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The Permanent Mission of the United States of America to the United Nations presents its compliments to the Secretariat of the United Nations Conference on Housing and Sustainable Urban Development (Habitat III) and has the honor to convey to you the submission of the United States of America in response to the letter dated January 4, 2016 from Dr. Joan Clos, Secretary-General of the Conference, which requested written comments from Member States on the Habitat III Policy Paper Frameworks.

The Permanent Mission of the United States to the United Nations thanks the Habitat III Secretariat for their consideration of these comments and avails itself of the opportunity to renew the expression of its highest consideration.

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 on Housing and Sustainable Urban Development (Habitat III)
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DIPLOMATIC NOTE

United States Comments on Habitat III Policy Paper Frameworks

The U.S. supports the efforts of the Habitat III Secretariat in sharing the Habitat III Policy Paper Frameworks and asking for comments as part of the process of developing the New Urban Agenda. The U.S. encourages the Secretariat to continue to be transparent and inclusive in this process, and to consider and address comments, criticisms, and suggestions from member states and other organizations. This inclusive process will enable the development of a clear, actionable New Urban Agenda to help drive development in an inclusive and sustainable manner in this century of unprecedented urbanization.

The U.S. Habitat III preparatory process is a broad and inclusive one, recognizing the importance of broad and bottom-up participation around issues of housing, inclusive communities, and sustainable development. Input from a variety of government agencies as well as civil society stakeholders were considered in preparing these U.S. comments to the Habitat III Issue Papers.

The U.S. recognizes that these policy papers are inputs into the process of developing the New Urban Agenda. To structure feedback on the policy papers, the U.S. decided to undertake a high-level review, focused on (1) highlighting major gaps and making recommendations of major items that should be included within the given topic, and (2) identifying particular items discussed in the issue papers for which we offer strong support.

The U.S. comments on the Habitat III Policy Paper Frameworks include a number of general comments that are cross-cutting or apply to all Policy Paper Frameworks, followed by comments on each paper. All comments are provided without priority or preference for the order of comments. In keeping with the U.S. approach of a high-level review, comments on each Issue Paper are organized under 2 sub-headings: "Support" and Gaps/Recommendations." Comments under the "Support" sub-heading are those themes or issues within a particular Issue Paper that the U.S. for which the U.S. wishes to clearly affirm support for inclusion. Comments under the "Gaps/Recommendations" sub-heading are those themes and issues for which the U.S. has a specific recommendation or those we identified as missing from an Issue Paper.

General Comments:
- All of the policy frameworks should consider the different development contexts of countries, from the most advanced to the least.
- Concepts and terms need to be clearly and precisely defined.
- Inclusion within all Issue Papers should include the concerns and needs of all groups and minorities, regardless of race, color, national origin, legal status, sex, religion, presence of children, sexual orientation, gender identity, and age including youth and the elderly.
- Discussions of human rights obligations and commitments should accurately capture them as rights belonging to individuals or persons, and not of "groups."
- Reference to particular human rights obligations or commitments should use agreed terminology from the Universal Declaration on Human Rights (UDHR) or from international human rights covenants, such as the International Covenant on Civil and Political Rights (ICCPR) or the International Covenant on Economic, Social, and Cultural Rights (ICESCR), rather than attempting to abbreviate or alter this agreed terminology. Throughout these documents, concepts should not be referred to as "rights" or "human rights" unless there is a source of those rights found in an international covenant or the UDHR. Attempts to expand or contract

the definitions or scope of existing human rights obligations by enumerating new elements or requirements of these obligations should be avoided.

- Participatory approaches with local groups and stakeholders should be encouraged across all issues – in traditional as well as innovative ways.
- Beyond simply raising issues and challenges, there is a need to discuss and develop solutions – including a range of approaches that could be applicable to different contexts; policy, process, and design solutions; and specific examples and lessons learned.
- Given the breadth of many of these topics, there should be a focus on how they play out and are addressed in the urban context – considering spatial as well as policy implications – and how these issues tie in to the core issues of Habitat III and the New Urban Agenda.
- All Issue Papers should include a discussion of the roles, responsibilities, and opportunities of sub-national actors, local governments, not-for-profit organizations, roles for the private sector, and civil society partnerships in addressing these issues.
- Terms such as "rights based model/approach/framework" lack a clear internationally agreed definition and should be clarified using terminology with a clearer meaning: for example, a "framework/model that promotes, protects, and respects human rights."
- States have the primary responsibility for promoting and protecting the human rights of all individuals in their territory. While development facilitates the enjoyment of all human rights, it should be clear that lack of development should not be invoked to justify the abridgement of internationally recognized human rights.
- Policy recommendations should not include changes to domestic law and constitutions, but leave to each government models, recommendations, and the most appropriate ways based on context and best available data to implement recommendations within each government's legal framework.

Policy Paper Framework 1: The Right to the City and Cities for All

Support:
- The U.S. strongly supports inclusiveness in housing and sustainable urban development - as an integral part of the New Urban Agenda.
- The U.S. supports new, innovative, top-down and bottom-up approaches to addressing issues of inclusiveness, across socio-economic, racial, ethnic, and religious lines to ensure safe and equitable access to cities and the benefits of cities, education, health, jobs, and basic services for all segments of the population.
- The U.S. strongly supports the in-depth community engagement and participation in all aspects and all steps of the urban planning and community development processes.
- The U.S. supports the notion that local governments play a prominent role in shaping and guiding the development of their towns and cities, with a direct connection to their constituents and the specific local issues on the ground.

Gaps / Recommendations
- The critique of diverse and socially integrated neighborhoods needs to be carefully reconciled in a paper -- We have the opportunity in Habitat III to take a step forward, beyond contradictory arguments such as this one, to recognize broad-based challenges that are the root cause of multiple systems of inequality. This challenge, if left in this context, should be clarified significantly.

- Significant issues here on not including other marginalized groups, especially where legal protection still does not exist regarding housing rights.
- Again, adding either in this section or others, recognition of marginalized groups. We cannot exclude the fact that minority populations and marginalized populations (older people, for instance) often have an important role to play in the resilience agenda they have been systematically ignored both in elements of the 'right to the city' movement, resilience planning, and other approaches to urban growth and planning.
- Gentrification is used without definition. Displacement of pricing out is one issue, economic development is another. While the paper asserts that " 'gentrification' is often promoted by governments through public-private partnerships" it does not explain that oftentimes public-private partnerships have the opportunity to ensure gentrification or how to use benefits of increased economic development of a community to lead to positive outcomes for all.
- The New Urban Agenda should identify policies that promote access to adequate housing, improve urban life, and eliminate discrimination in the provision of basic services in an urban setting. The Agenda is not the appropriate forum to declare or recognize any new rights as UN Habitat is not a human rights body. To the extent the Agenda addresses human rights at all, these references should be limited to the preamble, and should reference existing rights using the exact language from the UDHR, ICCPR, or ICESCR.
- There is no "right to the city" recognized in any international human rights instrument, and we do not support attempts to develop a "right to the city" here, particularly one characterized as collective. As such we suggest "Cities for All" as alternate language. Human rights are universal and are held and exercised by individuals. But the "right to the city" is not a universal right, apparently applying only to those who live in cities. And because human rights belong to individuals, we do not support attempts to define new "collective rights" as human rights. Further, when we use "rights" language to describe all desirable policy goals, we dilute the significance of recognizing something as a human right.
- There is no "Right to access the benefits of city life" recognized in any international human rights instrument. The New Urban Agenda should instead focus on policies that promote equal opportunities for persons who live in cities.
- The New Urban Agenda should not suggest that private actors—including businesses—have human rights obligations (e.g., in the context of gentrification), because only states have human rights obligations.
- There is no internationally understood definition of a forced eviction. Eviction, in and of itself, is not illegal, nor is a "forced eviction" necessarily a human rights violation. Presumably, all or most evictions are against the will of the resident. The New Urban Agenda should focus on the issues of arbitrary evictions or evictions with excessive force.
- There is no "Right to Habitat" recognized in any international human rights instrument. The New Urban Agenda should instead focus on policies that eliminate discrimination, including sex discrimination, in access to housing or housing services.
- There is no "Right to Public Space as a Component of the Urban Commons" recognized in any international human rights instrument. The New Urban Agenda should instead emphasize equal (non-discriminatory) access to public spaces, including by making public spaces and public transportation more accessible for persons with disabilities.
- There is no "Right to the City" recognized in any international human rights instrument. Further, the concept of cultural diversity can be misused. Cultural diversity should neither be used to undermine or limit the scope of human rights, nor to justify or legitimize human rights violations

or abuses. The New Urban Agenda should be clear that efforts to promote cultural diversity should not infringe on the enjoyment by individuals of their human rights.

- There is no "Right to a Safe and Secure Living Environment" recognized in any international human rights instrument. The New Urban Agenda should instead focus on policies that promote the elimination of violence and discrimination against women.

- There are no human rights specific to the environment, and no "rights to environmental protection" recognized in any international human rights instrument. The New Urban Agenda should instead focus on policies that promote access to safe drinking water and sanitation and improve access to healthcare. To the extent that this section is referring to rights recognized under some states' domestic laws, it should clearly state that.

- There is no "Right to Access the Benefits of City Life" recognized in any international human rights instrument. The New Urban Agenda should instead focus on promoting policies that eliminate discrimination in the provision of public benefits and discriminatory access to public space.

- There is no "Right to Participatory and Inclusionary Urban Planning" recognized in any international human rights instrument.   The New Urban Agenda should instead focus on policies that promote participatory and inclusionary urban planning.

- There is no "right to mobility and accessibility" recognized in any international human rights instrument. The New Urban Agenda should instead focus on promoting policies that eliminate discrimination, including on the basis of age and disability. To the extent that this section is intended to refer to freedom of movement, then it should discuss ways to promote the ability of lawfully within the country to move about the country and choose their own residence.

- There is no "right to access basic essential services and infrastructure" recognized in any international human rights instrument. The New Urban Agenda should instead focus on policies promoting increased access to basic essential services and infrastructure and policies that eliminate discrimination in the provision of basic essential services.

- There are no "rights to safety, security, and well-being" recognized as such in any international human rights instrument. The New Urban Agenda should instead focus on promoting policies that support the safety, security, and well-being of everyone and eliminate violence against women and discrimination on the basis of sex.

- Rather than trying to define new rights, the agenda should focus on ways to promote the ability of people to enjoy their universal human rights, as enshrined in international instruments.

- Blanket conclusions re: the gov't role in "gentrification" is confusing. The paper seems to misunderstand the nature of "public-private partnerships" and governments' roles in them.

- P. 3. Refers to "the right to socially produce the habitat and the city." Not clear what this is intended to mean, and does not refer to any established right. The focus should be on promoting the ability of people to enjoy established universal human rights in cities, and not creating new rights. P.3-4: It's confusing to use the term "citizen" here to refer to residents. "Citizen" is a legal term defined under national or local law.

- p. 3 refers to ensuring "full exercise of citizenship of all urban dwellers". It's not clear what "exercising" citizenship looks like or why it would be different than individual human rights (which are not based on citizenship). Consider addressing.

- P. 10, section 3.1: The lack of social protection can exist in FORMAL employment as well. The lack of social protection does not necessarily mean that employment is informal. We suggest replacing this language with "where decent work deficits are most pronounced" (which comes from the preamble of ILO Recommendation 204 Concerning the Transition from the Informal to

the Formal Economy. The term "decent work deficits" does include inadequate social protection. Please note that this paper tends to use "informal economy" for the most part except during this instance while Paper 7 uses "informal employment". While both terms are technically equivalent, "informal employment" tends to cause confusion among the public that interpret it as "informal sector employment" (which is not correct).

- P. 11, section 3.1: The paper states informal livelihoods "are" devalued in urban planning and policymaking but that's not necessarily true in every instance so "can be" would be more appropriate; per noting "handicapped," the accepted international terminology is "persons with disabilities;" the notion of "solidarity economy principles" does not exist in the U.S. and many other countries and we recommend striking this language in this specific instance; and "Lack of government support for local construction elements production with quality standards by trained population" does not seem to make sense and needs to be clarified.
- P. 12, section 3.4: Social protection floors (ILO Recommendation 201) should be applicable to all regardless if individuals operate in the formal or informal economy. Nevertheless, it is a commonly cited challenge that governments struggle to extend their social protection programs to those in the informal economy. The focus should be on the transition to the formal economy not necessarily on valuing/devaluing the informal economy. This language comes from ILO Recommendation 204. Per the bullet on bias, Women and migrants are not economies. They represent vulnerable groups in both the formal and informal economies. The correct term is "individuals with disabilities", not "handicapped".
- p. 18: the language about "policy-defined neighborhoods" is very unclear especially as it appears to be making a sweeping value judgment. Please clarify.
- p. 22: in 1.6, should public transport only be free from violence for women and children, but not for men? Suggest deleting "for women and children."
- P. 26, in 3.1: For the first part of the sentence it should be noted that governments do not necessarily create employment but rather enforce workplace rights. We also suggest striking the last phrase since there are livelihoods that do not respect the Fundamental Principles and Rights at Work. In other words, not all livelihoods make positive contributions (some may actually be illegal) and since in some instances labor law is not fully respected or enforced
- P. 26, 3.1, 3rd bullet makes a policy recommendation to "establish and implement the constitutional right to work." Such a right does not exist in the U.S. constitution. Policy recommendations should not include changes to domestic law and constitutions, but leave to each government the appropriate way to implement recommendations within its legal framework. . Furthermore, the term "right to work" can have anti-union connotations, which is not likely the intention.
- P. 26, 3.1, 6th bullet: We need further clarification on the rationale for including evictions in this list. Governments regulate public spaces and can evict workers from public spaces if they are not complying with the law.
- P. 26, 3.1, 8th bullet: We suggest changing to "Protect the right of every worker to freedom of association and collective bargaining." A worker is not able to establish statutory collective bargaining.
- P. 27, 3.1, 11th bullet: We suggest using "labor force participation" rather than "right to work" since it has a more positive connotation.
- P. 27, 3.2: Growth should not be seen as opposing wellbeing. Please note that the term that is internationally promoted is "inclusive economic growth".

- P. 27, 3.2, Policy Recommendation 1: Decent work should not be viewed as being promoted over neither economic growth nor vice-versa. Inclusive economic growth encapsulates the idea that economic growth should benefit all members of society. Also, policies and indicators should measure the progress of inclusive economic growth.
- p. 27, 2nd bullet says to acknowledge and foster the solidarity economy and other economies. Unclear what this means and should be explained.
- P. 28, 3.4: In "Prioritize youth employment," It is unclear how a government can "legitimize" youth own-account work as meaningful. Nevertheless, it can promote it. Also, "entrepreneurship" is a more understandable term than "own-account."
- P. 28, 3.4: As stated previously, migrants and refugees are not economies.
- P. 28, 3.4: We suggest amending bullet 7 to "Pass and enforce laws protecting labour rights of migrant workers." On bullet 8, we suggest changing to the "transitioning of informal economies to formal economies."

Policy Paper Framework 2: Socio-Cultural Urban Framework

Support:
- The U.S. strongly encourages broad and meaningful participatory planning with all segments of the population - and at all steps of the planning and implementation processes.
- The U.S. encourages that urban planning and development balances respect for heritage and tradition, and preservation of multi-cultural traditions, with future oriented development goals.
- The U.S. encourages communities, municipalities, and regional and metropolitan areas to be inclusive to all segments of the population including regardless of socio-economic, racial, ethnic, religious, gender, sexual-orientation, gender identity, or other status - to provide livable and equitable communities.
- The U.S. strongly supports the prioritization of inclusion/inclusiveness in urban planning and community development processes.

Gaps / Recommendations:
- In key challenges (p. 4), the paper rightfully addresses the social marginalization of poor and minorities, but also should include addressing the social marginalization and discrimination based on sexual orientation and gender identity.
- The New Urban Agenda should identify policies that promote access to adequate housing, improve urban life, and eliminate discrimination in the provision of basic services in an urban setting. The Agenda is not the appropriate forum to declare or recognize any new rights as UN Habitat is not a human rights body. To the extent the Agenda addresses human rights at all, these references should be limited to the preamble, and should reference existing rights using the exact language from the UDHR, ICCPR, or ICESCR.
- The concept of cultural diversity, particularly when espoused in a human rights context, can be misused. Cultural diversity should neither be used to undermine or limit the scope of human rights, nor to justify or legitimize human rights violations or abuses. The New Urban Agenda should be clear that efforts to promote cultural diversity should not infringe on the enjoyment by individuals of their human right.

- The New Urban Agenda should support equal (non-discriminatory) access to public services, goods, and opportunities. However, it should not be framed as "equity" or "equitable" as this can be used to support a subjective sense of fairness, leading to unequal access.
- There is no right to universal access to quality basic services recognized in any international human rights instrument. The New Urban Agenda should instead focus on policies that improve access to quality basic services.
- The concept of cultural diversity, particularly when espoused in a human rights context, can be misused. Cultural diversity should neither be used to undermine or limit the scope of human rights, nor to justify or legitimize human rights violations or abuses. The New Urban Agenda should be clear that efforts to promote cultural diversity should not infringe on the enjoyment by individuals of their human rights
- There is no "Right to the City" recognized in any international human rights instrument. The New Urban Agenda should instead focus on policies that promote access to adequate housing, improve urban life, and eliminate discrimination in the provision of basic services in an urban setting.
- P. 8: This sentence about "an agreement for some rights and duties for refugees and migrants" could benefit from some clarification. Which type of agreement? What type of "rights and duties"? Moreover, it's a policy issue, but this seems to be very informally written and does not recognize the right of states to regulate admission to their territory.
- P.9: Regarding providing services to all regardless of migration status: Which services are referred to here? While states should respect the human rights of all individuals in their territory, regardless of migration status, they may lawfully distinguish between citizens, regular migrants, and irregular migrants in certain areas, including in the provision of certain services.
- P. 3. 6th bullet. This sentence discusses protecting cultural values "without giving up on human rights." Human rights, however, constitute commitments and obligations applying to all states, so can't be "given up." Suggest rephrasing to say "while respecting obligations and commitments to promote and protect human rights."
- P. 6 section b 1st bullet. Suggest describing participation by all inhabitants of cities, not just citizens which may limit scope of the provision. The use of "citizen" in other bullets in this section and elsewhere in this paper should be avoided for the same reason.
- p. 11, section c, 3rd bullet. What does "through advice with different legal frameworks" mean? Needs to be clarified.
- P. 12, section 3a1, first bullet. What is an "acceptable" balance? Suggest deleting "acceptable" as this would be judgment call.
- p. 8 the bullet re: enterprises could be clarified. Governments can encourage responsible business conduct but it is not clear why encouraging businesses to act responsibly would necessarily be linked with decreasing "economic disparity"
- p. 8, bullet 5. The sentence confuses culture and religion, and is contradictory -- it suggests that states should encourage multiculturalism but then provides an example of "mono-religious" city ("traditional Muslim" city). Need to eliminate culture v. religion confusion; also would refrain from singling out one religion (as it would suggest it was ok to keep other religions out of a city).
- p. 5, sec. 2. What is meant by "controlling" large enterprises? As private entities, they cannot be under government "control," as that would mean they are public entities. Policy recommendations for public and private sectors to coordinate and work to common outcomes might be more compelling to bring both sectors to solutions.

Policy Paper Framework 3: National Urban Policies

<u>Support</u>
- Although the U.S. does not have a national urban policy, we support the thorough and multi-dimensional approach to developing urban, municipal, metropolitan, and regional policies – and the need for strong rural policy and urban-rural linkages - to ensure inclusive, equitable, sustainable, and resilient communities for all.
- The U.S. supports locally-led collaborative efforts that bring together diverse interests from the many municipalities in a region to determine how best to target housing, economic and workforce development, and infrastructure investments to create more jobs and regional economic activity.
- On the national level, the U.S. supports federal interagency coordination through principles that incorporate principles of livability into federal funding programs, policies, and future legislative proposals, which are: 1. Provide more transportation choices: Develop safe, reliable and economical transportation choices to decrease household transportation costs, reduce our nation's dependence on foreign oil, improve air quality, reduce greenhouse gas emissions and promote public health. 2. Promote equitable, affordable housing: Expand location- and energy-efficient housing choices for people of all ages, incomes, races and ethnicities to increase mobility and lower the combined cost of housing and transportation. 3. Enhance economic competitiveness: Improve economic competitiveness through reliable and timely access to employment centers, educational opportunities, services and other basic needs by workers as well as expanded business access to markets. 4. Support existing communities: target federal funding toward existing communities—through such strategies as transit-oriented, mixed-use development and land recycling—to increase community revitalization, improve the efficiency of public works investments, and safeguard rural landscapes. 5. Coordinate policies and leverage investment: Align federal policies and funding to remove barriers to collaboration, leverage funding and increase the accountability and effectiveness of all levels of government to plan for future growth, including making smart energy choices such as locally generated renewable energy. 6. Value communities and neighborhoods: Enhance the unique characteristics of all communities by investing in healthy, safe, and walkable neighborhoods—rural, urban, or suburban.

<u>Gaps/Recommendations</u>
- pg 14. "Goal 3: Gender" should be "Goal 5: Gender"
- pg 14. Additional related SDG goals and targets should also include Goal 3: Health 3.6 road fatalities, 3.8 access to universal health coverage, 3.9 hazardous chemicals and air, water and soil pollution and contamination
- pg. 14 Additional related SDG goals and targets should also include Goal 4: Education, 4.4 youth employment, 4.a education facilities
- pg. 14 Additional related SDG goals and targets should also include Goal 14: Oceans, 14.1 marine pollution and 14.5 preserve coastal areas
- pp 18-20: there is some degree of overlap between "transformations" enabled by NUPs and "key priorities." For example, improving business environment (pg 18) should be a priority to achieve the transformation in investment potential.

- p 19: NUPs can also facilitate knowledge sharing between cities within a country, and also between countries to promote innovation in addressing urban challenges.
- p. 19. NUPs can also promote science, technology, and data standardization, collection, and utilization
- p. 21 list of targets should extend to 2036, to the end of a 20 year agenda.
- p. 23 Financial resources can include not just mapping existing flows, but mobilizing additional domestic resources to enhance financing for NUP

Policy Paper Framework 4: Urban Governance, Capacity, and Institutional Development

Support
- The U.S. sees strong institutions and institutional capacity as fundamental elements of effective, equitable, sustainable, and resilient urban and community development.
- The U.S. strongly supports efforts to increase and build capacity of local institutions - government and nongovernment alike - both within and across countries, to build on effective approaches and share lessons learned.
- The U.S. strongly supports urban governance that is transparent and engages with the residents and community in a meaningful way.

Gaps/Recommendations
- The framework uses the word "equity" when the better word is "inclusive," "non-discriminatory," or "equality." The United States supports equal participation in governance, but "equity" or "equitable" can be used to support a subjective sense of fairness, leading to unequal participation.
- P.11, 4th tick under "participation and equity". Statement that "current participation practices do not guarantee fairness and equity" seems to a blanket statement that is not correct. Many U.S. cities have extensive and well-developed multi-level governance systems. Suggest deleting this sentence.
- P.12, 2nd tick from the top of the page. Statement that a change of paradigm is needed to focus on social development not just economic development as the driving factor might need to consider what elements of both can be linked or to what extent economic development should also focus on social development outcomes.
- P. 13, 3rd tick under metropolitan governance is unclear. It seems to suggest that supranational government (define the scale) is a common factor to success, but most countries (except for the EU) are not part of and are unlikely to join a supranational system, nor will they necessarily be the right governing instruments. There are other possible avenues for metropolitan and/or regional level cooperation that do not include a supranational government, particularly by engaging the NGO sector.
- P. 14, 4th tick under participation and equity states "compulsory participation in the relevant legal framework." This concept is not explained. What does this mean? What legal framework does this refer to? Why should participation be compulsory?
- P. 14: When ensuring access of all to decision-making, education, health, and basic services, all should actually consider whether that is possible and how outcomes to that can be measured.
- P. 16, this explains the concept of the "compulsory legal framework for participation." Unclear whether it makes sense to prescribe that a legal framework be compulsory "for all authorities".

It may be better to revise to provide for flexibility, considering multiple levels of governance are being promoted elsewhere in these papers.
- P.20. Establishes as a target whether compulsory legal framework exists. In light of above comments, consider whether this target should be revised.

Policy Paper Framework 5: Municipal Finance & Local Fiscal Systems

Support
- The U.S. strongly supports innovative and adaptive approaches to municipal financing, to address the many real needs cities are facing - balanced against often decreasing revenue.
- The U.S. strongly encourages that alternative approaches to financing, including public-private partnerships (PPP), tax increment financing (TIFs), credit and bond financing, etc., consider the full spectrum of potential risks and benefits to the community - given the responsibility of local government to ensure equitable and effective provision of basic services to the community.
- The U.S. strongly encourages that any and all approaches to municipal financing and administration be conducted in a transparent manner with appropriate input from the community and opportunities for checks and balances in the system.

Gaps/Recommendations
- The framework uses the word "equity" when the better word is "inclusive," "non-discriminatory," or "equality." The New Urban Agenda should support equal participation in governance, but "equity" or "equitable" can be used to support a subjective sense of fairness, leading to unequal participation.

Policy Paper Framework 6: Urban Spatial Strategies: Land Market and Segregation

Support
- Although the U.S. does not have a national urban policy, the U.S. strongly supports the development of community, municipal, and regional land use and spatial planning to plan for equitable, inclusive, and resilient allocation of land and access to services and open space for all segments of the population.
- The U.S. supports the role of local government, actively engaged with the local citizens representing all segments of the region, in planning for local and regional planning and responding to local and regional needs and concerns - as well as including information and traditional ecological knowledge from the community in developing and implementing land use and spatial planning strategies.
- The U.S. encourages the use of design solutions to addressing spatial and development challenges of cities while engaging the local community.

Gaps/Recommendations
- Page 11-12 Spatial planning and land priorities do not, but should include an explicit mention of addressing historical segregation and inequality as a result of previous planning efforts.

Policy Paper Framework 7: Urban Economic Development Strategies

Support

- The U.S. strongly supports the consideration of and integration of economic development and access to economic opportunity for all segments of the population.
- The U.S. recognizes the desire of people to have an opportunity to contribute to and improve their economic situations, and recognizes the role of cities and governments in ensuring access to appropriate education and workforce development, jobs, and access to employment - as well as the role that urban planning, community development, and management of local governments play in this regards.

Gaps/Recommendations
- This paper lacks an introductory framing statement.
- Might want to explicitly mention information technology (IT) and broadband connectivity and access to internet connectivity as part of Investment for Employment (Section 1.4).
- In the developing world, there is a frequently a mismatch between who receives loans and who needs to expend money. The large multilateral development banks lend to national governments, not to cities. Because of this reality, it is often difficult for local authorities to access financing for provision of basic services. This basic fact is not acknowledged.
- P. 5, 1st sub-bullet. "Only one segment of informal workers – employers – enjoy average earnings above the national poverty line." Comment: Does this mean that employers are a subset of informal workers? Maybe rephrasing this to "Only one segment of those in informality – employers – enjoy average earnings above the national poverty line." would provide clarity.
- P. 7, 1.5 - It is important to recognize that rights and social protection are essential components of decent work.
- P. 13, 4th bullet. The authors assert that centralized provision of basic services is always preferable for both economies of scale and effective governance. This statement ignores the reality that many rapidly expanding cities are unable to provide expanded centrally provided water and sewer systems, and have turned to small scale systems to ensure coverage in newer peri-urban communities. Decentralization also has potential to make systems more resilient.
- P. 18, 1st bullet. "Lighter business regulation" should be changed to "Effective and transparent business regulation." Lighter regulation is not always better for businesses or for people, especially when it comes to private sector water and sanitation utilities.

Policy Paper Framework 8: Urban Ecology and Resilience

Support
- The U.S. strongly supports consideration and integration of ecosystem services in urban development, infrastructure investments, and redevelopment.
- The U.S. strongly supports enabling sub-national governments to build resilience and better prepare their communities for the impacts of climate change and is using efforts to encourage and support a culture of resilience around disaster preparedness and planning in American communities.
- The U.S. strongly supports the integration of knowledge of existing and future risks and hazards, including form climate change impacts, in the planning of cities, in redevelopment efforts, and in the equitable allocation of resources to foster and build resilience among all residents of cities.
- The U.S. supports the inclusion of prioritization, of specific examples of instruments for financial sustainability and implementation included in this framework - which will provide useful insights

as communities, cities, and metropolitan areas around the world grapple with implementation around these challenges.

Gaps/Recommendations

- Throughout, the New Urban Agenda should use "safe drinking water" or "safe drinking water and sanitation" rather than "water," "clean water," or "water and sanitation", to be consistent with the international standard language.
- The issue papers are academic discussing strategies that are implementable in developed nations. The strategy to take developing nations from their present state to the level where such ideas will be effective is absent - or the transition strategy is rather important but absent.
- We need a real study that will establish baselines and provide strategy that will promote the developing nations to the level where the suggested models will become effective. Otherwise such studies will remain nothing but academic exercises.
- [2nd paragraph] Partially Correct: In developing nations lacking ICT infrastructure requires smart use of existing resources. One example being the Indonesian tweets informing authority on the level of flood water.
- [Last Paragraph] Rapid urbanization is happening in developing nations. Solution strategies to address climate change and disaster management have to be formulated in phases with the near term goal being to formulate possible solutions based upon available resources.
- ENGAGEMENT: These are excellent ideas. However, one has to know the level of sophistication required for any urban areas in developing nations to implement such a vision. Leap frogging is not a solution.
- [Urban Planning and Design- Illustration 2] Such an analysis mixing developed and developing nations might lead to erroneous conclusions.
- Again these are academic concepts. Urban development will be unique to the nation and will be dictated by available resources and financial issues. A plan that includes waste processing, generation of a certain percentage of energy usage on proximity, water recycling and reclamation will enable smart urbanization.
- Urban Governance has to ensure enforcement.
- [Urban Economy, Finance, Investment] It is more about incentives that allows public-private partnerships to develop. Development of infrastructure (manufacturing) that will assist in the production of environment friendly water/energy once mandated by the government will assist in PPP.
- Line 8. Suggest changing "...individuals, communities, and ecosystems to recover from..." with "individuals, communities, and systems to absorb and recover from..." Or for "individuals, communities, and systems to survive, adapt, and grow in the face of stress and shocks, and even transform when conditions require it."
- "ii) Suggest adding ""household"" to ""neighbourhood, district, city, region""
- vii) Suggest changing to ""capable of responding to and recovering from shocks and stresses""
- Suggest adding a point: ""ix) The city will be designed to ensure improved service delivery and land tenure security while taking into consideration and addressing impacts to vulnerable groups including women, the young, the elderly, minority groups as well as the broader category of the poor."""
- "1.b.1 Governance - reference competing development objectives; high political turnover
- 1.b.2 Policy - reference lack of vertical integration of policies from local to national level"

- "1.b.3 Capacity, v.) suggest changing to ""Lack of data and information available to local communities and key decision makers"""
- 1.b.4 Planning, iii.) suggest changing to ""...integrates housing, transport, energy, water, waste, and green systems and takes into consideration available and relevant information, such as climate data"""
- 1.b.5 Infrastructure, ii.) suggest changing to ""Lack of adaptable infrastructure that is resilient to and can respond to effect of changes, such as changing climate"""""
- 1.b.5 Infrastructure, iv.) suggest changing to "Lack of understanding of the short- and long-term cost-benefit analysis of infrastructure design options and investments under various climate and other scenarios"
- 2.a.1 suggest adding "scalability" to the "List of criteria"
- 2.b.2 Policy, ii) suggest changing to "...to restore what has already been damaged and prepare for and adapt to various potential climate impacts".
- P. 11, at 2.b.3, it should be "indigenous peoples," plural -- what is being spoken of here is the collectivities, not individuals, hence "peoples" is appropriate.
- P. 11. "clean water" should be "safe drinking water"
- p. 14 The concept of cultural diversity, particularly when espoused in a human rights context, can be misused. Cultural diversity should neither be used to undermine or limit the scope of human rights, nor to justify or legitimize human rights violations or abuses. The New Urban Agenda should be clear that efforts to promote cultural diversity should not infringe on the enjoyment by individuals of their human rights.
- pg 14. Key Recommendations: Because of the inherently interdependent nature of water, energy and urban food systems, governance decisions need to be taken at the highest level in order avoid the negative consequences of siloed decision-making. I do not see "nexus" thinking reflected in this governing framework with regard to basic service provision.

Policy Paper Framework 9: Urban Services and Technology

Support
- The U.S. strongly supports inclusive approaches to considering infrastructure investments, provision of urban services, access, and accessibility to all residents and users of metropolitan services.
- The U.S. strongly supports efforts to engage the local community equitably and meaningfully and to respond to on-the-ground conditions and needs in planning for and implementing investments in infrastructure and urban services.
- The U.S. supports efforts at reducing energy emissions and considering the local environment in infrastructure planning and implementation.

Gaps/Recommendations
- key priorities should include service delivery that is inclusive, accountable, and pro-poor, and capacity building at all levels to ensure sustainable, efficient, and equitable service delivery.
- SDG 1, 5, 8 and 16 also highly relevant to sustainable and urban inclusive service delivery
- General throughout, the New Urban Agenda should use "safe drinking water" or "safe drinking water and sanitation" rather than "water," "clean water," or "water and sanitation", to be consistent with the international standard language.

- The paper does not support even a small profit for the provision of basic services. Without a small profit, it is very difficult to finance infrastructure outside of development grants/tax revenues. They seem unaware of progressive tariff structures/tiered rates determined by the quality of the service or the product provided. Reused grey water can be offered at a much lower tariff than drinking water. The authors appear unaware of the growth of successful PPP models.
- Under the section "Urban Services in general" suggest adding: "Introduce Integrative Services Provision Management (ISPM), whereby all decision-making with respect to power, water, and waste water is made centrally". Other points to add: "Consider new models of integrative neighborhood-scale basic service provision." "The use of tiered and differentiated tariffs can increase revenues and expand service provision." "Cities should consider PPP models for improved/expanded service provision."

Policy Paper Framework 10: Housing Policies

Support
- The U.S. strongly supports efforts to better inform the global community about effective approaches and lessons learned in providing adequate, accessible, and affordable housing for all.
- The U.S. supports the need to consider existing and new approaches to financing and maintenance of housing - to ensure that it remains sustainable and secure.
- The U.S. sees housing as a platform to provide a chance for individuals and families to access greater opportunity.

Gaps/Recommendations
- Throughout, we suggest using "safe drinking water" or "safe drinking water and sanitation" rather than "water," "clean water," or "water and sanitation", to be consistent with the international standard language.
- The New Urban Agenda should identify policies that promote access to adequate housing, improve urban life, and eliminate discrimination in the provision of basic services in an urban setting. The Agenda is not the appropriate forum to declare or recognize any new rights as UN Habitat is not a human rights body. To the extent the Agenda addresses human rights at all, these references should be limited to the preamble, and should reference existing rights using the exact language from the UDHR, ICCPR, or ICESCR.
- P. 2 Safe drinking water and sanitation are independent and equal to adequate housing, both of which are generally considered a component of an adequate standard of living. This paragraph treats (safe drinking) water and sanitation as part of adequate housing. We support accessibility to basic services, but note, as this paragraph does, the inherent difficulty in defining services across contexts.
- P. 9-10 There is no internationally understood definition of a forced eviction. Eviction, in and of itself, is not illegal, nor is a "forced eviction" necessarily a human rights violation. Presumably, all or most evictions are against the will of the resident. However, an eviction raises human rights concerns if it is done arbitrarily—without appropriate procedural safeguards—or with excessive force.

- P. 13, first full para: Suggest specifying what "international law and human rights principles" means. States should comply with their existing obligations under international human rights law when responding to natural disasters, including displacement caused by disasters.
- P. 24 The framework uses the word "equity" when the better word is "inclusive," "non-discriminatory," or "equality." The United States supports equal participation in governance, but "equity" or "equitable" can be used to support a subjective sense of fairness, leading to unequal participation.
- p. 24 There is no "right to universal access to quality basic services" recognized in any international human rights instrument. The New Urban Agenda should instead focus on policies that promote access to quality basic services.
- p. 24 There is no "Right to the City" recognized in any international human rights instrument. The New Urban Agenda should instead focus on policies that promote access to adequate housing, improve urban life, and eliminate discrimination in the provision of basic services in an urban setting.
- p. 25-26 UN Habitat is not a human rights body and the New Urban Agenda should not be a human rights document. Therefore it should not use human rights to talk about desirable policy goals. Further, phrases like "mainstreaming of human rights" and "rights-based policy" are vague and ill-defined.
- p. 26 There is no "right to infrastructure" or "right to basic services" recognized in any international human rights instrument. The New Urban Agenda should instead focus on policies that improve infrastructure and access to adequate housing.