Dignity by Design

Human Rights and the Built Environment Lifecycle

Executive Summary
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About this paper: This is the latest in a series of occasional papers by the Institute for Human Rights and Business (IHRB). Papers in this series provide independent analysis and policy recommendations concerning timely subjects on the business and human rights agenda from the perspective of IHRB staff members and external experts.

The report provides mapping, scoping and framing of key issues, as a platform for a collaborative programme to advance human rights and dignity throughout the built environment lifecycle. The programme’s founding partners are IHRB, Raoul Wallenberg Institute of Human Rights and Humanitarian Law, the Australian Human Rights Institute at the University of New South Wales, and Rafto Foundation.

The report highlights human rights issues across the built environment lifecycle – from land acquisition through to demolition and re-use – and makes initial recommendations for action. It builds on IHRB’s existing work on migrant workers in the construction industry, and on recent conversations with architects. Both these sectors have emphasized the need to move towards a whole lifecycle approach to human rights and dignity in the built environment, and greater interaction on human rights between the different actors across the lifecycle. The report also builds on IHRB’s work on the lifecycle of mega-sporting events, which evolved from its 2012 inception to the 2018 launch of the independent Centre for Sport and Human Rights.

Attribution: Annabel Short, consultant, prepared this paper with oversight from Frances House, IHRB Deputy Chief Executive, and input from across the IHRB team.

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The built environment – the places where we live, work, and interact with others – has a defining influence over our ability to lead healthy, fulfilling lives. By 2050, two thirds of the world’s population will live in urban areas. Through a combination of population growth and urbanisation, the world will have 2.5 billion more people by that time, with 90% of the increase occurring in Asia and Africa. Our efforts to address the world’s major challenges like inequality, mass migration, and climate change hinge in many ways on what we build, how, and for whom.

Richard Sennett, “Building and Dwelling, Ethics for the City”

Global Issues Impacted by the Built Environment

- **INEQUALITY**: With almost a billion people living in informal settlements and growing housing affordability crises, there is an urgent need for action to realize the right to adequate housing.

- **MIGRATION**: As major sites of migration, urban areas must ensure that all newcomers can lead fulfilling lives. Over 60% of the world’s refugees live in urban areas.

- **CLIMATE CHANGE**: Ambitious, equitable action is needed to strengthen resilience and reduce pollution from buildings, which account for 40% of global greenhouse gas emissions.

- **GENDER**: Women must have a decisive role in activism, elected office, and business. Sectors continue to be male-dominated, including finance, real estate, planning, architecture, technology, construction and engineering.

- **TECHNOLOGY**: The expansion of “smart cities” must reduce rather than deepen exclusion, and ensure that the right to privacy is respected.

Private sector actors have significant influence across the built environment lifecycle, and can either advance or impede the realisation of human rights. Real estate represents almost 60% of the value of all global assets. The construction industry accounts for around 7% of the world’s total workforce. And architecture plays a defining role in the fabric of the built environment.

By taking respect for human rights and the agency of local populations as a starting point, governments and the private sector can contribute to just and thriving built environments. This approach will accelerate progress on global frameworks such as the UN Sustainable Development Goals and the New Urban Agenda.

This infographic conveys the continuum of human rights risk and responsibility across the built environment lifecycle, the inter-relatedness of the actors, and points of leverage between them. The distribution of power between these actors largely determines the nature of the built environment - and whether it responds only to narrow financial interests or also to the needs of residents, particularly the most vulnerable.
The built environment lifecycle has six interconnected stages, each of which has major implications for human rights.

01 LAND
Pressure for access to land can lead to forced evictions and the displacement of local populations. People most at risk are frequently those with the least power to challenge it – the poorest and most marginalised members of society, particularly those living in informal settlements. Indigenous and cultural rights are also at risk during the land acquisition process. The principles of Free, Prior and Informed Consent (FPIC) apply in urban areas just as they do in rural ones.

02 PLANNING & FINANCE
Decisions about the way land in urban areas is used can have significant repercussions for human rights. Municipal governments must balance attracting private finance, with the need to channel resources to best meet the needs of local populations. In doing so, they face a range of issues including the right to adequate housing, access to infrastructure, transportation and public space, climate change and disaster resilience, and corruption.

03 DESIGN
Architecture and design have significant potential to advance human rights, including the rights to non-discrimination, and to physical and mental health. But lack of awareness or commitment as well as budget and other constraints can also result in adverse impacts on the rights of individuals and communities including the elderly, low-income, and marginalised groups.

04 CONSTRUCTION
Complex layers of sub-contracting and supply chains in construction pose major challenges to transparency and accountability. Construction workers often face multiple risks of abuse. Migrant construction workers are particularly vulnerable to wage theft, hazardous workplaces, and forced labour.

05 MANAGEMENT & USE
Those who occupy residential buildings as well as users of industrial, office, leisure, retail and cultural buildings all face potential human rights risks. Tenants and building maintenance workers alike can be vulnerable to exploitation. In addition, with the growing role of technology – in security and maintenance of individual buildings, as well as throughout the fabric of urban environments – governments and companies must address privacy and data protection.

06 DEMOLITION & REDEVELOPMENT
Any building project – from small scale developments to construction for mega-sporting events – should take account of the project’s legacy and end-use phase. Lack of attention to these concerns can lead to abandoned buildings, neglected infrastructure and displacement of local populations. In addition, there are opportunities for developments originally intended for one purpose to be put to new uses that benefit local communities, or, when buildings are demolished, for materials to be re-used or recycled, which in turn can generate new jobs.
Dignity by Design Principles and Recommendations

Given the multiple human rights issues at all stages of the built environment lifecycle, there is a clear need for collaborative, effective action involving all relevant stakeholders. The report sets out the issues involved, and the many steps that are already underway to advance human rights in the built environment. It also presents a set of draft "Dignity by Design Principles" for further consultation and action, as well as the following recommendations:
As a starting point, all actors should adhere to international human rights standards, and the United Nations Guiding Principles on Business and Human Rights.

**Municipal governments should:**

Protect human rights through the adoption and enforcement of local laws and policies, as well as measures to ensure accountability and transparency; maximise residents’ participation in the decisions that affect their lives; consider the full spectrum of rights and full geography of the urban area in planning and zoning decisions; and ensure that investment is channelled in the public interest.

**Investors and developers should:**

Shift investment in the built environment towards responsible investment that is closely aligned with locally-defined priorities and adds value to the communities where it is deployed; shift investment away from an “extractive” approach that is focused narrowly on short-term profit-maximization without adequate consideration for adverse human impacts on the ground.

**Architecture and design firms should:**

Design with the rights of vulnerable and marginalized groups and neighbouring areas in mind; engage local communities in a meaningful way from the outset of any project and throughout its lifecycle; take the human rights record of clients into account when deciding to accept a contract and use any leverage over clients proactively to advance human rights; and support policy initiatives that strengthen dignity in the built environment.

**Construction and engineering companies should:**

Ensure respect for all workers’ rights in direct operations and throughout the subcontracting chain; avoid corruption and conduct thorough due diligence on all business partners; source materials with consideration for their social and environmental impacts; mitigate disruption to local communities during the construction process; and ensure that buildings are environmentally resilient and structurally safe.

**Building maintenance and servicing companies should:**

Ensure that all workers’ rights are respected – including those employed by subcontractors – in the maintenance, servicing, cleaning and security of buildings.

**Technology companies should:**

Respect digital rights, including the rights to privacy and freedom of expression; seek to expand access to the benefits of technological innovation in urban areas; and ensure transparency, accountability and non-discrimination in the collection and use of data.

The built environment holds enormous potential to move us towards a brighter future. We hope that this report sparks action and collaboration towards built environments where rights are realised and everyone has the opportunity to thrive.
This report is a call to action to advance dignity and human rights throughout the built environment lifecycle: from land acquisition, planning and financing, through design, construction, management and use, to demolition and re-development.

Two thirds of the world’s population will live in urban areas by 2050. Decisions about what and how we build will define our ability to respond to global challenges like inequality, mass-migration and climate change.

Siloed, disconnected approaches will fail to address root problems or lead to long-term solutions. The report provides a platform for a collaborative approach towards just, sustainable built environments, with locally-defined needs at the forefront.