Macri Administration made sure to stress that Argentina is still a firm defender of human rights. The decree, allegedly, did not change that.⁹ In other words, there

⁹ The highest court of Argentina still needs to make a decision about constitutionality of the decree.

was no need for deviation of the local government because there supposedly was no human rights problem.

One could imagine that the Hong Kong government could avail of human rights to legitimise how it deviates from China. Hong Kong's legal system, which incorporates human rights standards, offers such possibilities. This, however, was not visibly the case with regard to foreign domestic workers. Regulating immigration is among the formal competences of the Hong Kong government, which may diminish the need for legitimisation, and, human rights may not be the ideal norms to explain deviation in this case (about which later more).

5.2.2 As (implicit) legal standards that guide local policies

As for both Amsterdam, Hong Kong and Buenos Aires, the local governments made use of the legal approach to human rights in similar ways. While the local governments expressed a commitment to human rights, as legal standards, and developed several projects and policy domains while explicitly referring to the legal approach, what these legal standards entailed often remained relatively implicit and abstract. The local governments habitually referred to international and regional human rights instruments, but they did not necessarily invoke specific articles, nor did they always explain how a certain human rights instrument led to a specific action. In some cases, it might have even suited the local government to keep the 'legal framework' vague, so that the strict legal interpretation of those norms remained ambiguous as well. In contrast, civil society actors were in all cases advocating for a rigour interpretation of human rights as legal standards, which often created disagreement between the local government and civil society.

In Buenos Aires, the activities of the local Secretariat for Human Rights and Cultural Pluralism are presented in a long policy document. This policy document describes that Buenos Aires implements human rights locally because of international, regional, national and local human rights obligations. The policy document presents a long list of these instruments and laws. Though, when one studies the activities of this local Secretariat, it remains unclear whether the projects relate to a specific human rights obligation. The local Secretariat, for instance, organised fairs and festivals to celebrate the city's diverse population and they dispensed basic knowledge on human rights through folders and information stands. They did not draw an explicit connection between the legal human rights instruments and these activities. Their activities by and large approached human rights as moral values (as a frame of reference for the city) and/or principles of good governance (to make the inhabitants participate in their 'human rights project'). Civil society actors, contrastingly, considered the activities of the local Secretariat as no 'real' human rights work, precisely because the legal approach to human rights remained vague. To them, real human rights work involves drafting and implementing public policies that encourage the realisation of legal human rights standards.

This is similar in the context of Amsterdam's Human Rights Agenda. The text of the Human Rights Agenda refers to the legal obligations under the Universal Declaration of Human Rights and the EU Charter of Fundamental Rights. It is specified that these agreements should inform all local policies of the local government. To realise this, civil servants were invited to attend a

voluntary human rights training to internalise a ‘human rights perspective’. But it remains somewhat vague what the civil servants would make of this ‘legal guidance’ by human rights after having received two days of training. The activities of the Human Rights Agenda, likewise, put a lot of emphasis on moral and good governance approaches to human rights. For example, the Human Rights Agenda aims to increase human rights knowledge among the city’s inhabitants, to create a shared urban frame of reference. Moreover, inhabitants were included in the formulation of the Human Rights Agenda, which builds on good governance principles about participatory governance.

Hong Kong’s case offers an interesting contrast between approaches at the international stage versus actions at the local level. Hong Kong’s Universal Periodic Review reports express a firm commitment to the international human rights system and assure that human rights are fully embedded in Hong Kong’s legal system. Human rights were approached as legal standards. At the same time, if one looks at the type of actions the Hong Kong government undertook in response to recommendations by other member states, UN committees and local civil society organisations, one finds a different approach to human rights. The Hong Kong government organised advisory committees, action plans, and developed information sheets. But they did not change the actual regulations concerning foreign domestic workers. Through these activities, the Hong Kong government side-stepped a legal approach to human rights.

Lastly, Amsterdam’s 24-hour shelter offers another example. The local government explained that they offer assistance to undocumented migrants because of respect for the ‘humanitarian minimum’ and ‘humane reasons’. Though the local government did not make entirely explicit what these humanitarian reasons or standards are based on. In this sense, the local government approached terms such as humanitarian standards and humane as a moral frame of reference, as overarching guiding values. Perhaps, if the local government were to make the human rights obligations specific, by defining what exact rights the undocumented migrants would avail of at the local level (e.g. the right to adequate housing), it would give them practical problems. It was not feasible for the local government to provide shelter to *all* undocumented migrants, there were only 500 beds available. The local government lacked the space and funds. Civil society actors, on the other hand, perceived that the local government violated legal human rights standards by not offering assistance and shelter to everyone, and repeatedly tried to underline this reasoning through legal claims.

However, the case of Amsterdam’s assistance to undocumented migrants simultaneously shows the opposite. The local government used human rights, as legal norms, to explain why they do not *need* to give assistance. The local government emphasised that they are not legally obliged to do so. In this case, the legal standards were made explicit. The local government referred to a decision of the European Court of Human Rights to explain that the Netherlands, and therefore the local government, is not obliged to provide assistance to all undocumented migrants in their territory. By making the absence of a legal obligation explicit, the local government may dodge potential criticism or claims about the way they provide the assistance. In this sense, human rights also function as legal standards to justify the absence of responsibilities.

5.2.3 To bind actors to a shared goal

Oomen identifies that human rights can bind urban actors to a shared goal. Actors form coalitions because they share a particular approach to human rights.¹⁰ This research underwrites this, while it also shows that a different take on human rights can also lead to the disruption of potential coalitions. In Hong Kong, the five-yearly Universal Periodic Review incited city-wide coalitions. Civil society actors with different thematic interests (of which those dedicated to foreign domestic workers) teamed up to write collective shadow reports. In Buenos Aires, civil society actors formed a social movement ‘Migration is not a crime. It is a human right’ in reaction to the decree to the Migration Law. This social movement centres around the belief that the decree violates the human rights norms that are embedded in the Migration Law, Argentina’s 1994 Constitution, and international and regional human rights commitments.

Coalitions were formed by actors that had a similar approach to human rights. For civil society actors this often involved a legal approach to human rights. They regularly formed coalitions with lawyers, in order to prepare legal claims. For example, an influential NGO in Buenos Aires, Cels, is specialised in strategic litigation. Cels assisted other (small) NGOs with the preparation of legal cases. The NGOs that were active in Amsterdam’s debate on undocumented migration also collaborated with lawyers, and shared the view that the local government was not acting in line with the obligations under the European Convention on Human Rights and the European Social Charter. In these coalitions, human rights were approached as serious legal standards by which to judge the practices of the local government.

Though human rights did not always incite coalitions, they also fragmented (possible) coalitions. The three cases show that human rights fostered coalitions just as often as they broke potential coalitions between NGOs and local governments. Actors that had a different approach to human rights often did not collaborate. Oomen describes that human rights are an end-result of a negotiation, which is why they often have a universal appeal to many actors.¹¹ My data portrays that some actors cleverly tried to control this negotiation process, which is why the negotiation did not always involve a wide range of actors. In some cases, the local government predominantly involved ‘non-critical’ or like-minded actors in their activities. The actors that were not involved, consequently, could not contribute to the negotiation. At the same time, civil society actors deliberately wanted to stay out of a coalition precisely because there was little to no negotiation, or because of a profound difference in approach to human rights.

When the local government of Amsterdam was developing its Amsterdam Human Rights Agenda, they involved the inhabitants of the city in the decision-making. The local government organised ‘human rights talks’ with inhabitants, but they deliberately did not invite NGOs. It was reasoned that NGOs would overshadow the inhabitants with their beliefs and ideas. As a consequence, many NGOs (which I interviewed) had never heard of the Human Rights Agenda, although they were very interested in it. Because they were not involved in the Human Rights Agenda, the project did not foster a wide-ranging coalition of actors.

¹⁰ Oomen, ‘Introduction: The rise and challenges of human rights cities’.

¹¹ Ibid.

In Buenos Aires, the local Secretariat for Human Rights and Cultural Pluralism collaborated with inhabitants to organise festivals and other kinds of activities. To be able to collaborate with the local Secretariat, one had to sign up for a so-called ‘collectivity’. These collectivities are organised around the migrant groups that live in Buenos Aires (e.g. the collectivity of Peru, Uruguay or Italy). The collectivities had to commit to the program that was set out by the local government. Hence, the local government came up with a pre-defined take on human rights promotion. In this format, the collectivities were able to organise events such as the Day of Peru or the Day of Italy. Many civil society actors in Buenos Aires would never want to commit to such format because in their perception this format was not ‘real’ human rights work, but a way to mask the ‘real’ urban issues. These civil society actors, therefore, did not want to be associated with the local Secretariat and there was no exchange of thoughts.

To run the shelter for undocumented migrants, the local government of Amsterdam circulated a call among local NGOs. The call invited NGOs to become ‘chain partners’ in the execution of Program Undocumented Migration. NGOs were contracted by the local government to execute parts of the program, such as providing legal or social counselling. Several NGOs did not want to be involved in this, precisely because they had a different approach to human rights. Although the local government was providing assistance to undocumented migrants, some NGOs upheld that the assistance was not satisfactory and therefore violating the rights of those who were not able to get one of the 500 beds.

Lastly, while civil society actors in Hong Kong formed a coalition in the margins of the Universal Periodic Review, human rights were often not considered as ‘shared goals’ among all government officials. Human rights have become associated with one side of the political spectrum: the pro-democracy camp. Hong Kong’s legal human rights system is the result of efforts by pro-democracy politicians, activists and academics. In addition, the 2019-2020 and 2013 pro-democracy protests centred around human rights and freedoms in present-day and future Hong Kong. However, the majority of the government officials and legislators are oriented towards the pro-Beijing side. Consequently, if one were to refer to human rights in a legislative council debate or in interactions with the Hong Kong government, it would not make a stronger argument. Human rights are emblematic for the divide between the pro-Beijing and pro-democracy groups, and did often not function as neutral norms that can bring actors of different views together. This had consequences for interactions between civil society actors and government officials. If an NGO framed its objective in terms of human rights, it would less likely lead to a collaboration with a government official. Human rights have become considered as *too* political, and government officials (whatever their personal views may be) were often disciplined to not openly support human rights-oriented goals.

5.2.4 Under the radar

The case of Hong Kong stands out from the cases of Buenos Aires and Amsterdam. In Hong Kong, human rights functioned under the radar. They were often considered as more useful when not mentioned literally or explicitly. This ties in well with Oomen’s observation that in some environments, human rights will be merged with other discursive languages that are

considered a better fit.¹² While Hong Kong's legal system incorporates several human rights instruments such as the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, human rights language was also avoided or rephrased. For example, efforts to create a Human Rights Commission have failed several times, but Hong Kong does have an Equal Opportunities Commission (EOC). Also, at the UN, the EOC was presented as Hong Kong's local institution for 'promoting and safeguarding human rights'. However, the EOC has an 'unspoken compromise' with the Hong Kong government to not speak about human rights for the next few years. The government officials requested this of the EOC, and the EOC complied because of financial and individual reasons. Former EOC directors have been removed from their position for being too critical.

This preference for other discursive languages was also the case for matters surrounding foreign domestic workers. I noticed that urban actors often referred to local labour regulations and terms such as secure and safe work, to advocate for foreign domestic workers rights, rather than to use international human rights norms. The claims of foreign domestic worker advocates were more likely to be taken into account by the Hong Kong government when actors referred to labour demands. The high-rise window cleaning clause, for instance, could be swiftly introduced precisely because it was an occupational safety matter.

Civil society actors that support foreign domestic workers adapted to this situation and chose to frame their messages differently. At the same time, these foreign domestic worker advocates identified themselves as human rights organisations. They believed in the norms of human rights but did not invoke them explicitly out of strategic reasons. A human rights-oriented goal could be better reached by simply framing their goal otherwise.

In the case of Buenos Aires and Amsterdam, human rights did not need to function under the radar. While human rights were also politicised in both cases, they did not become associated with one side of a political spectrum. To be more precise, there existed different approaches as to what human rights standards should entail, but no sides of the political spectrum rejected human rights as a normative framework. On the contrary, in Buenos Aires and Amsterdam, human rights were hard to criticise or discard. The reaction of an Amsterdam city council member to the Amsterdam Human Rights Agenda is illustrative. The council member was moderately enthusiastic about the plan for the Human Rights Agenda. To him, it seemed that the agenda would not initiate anything new and it appeared as a 'summary of everything we are already doing'. He approved of the plan anyway: 'Of course human rights are an important subject'. In Buenos Aires, the human rights discourse is entangled with the processes of memory, justice and truth in relation to the last dictatorship. The national human rights movement became powerful during and after the dictatorship, and human rights became institutionalised and popular as a discursive language. Consequently, in Buenos Aires the frictions centred around whether human rights were used in a good or bad, true or fake way, but invoking human rights was not considered as sensitive or overly political in itself.

¹² Oomen, 'Introduction: The rise and challenges of human rights cities'.

5.2.5 To profile and/or promote the city

Scholars stress that local governments also engage with human rights, because it creates networking, branding and funding possibilities and a recognisable moral profile.¹³ The three cases demonstrate that human rights indeed played a role in local governments' identity building efforts and/or city promotion activities. Local governments used human rights to profile and promote the city for international audiences, and also drew on human rights to construct an urban profile together with the inhabitants of the city.

The case of Buenos Aires is striking. The project 'BA Celebra' of the local Secretariat for Human Rights and Cultural Pluralism centres around city promotion and urban identity. Through BA Celebra, human rights were employed in a set of promotional activities that predominantly highlight what is exceptional and positive about Buenos Aires' multicultural inhabitant groups. Moreover, human rights were used to unite the city's different groups and to profile and promote Buenos Aires as a multicultural city. This exercise is inward-looking, directed at the inhabitants of Buenos Aires, but it also has an outward-looking element to it. The local government perceived of Buenos Aires as a model city in terms of coexistence and multiculturalism, which they underscored and demonstrated to the outside world through BA Celebra. In line with this branding or profiling aim, emphasis was put on the positive sides of the multicultural city, which is why many civil society organisations distanced themselves from the project.

In Hong Kong, the local government predominantly used the promotional function of human rights for international audiences. The Hong Kong government handed in reports for the Universal Periodic Review, and while doing so they addressed concerns about the situation of foreign domestic workers. The international human rights system created an outlet for Hong Kong, a space through which the Hong Kong government could present itself at the international stage. The Universal Periodic Review was seized to present a positive image of Hong Kong, in line with Hong Kong's city brand: 'Hong Kong Asia's World City'. Hong Kong's city brand emphasises the city as a secure global financial centre, with its legal system as a unique selling point. By displaying a sincere commitment to human rights at the international stage, Hong Kong constructed and helped maintain its identity as Asia's World City, which was crucial in the light of the city's economic flourishing. More specifically, the financial benefits and trade relations the Hong Kong government derives from its status as a Special Administrative Region rely on the city's rule of law and human rights image. Hence, there was something at stake when Hong Kong's human rights performance was assessed, and civil society actors made use of the Hong Kong government's (relative) willingness to discuss human rights.

The Amsterdam Human Rights Agenda predominantly focuses on profiling the city for an internal audience, the inhabitants. Yet, before the launch of the Human Rights Agenda, human rights had already found their way to Amsterdam's foreign policy. The local government's foreign policy, which is very much invested in attracting foreign businesses, portrays Amsterdam as a 'responsible capital'. Part of this responsibility involves sharing expertise with other cities about Amsterdam's approach to human rights and fostering foreign human rights

¹³ Darling, 'Moral Urbanism'; Oomen, 'Introduction: The rise and challenges of human rights cities'.

initiatives. For the outward promotion, the local government presented itself as a human rights city that other cities could learn from. Contrastingly, the civil servants responsible for the Human Rights Agenda did not consider Amsterdam to be a 'true' human rights city yet. They considered that this label would require work, which is why the Human Rights Agenda lays out the path towards becoming a human rights city. This path involves the construction of a common frame of reference that Amsterdam's diverse inhabitants can hopefully relate to. The human rights city label was used in an aspirational sense, as a goal to strive for. Though, perhaps the Human Rights Agenda also has some outward-looking or promotional objectives. The Human Rights Agenda was initiated to make Amsterdam's engagement with human rights *explicit*, in the footsteps of other (Dutch) cities such as Utrecht.

5.3 The particular of the urban

The five urban functions show that human rights can function as X in City A, as Y in City B, and even as X & Y in the confinement of one city. Human rights are used in flexible and multifaceted ways, but this should not be considered as something new. Human rights always required interpretation, and were always considered as the outcome of a negotiation. But there is something particular about the processes of interpretation and negotiation in the urban.

I attempted to make sense of these processes through the notion of translation: the activities through which actors try to make sense of the problems in their surroundings, their role vis-à-vis these perceived problems and the roles of others. These translation processes provided insight into the network circumstances. This section unpacks what is particular about the study of human rights in the city, in contrast to exploring the roles of human rights in another space, such as the courtroom, or scale, such as the national level.

Some network circumstances seemed small, like an idea of an alderman, or the education of civil servants. Other circumstances were rather abstract, and intangible, such as the history of Argentina's dictatorship, Hong Kong's legal human rights system, or the delicate relation between China and Hong Kong. In practice, both types of circumstances played a crucial role, and the one was not by definition more important than the other. More importantly, it was always an interplay. For example, the individual alderman was trying to make sense of her surroundings and was thereby bringing some pieces of her take on the history of Argentina's dictatorship into the network. Hence, the dictatorship was not just there as a static object in the background, the dictatorship was employed by actors in Buenos Aires in relation to their usage of human rights. The division of the roles, at the same time, portrays to what extent the alderman was enabled to bring her ideas into the actor network, or to what degree she was able to make her idea the dominant one.

Some network circumstances were facilitating a particular usage of human rights, while another combination of circumstances was disrupting potential functions of human rights. The crux is that these circumstances differ to a great extent, from city to city, within cities and over time. Still, I found several parallels between these three cities that, at first sight, had little in common. Four features of the urban were in a continuous interplay with human rights' open-endedness. The mixture of network circumstances had common threads.

I distinguish urban space, urban politics, the municipal apparatus and civil society as such crucial network circumstances in urban debates on migration and diversity. This does not mean that urban space always led to a certain outcome or function of human rights. These city-specific features constantly interacted, with each other, and with the usage of human rights, thereby producing possibilities, but also constraints.

5.3.1 Urban space

Urban space, the city's built environment ranging from public squares to its facilities, continuously interacted with the functioning of human rights in all three cities. Urban space was used to lay bare and concretise the necessity to draw on human rights, while it at the same time obstructed, or made difficult, other usages of human rights. In this sense, urban space did not exert a one-dimensional position in urban actor networks surrounding diversity and migration.

Urban space lays bare the city's challenges. These challenges connect to what Nijman signals: global challenges, such as migration, are more urgently felt in cities.¹⁴ In both Amsterdam, Hong Kong and Buenos Aires migrants were drawn to the urban. Undocumented migrants often seek for a better life in Dutch cities like Amsterdam, as they await the expiration of their Dublin claim, as they prepare for a new asylum procedure or as they eventually opt for an informal existence. Migrants from MERCOSUR countries continue to arrive in Buenos Aires because of the economic opportunities the city offers, or whilst seeking refuge. Despite some of the contested regulations, foreign domestic workers choose to work in Hong Kong, driven by poverty and for the reason that Hong Kong is still one of their best options. Because migrants continue to arrive in cities, migration and diversity challenges concretise in urban space. Urban actors, in response, pick up on these challenges. However, the latter does not imply a clear-cut response. It entails making sense of the challenges in urban space, providing an account of the problems. This research shows that these accounts of the problems in urban space often oppose one another. One actor speaks of the violations of migrant rights, while another is afraid of the consequences for the economy or the 'original' inhabitant.

Foreign domestic workers are in Hong Kong's public space every Sunday, during their only day off. They are in public space, because they have no private space of their own. They ought to live with their employers as prescribed by the live-in rule. While some legislators asked questions about foreign domestic workers 'occupying' the parks thereby affecting the 'rights of the public', the presence of foreign domestic workers in public space also showcased their struggles openly and tangibly. They cannot have a private home, and have no choice but to spend their day off in public space. In response, there was also a group of civil society actors that made sense of urban space by advocating for repelling the live-in rule. Hence, urban space generated two opposing accounts of a problem. In Buenos Aires, some actors observed security and criminality problems in urban space, which they attributed to the MERCOSUR Residence Agreement's and the Migration Law's 'overly permissive' nature (due to human rights standards). In this example, actors referred to problems in urban space to explain the necessity

¹⁴ Nijman, 'Renaissance of the City'.

of the decree to the Migration Law. Or in other words, human rights (as embedded in the migration laws) facilitated problems in urban space. The migrant movement that arose in response to the decree provided a completely different account of the challenges in urban space. They argued that migrants had already been subject to discrimination when accessing the city's education, housing and healthcare systems. The decree would only worsen the lives of migrants in Buenos Aires.

At the same time, urban space can confine which aims may be realised, which human rights inspired policies can be implemented, because of typical urban space limitations such as housing shortages. Urban space poses practical constraints in realising some human rights ambitions. For example, to provide adequate housing to all undocumented migrants in Amsterdam, or for the 350,000 foreign domestic workers in Hong Kong, is challenging. Finding shelter locations for undocumented migrants in Amsterdam's overpopulated housing market was not easily achieved. Nor would providing foreign domestic workers with their own apartments be in Hong Kong, the city with one of the world's most expensive real-estate. The local governments of the two aforementioned cities were faced with these practical limitations and adopted their usage of human rights accordingly. The Hong Kong government reasoned that it could not repeal the live-in rule, because of the huge pressures on the territory's resources, despite criticism from civil society actors and UN committees. The Amsterdam local government struggled to provide for the 500 beds it promised to undocumented migrants, and had to defend why those spaces needed to go to undocumented migrants rather than Amsterdammers.

It is not just about the restricted amount of urban space available, which often characterises cities, it is about decision-making as to which groups get access to urban space. Hence, even the practical limitations of urban space centre around decision-making. In the case of Hong Kong, the local government decided that foreign domestic workers would not get access to the housing stock. In the case of Amsterdam, the local government decided that undocumented migrants got access to (a very limited amount of) the real estate. Such decision-making involves determining *who* should have access to urban space, which points to a distinction between insiders and outsiders: Hong Kong residents and temporary workers, Argentinean nationals and MERCOSUR migrants, Amsterdammers and undocumented migrants. For example, interviewees in Hong Kong mentioned that foreign domestic workers are regularly considered as outsiders, who do not have 'a claim on rights'.

In sum, urban space and human rights interact in many possible ways. Urban space poses practical limitations, as well as possibilities. Visible problems in urban space create possibilities for describing why a certain invocation of human rights is vital, why a human rights project is needed, or why a human rights project must be stopped. For example, urban space makes visible which rights migrants lack (e.g. adequate housing or privacy or access to healthcare). But this does not mean that all urban actors will have a uniform idea as to what is considered a problem. On the contrary, this research shows that actors provide different accounts on the problems in urban space, therewith collecting 'proof' for different usages of human rights. Though, urban space is not only mobilised as part of a strategy, it also poses practical constraints that may disrupt a potential strategy. Some ideals may not be realised because the restricted amount of urban space is a complicating factor.

5.3.2 Urban politics

A second crucial network circumstance centres around urban politics. With urban politics, I refer to the political representation of the local government, and its relation to national politics, as well as to the objectives and actions of individual politicians. Political agendas can make a certain usage of human rights a priority, while they can also obstruct other potential functions of human rights. For instance, to use human rights to promote multiculturalism, the desire for an Amsterdam Human Rights Agenda and a new interpretation of the humanitarian minimum all revolved around new political priorities. At the same time, what may not be on the political agenda, or what does not sit well with the voters, is likely not facilitated (e.g. the human rights embedded in Argentina's Migration Law).

As for the three case studies of this research, the political party in office was often able to determine the outline of the local government's strategy regarding migration and diversity. And in doing so, they were enabled to tailor human rights to their political projects. Networks often facilitated (new) politically-driven ideas or priorities and critical civil society actors, civil servants and city council members were often not able to disrupt such networks, even if they wanted to.

On the one hand, in the case of Buenos Aires and Amsterdam, there are local elections and consequently, the chosen local politicians act from a basis of democratic legitimacy. If the majority of the inhabitants supports the political representation, it becomes difficult to disrupt their choices. The case of Amsterdam's 24-hour shelter illustrates this. In Amsterdam's assistance to undocumented migrants, the meaning of the 'humanitarian minimum' was constantly reinvented. Over the years the assistance to undocumented migrants had undergone many changes. The conditions for entering the shelter would fluctuate. At some point in time, the humanitarian minimum could mean that people with a Dublin claim could stay in the shelter. One month later this same group could not avail of shelter. These fluctuations were not necessarily the result of newly found wisdom in the norms of human rights, and the 24-hour shelter too involved a politically driven decision. The decision to change the night shelter into a 24-hour shelter was incited by a new city government, and more specifically, by a new progressive alderman. This individual played a crucial role. The responsible alderman wanted to make the assistance 'more humane' and had ambitious plans. The civil servants did not agree, and the critical and sceptic discussions in Amsterdam's city council illustrate that a local government with a different political affiliation could have had a completely different tactic. Some council members had other visions, or even found it a 'horrible idea'. But, because the 24-hour shelter plan was part of the local coalition agreement, and perceived as democratically legitimate, the city council facilitated this take on the humanitarian minimum.

Hong Kong's case, on the other hand, is different. The democratic legitimacy of the Hong Kong government is questionable since only a small part of the inhabitants is able to vote, for only a limited group of legislative council seats. The Hong Kong government made disruption of their strategy very difficult in general. Although inhabitants may disagree with the chosen path, the Hong Kong government cleverly controlled spaces for critique, for example, by constraining the legislative council's ability to prepare new legislation.

Local politics play out noticeably in the theme of migration and diversity. Migration is often an intrinsic part of political programs and political parties have very different views on how to handle migration matters. Argentinean party PRO has a restrictive migration agenda that arrives at migration as a security issue, while the biggest party in Amsterdam, *GroenLinks*, has a more lenient and accommodating approach to undocumented migration. Even when the governance of migration flows is not a formal competence of the local government, such as in Buenos Aires and Amsterdam, migration and diversity issues play out in urban space (as has been stressed in the previous section). Local politicians make sense of the urban on the basis of their political projects. They observe what is happening on the city's streets, form opinions and propose solutions, and consequently, these political agendas transpire to municipal policy.

Often, such migration and diversity programs reflect categories of the desired and the undesired migrant, such as in the case of BA Celebra and the local government of Buenos Aires' silent support for the decree to the Migration Law. By defining such categories, the local politicians determined who became the target group of their invocation of human rights. The case of BA Celebra provides a good example. Previously, Buenos Aires Secretariat for Human Rights mainly concerned itself with human rights in the context of the dictatorship. Hence, the work of the secretariat focused on the processes of 'justice, memory and truth'. Two decades later, a new view developed. Government officials, and civil society actors alike, reasoned that it was time to bring human rights to the 21st century. For the local Secretariat for Human Rights this created a turning point: many human rights themes and topics could be selected. There were many possibilities. The civil servants came across as rather pragmatic about this selection: 'well, human rights are everything, and we cannot do everything, so we had to choose something'. But the final selection was not coincidental. The focus on promoting multiculturalism, without paying attention to the problems of Buenos Aires' diverse migrant groups, corresponded with political agendas. BA Celebra showcases an 'ideal-type' migrant in line with the interests of the right-wing politicians in office. Human rights were reshaped to fit the optimistic, promotional narrative party PRO had in mind. One could imagine that a different political party would have opted for a different approach, which eventually became reality as the newly elected national Peronist politicians removed 'and Cultural Pluralism' from the national secretariat's name.

Though, in both Hong Kong, Buenos Aires and Amsterdam it were not solely *urban* politics. National political programs transpired to the city. Both PRO and *GroenLinks* are parties that also run in the national elections. At the time, PRO was also heading the national government and PRO's urban approach strongly resembled how the national government approached the human rights of migrants. In Hong Kong, the relation between national and local politics had an unmistakable effect on the role of human rights in Hong Kong's debate on foreign domestic workers. The Chief Executive of Hong Kong is not a member of a political party, but the candidates must be approved by China. Moreover, Hong Kong's government is (becoming even more) pro-Beijing oriented. In this very sensitive and complex political situation, whereby China's national politics slowly overtake Hong Kong's politics, the human rights discourse became sensitive and best avoided in Hong Kong's urban affairs. Human rights were considered as too political. This consequently also defined how the treatment of foreign domestic workers was spoken about, or more precisely, that their human rights were often not literally discussed.

Yet, the case of Hong Kong also displays that even in a tense political situation, other interests can overshadow political agendas. During the Universal Periodic Review, human rights language was not considered as too political. Politics played out differently in another space: the international level. This was the case because the pro-Beijing and pro-democracy politicians shared a common interest: Hong Kong's position as a global financial hub. Because economic interests went hand in hand with establishing a flourishing human rights image, political agendas momentarily aligned.

In sum, (national and local) political agendas largely determine the role human rights can have in municipal policy responses to migration and diversity. Such dominant ideas and ways of doing things can be hard to disrupt by civil society, civil servants and legislators. Political parties often have specific ideas as to how to best govern migration, and how to best frame urban diversity, and the elected parties make use of their influential position. But political agendas are not only determined by certain ideas on migration and diversity, they also involve economic interests.

5.3.3 The municipal apparatus

The municipal organisation, the apparatus of local government departments and civil servants, too is a common thread, a crucial network circumstance. In all three case studies, it was decisive how the apparatus functioned, what the division of departments looked like, and to what extent the civil servants had room for manoeuvre. In most cases, these factors did not open up new potential functions of human rights. The municipal apparatus, more often, reproduced or facilitated the desires of politicians despite possible deviating views, or generated practical constraints because of its bureaucratized environment.

The cases of Buenos Aires, Hong Kong and Amsterdam show that even if civil servants do not agree with the course of action as laid out by the political level, they are not always in a position to change it. In Buenos Aires, civil servants may have found BA Celebra superficial or the decree to the Migration Law a human rights violation, but that did not change anything. In Hong Kong, civil servants rarely spoke out at an individual basis and facilitated what the political level wished of them. Their role therefore remained largely untraceable. In Amsterdam's case of the transition to the 24-hour shelter, the civil servants did not find the new interpretation of the humanitarian minimum (in the form of a 24-hour shelter) a good idea. But the civil servants were not able to disrupt the plan of the progressive alderman. Moreover, semi-autonomous institutions such as INADI (Argentina's National Institute against Discrimination and Xenophobia), the Ombudsman of the City of Buenos Aires and the EOC (Hong Kong's Equal Opportunities Commission) were constrained to do their basic tasks: to report on discrimination, human rights and xenophobia. Oftentimes, these institutions would receive their budget from the (local) government and/or its directors would be elected or approved by the political level, which confined their ability to disrupt the usage of human rights. Hence, the municipal apparatus often facilitated political preferences.

Whereas in the case of Amsterdam's Human Rights Agenda, civil servants to a large degree determined what the agenda would entail. The civil servants were, for example, enabled to make

their interpretation of the ‘human rights project’ the dominant one, because other actors such as the city council and the alderman only had rough ideas. The political level allowed them this room for manoeuvre. And, this showed. This created a situation in which it was crucial which local government department became responsible: what kind of civil servants work there, what expertise they have and what financial means the department has. By placing a ‘human rights project’ in a certain department, a decision is made about the type of approach to human rights one can expect. Diversity departments have a particular approach to human rights, because they have specific expertise. The civil servants that work at diversity departments more often have a background in social sciences, than in law. They are, generally, better equipped to initiate a project about multiculturalism, than to initiate a local office for individual human rights claims. The other way around, by placing a human rights project in a legal department one will likely not end up with festivals about the promotion of multiculturalism.

The municipal apparatus, in contrast to urban space and politics, can be rather static. New projects must be allocated to a certain department, which has certain competences and budgetary possibilities. This sometimes constrained how human rights could be used. The Amsterdam Human Rights Agenda was designed to be grounded on what inhabitants considered important, to provide an Amsterdam-specific approach. The civil servants reasoned that Amsterdam needed a concrete approach to human rights that focused on a limited number of themes. Inhabitants were consulted, and a report was produced about the inhabitants’ vision on human rights. It turned out that the Amsterdam Human Rights Agenda only took one of the inhabitants’ suggestions on board, the other three themes were selected by the local government. By tracing this selection process, it became clear that the local government mainly selected themes that fitted their existing projects and priorities. The human rights label could easily be assigned to these existing projects and no extra budget was needed, because the ‘responsible departments’ were already executing the projects anyway.

To conclude, the municipal apparatus often reproduces the political agenda. At the same time, the bureaucratic environment of the local government also subjects human rights to policy plans, budgets and inflexible department structures with specific expertise. These factors do not always facilitate ideas, they also complicate them.

5.3.4 Civil society

At last, the strategies of civil society actors form a common thread. In all three cases, urban civil society was relatively organised, in movements, NGOs, networks, and other forms of (ad-hoc) coalitions. More importantly, these civil society actors constantly monitored how the local government behaved in the realms of diversity and migration, as they tried to provide suggestions for improvement and/or challenge how the local government treated migrants. Through these processes, civil society actors were from time to time able to propose new applications of human rights, or coerce the local government to do so. In this sense, civil society actors were sometimes enabled to redirect the course of the local government. However, on many other occasions they were deliberately obstructed in doing so by the local government.

In both Amsterdam, Hong Kong and Buenos Aires civil society actors typically advocated for a stricter legal approach to human rights. In contrast, as has been described, the local government was often inclined to put most emphasis on moral and good governance approaches to human rights (e.g. in BA Celebra, the Amsterdam Human Rights Agenda, the 24-hour shelter, Hong Kong's actions after the Universal Periodic Review). NGOs in Amsterdam, the foreign domestic worker advocates in Hong Kong, and the countermovement in Buenos Aires tried to change the approach of the local government. They strived to make sure that all undocumented migrants in Amsterdam have access to the right to adequate housing and the right to respect for private and family life, that all regional migrants in Buenos Aires are treated equally and have the right to migrate, and that the rights of foreign domestic workers in Hong Kong are not violated through the live-in and two-week rule.

The crux is, however, that the local governments in question did not (or could not) always take the concerns and demands of civil society actors into account. Civil society actors did not always have the impression that they could really influence the local government's approach. Hong Kong's civil society actors were invited to provide input for Hong Kong's report for the Universal Periodic Review, but they did not think that the report would reflect their ideas. In the BA Celebra program, civil society actors were invited to help celebrate the multicultural groups of Buenos Aires, but only if they worked along with the format as set out by the local government. There was no room to critically discuss it, because the local government could cooperate with those organisations that offered little or less critique. As for the 24-hour shelter, the local government extensively involved civil society actors from the brainstorming phase up to the implementation. However, after the brainstorming phase was finalised and the final program was defined, many NGOs were still unsatisfied as they felt that their ideas were not incorporated.

When direct influence was perceived as difficult or ineffective, the civil society actors did not simply adhere to the situation as is. They tried to exert influence on the local government's usage of human rights via other routes and spaces. These side strategies ranged from legal cases and searching for international allies, to street protests and strikes. The countermovement that condemned the decree to the Argentinean Migration Law organised multiple protests and a strike to show the inherent value of regional migrants for the city. Furthermore, they incited a court case to declare the decree unconstitutional, which may have an effect once a decision is reached. Civil society actors in Amsterdam also made use of the legal route regularly, which led to a huge workload for municipal lawyers. As a result, the civil servants tried to make sure that the policy plan for the 24-hour shelter did not include 'categories', which were easy targets for legal procedures. Though, civil society's criticism and legal claims did not structurally change other aspects of the local government's 24-hour shelter policy. A crucial factor in this respect is that there must be a legal basis for a claim. For example, in the case of BA Celebra and the Human Rights Agenda this was not the case. Although many civil society actors disliked and ridiculed BA Celebra, the local government was not violating laws by hosting festivities. Hence, civil society actors had little ability to change the local government's course, and perhaps also signalled less urgency.

A route via international pressure was also employed regularly. In Hong Kong, some civil society actors adapted their language strategically, to avoid the friction that was connected to

human rights language. Though, with international allies and in international spaces, the use of human rights could be useful. Civil society actors lobbied at consulates, so the consulates would reproduce their concerns during meetings with government officials, which eventually became successful in the case of the window cleaning clause. They moreover voiced their complaints to UN committees. The countermovement to the decree also made use of this method. While the UN committees in both occasions echoed the concerns of the urban civil society actors, it remained hard to trace whether, and to what extent, this affected the local governments. The local government of Buenos Aires remained silent and cooperative regarding the execution of the decree. The Hong Kong government cared about its international human rights image, but that did not change its position vis-à-vis the live-in and two-week rule.

To conclude, civil society's ability to influence municipal policy is often facilitated and made difficult at the same time. On the one hand, there is usually a space provided for civil society to voice their ideas. On the other hand, such spaces do not always provide tangible influence, which is why civil society actors seek to achieve influence via other pathways.

5.4 Concluding remarks

The expectations about the relation between cities and human rights are high: cities help realise human rights in context-specific ways, and in doing so, human rights contribute to the flourishing of the city. Human rights indeed become 'contextualised' or 'vernacularised' in the city, as Merry suggests.¹⁵ In Amsterdam, Hong Kong and Buenos Aires, human rights functioned amidst network circumstances that included ideas about urban identity, history, migration, legal systems and the economy, which were shaped by politicians, academics, NGOs, migrants, and civil servants. This, nonetheless, does not imply that human rights will be 'better' realised in cities. Contextualisation does not equal realisation.

Human rights in the city are not a thing or a defined state of affairs: they can take many forms. Urban actors take some bits and pieces of what they perceive of as human rights. Alongside, network circumstances facilitate some usages of human rights, while they disrupt other engagements. Actions of the local government therefore may not always reflect their interpretation of human rights because there is more to it than strategy. There is strategy on the one hand, and coincidence or pragmatic constraints on the other. Plans unfold differently than envisioned because conflicts over urban space, the organisation of the municipal apparatus, unforeseen alliances of civil society actors and/or the dynamics of (local) politics come into play.

Moreover, civil society strategies, urban space and political representation constantly change throughout time, therewith creating possible moments of disruption and contestation of the strategy. During my fieldwork and the writing process, network circumstances also changed. While the chapter on Amsterdam was initially about the municipality's night shelter for undocumented migrants, in spring 2018 a new local government was elected and the night shelter transformed into a 24-hour shelter. The plan for the 24-hour shelter was refuted by the

¹⁵ Merry, Human rights and gender violence.

national government, but a few months later the national and local level came to an agreement and Amsterdam's 24-hour shelter was not a problem anymore. In Buenos Aires, the local and national levels of government were governed by the same political party during the time frame of my fieldwork. During the writing process, the national elections resulted in a political shift and quickly afterwards 'Cultural Pluralism' was deleted from the name of the national Secretariat for Human Rights. Exactly a year after my fieldwork in Hong Kong, the summer of 2019 was characterised by tense and persistent civil society protests about Hong Kong's future as a Special Administrative Region with the accompanying liberties. During the final stage of the writing process, China introduced a restrictive and controversial National Security Law in Hong Kong, which further tightens Hong Kong's freedoms. The latter will likely have consequences for the foreign domestic worker movement, in particular for their ability to protest and fight for their freedoms and rights.

Human rights in the city are rather instable and messy, and maybe I contributed to the messiness. Perhaps I had more attention for the frictions and contradictions, the instances in which the actor networks were not operating smoothly. I, for instance, became very attentive when an interviewee of an NGO would say: the local government has a completely different approach to human rights than we do. I probably had other biases that I am still not fully aware of. But maybe, this research also shows that any invocation of human rights, or any local human rights project, has contradictions once one takes a closer look. Perhaps, this messiness was also facilitated by the fact that cities have fewer pre-determined 'way of doing things' regarding human rights, than one would find in for example a courtroom. Urban actors have quite a lot of liberty. They can invoke human rights without reference to a particular convention or article, they can choose which rights they would like to engage with, or organise a festival and call it human rights policy.

While the abundance of options and choices regarding 'human rights in the city' does produce context-specific interpretations of human rights, it is also unpredictable and lends itself to many other interests. Local governments were always interested in things beyond an interest in realising human rights. For instance, an ambition to realise human rights for a certain migrant group may intertwine with a political project, an interest in underscoring the city's (international) profile, which in turn may suit economic interests. In some cases, the interest in the 'other stuff' may even take precedence over the interest in realising human rights (e.g. the Hong Kong government that refrained from improving the wages of foreign domestic workers). Not so noble interests may accidentally suit a human rights concern (e.g. the Hong Kong government's focus on its 'human rights image' during the Universal Periodic Review). And, the interest in human rights may appear under the guise of another interest (e.g. civil society actors in Hong Kong that deliberately lobby for foreign domestic worker safety instead of rights).

Goodale questions whether (local) government's engagement with human rights is not just 'a sort of large-scale performance in which the players acted 'as if' their decisions, their beliefs, and their moral visions were shaped by human rights'.¹⁶ I would not go that far. Human rights help frame projects in attractive ways, and they can be used for promotional purposes, but this

¹⁶ Goodale, 'Human values and moral exclusion'.

does not inherently diminish the sincerity. On the contrary, a local government may strive to improve the access to rights of a certain inhabitant group, profile itself as a human rights city and encourage other cities to follow their footsteps. In Amsterdam, the human rights city label was first used to profile the city for international audiences, which incited a process in which the local government started to assess itself through the Human Rights Agenda. Or, in Hong Kong, the construction of an international ‘human rights image’ seemed the dominant activity, but this nevertheless created a space wherein the treatment of foreign domestic workers could be addressed.

In any case, when a certain action, argument or policy becomes associated with human rights, the ‘human rights label’ does considerable work. Labels matter and urban actors are aware of that. The Hong Kong government knew it had to call the Equal Opportunities Commission a human rights organisation during the Universal Periodic Review. Hong Kong’s civil society actors knew they should not call themselves human rights organisations. One alderman in Amsterdam knew that the Human Rights Agenda provided a topical and attractive label, another alderman knew ‘humanitarian reasons’ had a weighty appeal. The national and local politicians in Argentina knew they had to convey that ‘human rights remained strong as ever’ after the introduction of the decree. Buenos Aires’ local government knew that celebrating multiculturalism would sound substantial under the heading of ‘human rights promotion’.

The label human rights can incite confusion or even disagreement. As has been emphasised, engaging with human rights involves making choices on how to approach human rights, what rights to focus on, which groups to target and what outcome to aim for. On top of this, strategy may advance in unforeseen ways. In both Hong Kong, Amsterdam and Buenos Aires, the chosen path never led to consensus and harmony among all urban actors. Labels create expectations, which is why plans were often received otherwise than imagined or intended. The 24-hour shelter, the Amsterdam Human Rights Agenda, BA Celebra, and Hong Kong’s commitment to the Universal Periodic Review were not merely received with applause. Other urban actors conceived of the plans differently because they had different connotations with the human rights label. Or, as an NGO in Buenos Aires illustrated in an interview: ‘The local Secretariat for Human Rights and Cultural Pluralism do parties and street fairs [...] they do nothing with human rights’. What the local government of Buenos Aires considered to be human rights policy, had ‘nothing to do with human rights’ according to some NGOs.

At the same time, we should not consider urban actors as naïve and utterly surprised that their plans are received otherwise. The case studies in this research display that urban actors, the local government in particular, navigated the expectations that are connotated to the human rights label in strategic ways. They knew human rights are inherently connected to dispute and dissimilar interpretations, and frequently tried to be ahead of difficulties by anticipating and/or controlling the possible spaces for friction. This entailed several moves.

For the most part, the negotiation was controlled. Local governments often preferred to cooperate with like-minded civil society actors. Yet, this does not mean that it was framed as such. The presented format would be participatory and allow for interaction with civil society. Though in practice, the majority of the decision-making would lie with the local government. Civil society actors were predominantly invited to join in on a pre-determined format. This was

for example the case for the collectivities that could celebrate their culture through BA Celebra, and to a certain extent also for the NGOs that could help in the execution of Amsterdam's 24-hour shelter. The Amsterdam Human Rights Agenda too had a participatory format, but the local government provided for checks and balances. In the research phase leading to the final product, NGOs were not invited because they would overshadow the agenda with their own priorities. The Human Rights Agenda had to centre around the inhabitant. In the end, the content of the agenda was largely determined by the city council and the civil servants. The final product was not considered as politically sensitive, or costly, and thus swiftly approved by the city council.

This control over the negotiation is also exemplified by the case of Hong Kong. Some civil society actors were lucky enough to arrange a meeting with a government official, but the Hong Kong government would define the terms and the preferred language of those meetings. Moreover, the Hong Kong government organised formal avenues for interaction with civil society, for example in preparation of the report for the Universal Periodic Review. The spaces for exchange were there, but civil society's concerns often fell on deaf ears. Hence, manoeuvring around friction also involved pretending not to see prevalent and inescapable critique. This move is also illustrated by the silence of the local government of Buenos Aires after the *Migrar no es delito, es un derecho humano* movement protested against the decree on the city's streets.

Being ahead of friction also entailed making strategic use of the legal approach to human rights. In one instance this would involve keeping the legal application of human rights ambiguous and vague, so obligations would remain vague as well. And connected to this, the possible consequence of being held accountable to these norms. This was the case for the Amsterdam Human Rights Agenda, BA Celebra, the 24-hour shelter and also for the Hong Kong government's performance in response to the Universal Periodic Review. Concurrently, friction could also be anticipated by making the legal standards of human rights explicit. Argentina's pro-decree group stated that the human rights-based Migration Law was still 'open as ever', in an attempt to convey that there was no need for protest. The local government of Amsterdam could reason that it had no obligation to shelter undocumented migrants on the basis of the decision of the European Court of Human Rights.

Human rights in the city entail a given and unavoidable friction on the one hand, and anticipation to the probable friction on the other. Local governments try to work around contestation by employing human rights in a relatively frictionless format.