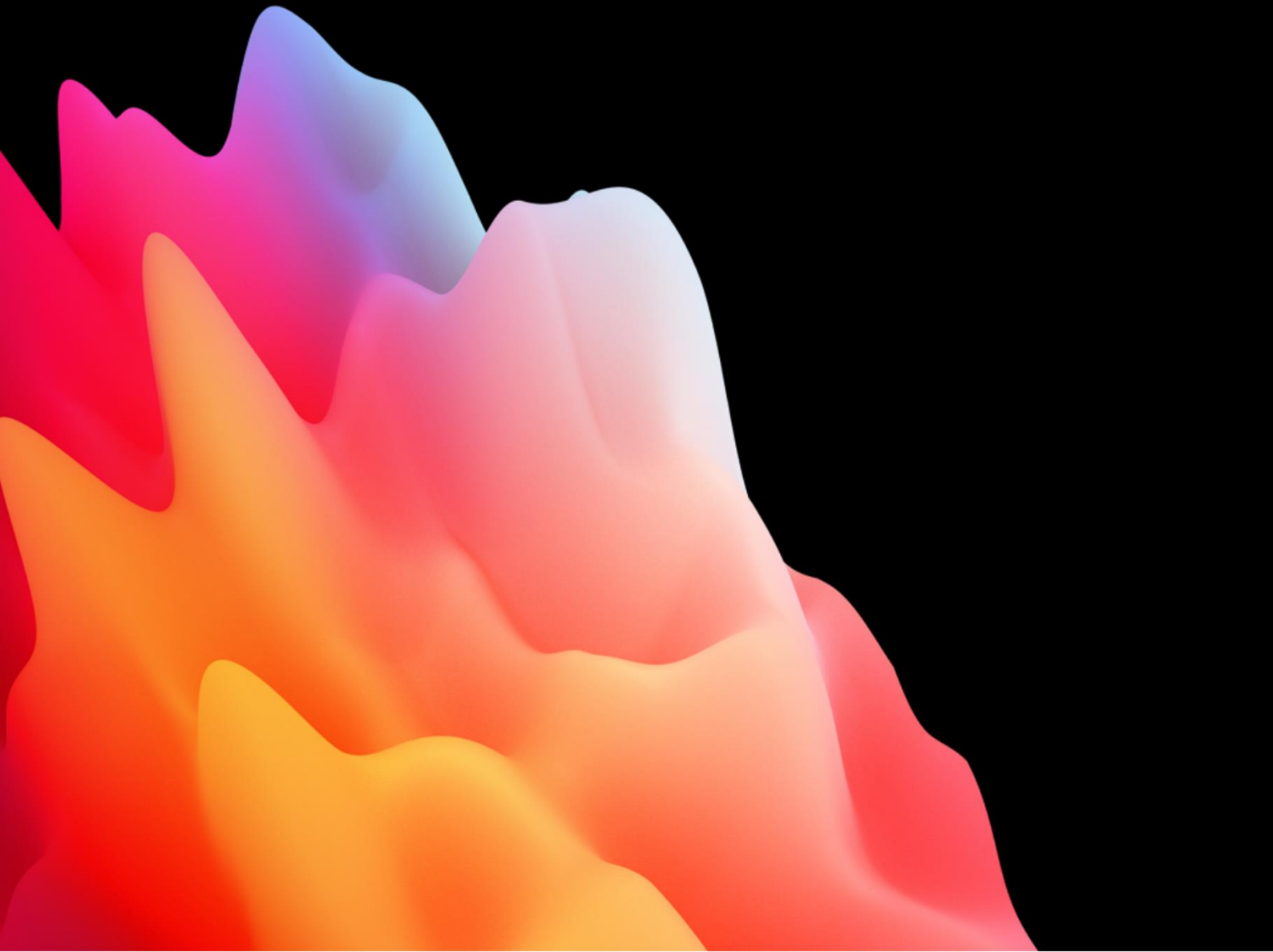




The European Law Students' Association



# Supporting Materials on International Days

January and February 2023

<Annual Human  
Rights Campaign>



# International Day of Education, 24th of January

According to UNESCO, 244 million children and youth are out of school, and 771 million adults are illiterate (two thirds of them being women)<sup>1,2</sup> Further, there is a crisis in foundational learning, literacy, and numeracy skills among young learners, with 617 million children and adolescents not being able to read and do basic maths; and less than 40% of girls in sub-Saharan Africa completing lower secondary school and some four million children and youth refugees being out of school.<sup>3</sup>

The 24th January 2022 is the 5th International Day of Education. It was adopted by the UN General Assembly on 3 December 2018 (resolution 73/25)<sup>4</sup> to highlight the role of education for peace and development, but also continuously to strengthen the commitment to education. Only by advancing education can we achieve gender equality and end the cycle of poverty.

The theme for this year's celebration is "to invest in people, prioritize education" building on the UN Transforming Education Summit (TES) of September 2022 identifying critical areas to accelerate change, among them foundational learning; green and digital transitions; gender equality; and education in crisis and financing.<sup>5</sup>

## 1. The Law

The right to education and protection thereof has been enshrined in international as well as national legal mechanisms.

- Education is a human right: The right to education is enshrined in article 26 of the UDHR
- UNESCO Convention against Discrimination in Education, adopted 1960,<sup>6</sup> has been ratified by 109 States, but only 105 States (54%) worldwide enshrine the right to education without discrimination or contain a provision on equal rights to education in their Constitutions.<sup>7</sup>

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<sup>1</sup> [UNESCO Right to Education](#)

<sup>2</sup> [UNESCO International Day of Education](#)

<sup>3</sup> Ibid.

<sup>4</sup> [Resolution 73/25](#)

<sup>5</sup> [UNESCO Concept note](#)

<sup>6</sup> [UNESCO Convention against Discrimination in Education](#)

<sup>7</sup> [60 years of the UNESCO Convention against Discrimination in Education](#)

- The Convention on the Rights of the Child,<sup>8</sup> adopted in 1989, emphasises the right of every child to education in Articles 28 and 29.
- The 2030 Sustainable Development Goals (SDGs): Goal SDG 4 aims to “ensure inclusive and equitable quality education and promote lifelong learning opportunities for all”
- The Safe Schools Declaration was introduced in 2015. It is an inter-governmental, political agreement dedicated to protecting education in armed conflict.<sup>9</sup>
- The Global Convention on the Recognition of Qualifications concerning Higher Education was adopted in 2019 and ratified by 19 States.<sup>10</sup>

## 2. Current Trends and Challenges

Even though every child has the right to an education and the international community committed itself to provide quality education for all (SDG 4), the reality often looks very different. Statistics show that education remains in a situation of crisis: six out of 10 children cannot read and understand a simple story at age 10; 244 million children and youth are still out of school, while the number of young people in employment fell by 34 million in 2020 at a higher percentage rate than that for adults.<sup>11</sup> Education faces many challenges, factors like e.g. economic circumstances, geographic location and gender, but also war and global pandemics can prevent children from learning and getting a quality education. In 2015 the Education 2030 agenda was adopted in order to realise quality education for everyone, but the international community has failed to meet the targets<sup>12</sup> set out.

The COVID-19 pandemic has further exacerbated existing education disparities and caused chaos for education. According to a report by the World Bank, UNESCO and UNICEF,<sup>13</sup> this generation of students now risks losing \$17 trillion in lifetime earnings, or about 14 percent of today’s global GDP, as a result of COVID-19 pandemic-related school closures. Especially groups with other vulnerabilities, among them girls, children from disadvantaged backgrounds, those living in rural areas, children with disabilities and children from ethnic minorities, have suffered the consequences.

### Education, War, and Refuge

Education is often a forgotten victim of war. The direct effects of conflict—attacks on infrastructure and damage to school buildings; lack of safe conditions for children to travel to or attend schools; recruitment of teachers for military or support services; etc—have the potential immediately and severely to damage access to education of children in societies in conflict.<sup>14</sup> Conflict related displacement, too, can severely limit access to education, in particular for those children and families who are housed in displaced peoples camps, where there are often insufficient resources to guarantee access to good quality education for resident children.<sup>15</sup> These factors overlap with poverty, gender inequalities, racial discrimination, and other barriers, with children

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<sup>8</sup> [Convention on the rights of the child](#)

<sup>9</sup> [Safe Schools Declaration](#)

<sup>10</sup> [Global Convention on the Recognition of Qualifications concerning Higher Education](#)

<sup>11</sup> [UNESCO Concept note](#), p2.

<sup>12</sup> [Education 2030: Incheon Declaration and Framework for Action for the implementation of Sustainable Development Goal 4](#), p20-21.

<sup>13</sup> [UN International Day of Education](#)

<sup>14</sup> [UNICEF Education under attack](#)

<sup>15</sup> [UNHCR Education](#)

suffering multiple marginalising factors at the greatest risk of being excluded from education altogether.

Among the most profound violations of children’s rights—among them the right to adequate education—are suffered by children recruited as child soldiers. Child soldiers are often used as “cannon fodder”, putting them at extreme risk of death or life-altering injury, as well as exposing them to lasting trauma. They are at high risk of physical and sexual abuse and mistreatment.<sup>16</sup> Among these abuses, lack of access to education may appear insignificant, but it has a direct impact on the life chances and chance of recovery among survivors. Education, before, during and following conflicts, needs to be a central element of strategies to address conflicts and rebuild societies.<sup>17</sup>

Conventional education systems have failed to keep up with these unprecedented challenges and continue to struggle. Therefore, in order to transform and advance education there needs to be collective action fostering the development of alternative learning programmes and the digital transformation; more focus on the support of teachers and the teaching profession; safe and healthy school environments; as well as equitable and adequate financing.

### 3. Potential Topics for Events and Advocacy

- Convention on the Rights of the Child
- Education in wartimes, education in emergencies
- Education and gender equality
- Education for peace: education about holocaust and genocide
- SDGs and SDG 4 in particular
- Right to education of vulnerable groups such as, e.g., refugees, persons with disabilities, and minority groups and indigenous peoples
- Right to education of climate-displaced persons<sup>18</sup>
- Right to education as key in addressing climate change<sup>19</sup>

### 4. Further Reading

- The [Human Rights Education for Legal Professionals \(HELP\)](#) of the Council of Europe offers many courses which can be used to prepare events. In the context of International Humanitarian Law there are courses on inter alia Internal Displacement, and Refugee and Migrant Children.
- [UNESCO Futures of Education Report](#)
- [UNESCO’s Observatory on the right to education](#) The Observatory includes ratification and monitoring statuses of international normative instruments, as well as country-specific information relating to the constitutional, legislative and administrative frameworks as well as programmes and plans and their respective implementation.
- [The Her Atlas Tool](#) shows you where girls and women have their educational rights legally protected. The different maps show e.g., where legislation sets the minimum age of marriage for girls at 18 years or which states are party to CEDAW.

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<sup>16</sup> [UN Children and Armed Conflict](#)

<sup>17</sup> [DW: “Child soldiers want to continue their education - UNICEF”](#)

<sup>18</sup> [Right to education of climate-displaced persons](#)

<sup>19</sup> [UN: Right to education is key in addressing climate change](#)

- [Global Education Monitoring Report](#)
- [Case Studies on Inclusive Education practices](#) around the world
- [Incheon Declaration](#) and Framework for Action for the implementation of SDG 4

# International Holocaust Remembrance Day, 27th of January

The Holocaust was the attempt by the Nazi regime of Germany to annihilate all Jews in Europe. The background of the Holocaust lies in antisemitism, which can be traced back hundreds of years in European history when Jews suffered discrimination, often for religious reasons. Racism and therefore antisemitism was a significant part of Nazi ideology from the beginning of the Nazi regime in 1933, but the idea of the elimination of all Jews was conceived after the outbreak of the Second World War. It was first persecuted by ghettoisation and mass shootings, later by deportations to concentration camps in 1941-1945. During the genocide, almost six million Jews were murdered.<sup>20</sup>

On November 1, 2005, the UN General Assembly adopted resolution 60/7 to designate January 27 as International Holocaust Remembrance Day (IHRD). The date marks the liberation of Auschwitz-Birkenau and is meant to honour the victims of Nazism. The theme of year 2023 is “Home and Belonging” to explore what these ideas meant to Holocaust victims and survivors, as the Nazi regime sought to deprive German and European Jews of both their homes and sense of belonging as members of European societies.<sup>21</sup>

## 1. The Law

During the Third Reich, the Nuremberg laws<sup>22</sup> were approved and implemented in Nazi Germany and occupied territories. These were two race-based measures depriving Jews of rights: the “Law of the Reich Citizen” deprived Jews of German citizenship, designating them “subjects of the state”; while the “Law for the Protection of German Blood and German Honour” forbade marriage or sexual relations between Jews and “citizens of German or kindred blood.”

Subsequent Supreme Court rulings<sup>23</sup> further infused Nazi ideology throughout the legal order and expanded laws in ways which extended rather than limited the reach of Nazi authority. In so doing,

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<sup>20</sup> [About Holocaust by The World Jewish Congress \(WJC\) and UNESCO](#)

<sup>21</sup> [UN 2023 Holocaust Remembrance and Education](#)

<sup>22</sup> [Nuremberg Laws | Holocaust Encyclopedia](#)

<sup>23</sup> [Supreme Court Decision on the Nuremberg Race Laws | Holocaust Encyclopedia](#)

the court strengthened the legal framework upon which the Nazi persecution of Jews was based and played a pivotal role in allowing the Holocaust to happen.

After World War II ended, the Allies established courts<sup>24</sup> in each of their occupied zones in Germany to prosecute German officials for their role in the commission of war crimes, crimes against peace, and crimes against humanity. The Holocaust had a great impact on the international community and how the law and its punishments are carried out. Terms such as ‘genocide’ and ‘crimes against humanity’ were not used or cited until the Nuremberg Trials that followed World War II. The fact that these terms did not exist in the legal arena while the crimes were being committed made trial and conviction difficult.

As a result of the enormous suffering inflicted upon the world by the Nazi regime, especially in Europe, many European countries have enacted laws criminalising both the denial of the Holocaust and the promotion of Nazi ideology. These laws aim to prevent the resurrection of Nazism in Europe by stamping out at the earliest opportunity any public re-emergence of Nazi views, whether through speech, symbols, or public association.

## **2. Current Trends and Challenges**

To this day, the ramifications and terrible legacy of the Holocaust are felt in the world. More than seven decades after the genocide, Member States are jointly responsible for resolving the lingering pain, upholding effective memory laws, looking after historic locations, and advancing education, documentation, and research. In order to increase young people's resistance against xenophobic ideology, they must be taught about the dynamics, causes, and effects of such acts. Education and remembrance become more and more important as many parts of the world are shaken by the ongoing horrors of genocides and atrocity crimes, as well as the increase of antisemitism and hate speech.

### **Holocaust Denial and Distortion**

On 20 January 2022, the General Assembly adopted Resolution [A/76/250](#) on Holocaust denial, to reaffirm its commitment to remembrance, education for peace and the upholding of human rights, while condemning any denial or distortion of the Holocaust.

According to the Resolution, “Holocaust Denial refers to discourse and propaganda that deny the historical reality and the extent of the extermination of the Jews by the Nazis and their accomplices during the Second World War, known as the Holocaust or Shoah.

“The term also refers specifically to any attempt to claim that the Holocaust did not take place, and may include publicly denying or calling into doubt the use of principal mechanisms of destruction (such as gas chambers, mass shooting, starvation, and torture) or the intentionality of the genocide of the Jewish people,

“Bearing in mind that Holocaust denial in its various forms is an expression of antisemitism,

“Noting that distortion and/or denial of the Holocaust refers, inter alia, to: (a) Intentional efforts to excuse or minimize the impact of the Holocaust or its principal elements, including collaborators and allies of Nazi Germany, (b) Gross minimization of the number of the victims

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<sup>24</sup> [Subsequent Nuremberg Proceedings | Holocaust Encyclopedia](#)

of the Holocaust in contradiction to reliable sources, (c) Attempts to blame the Jews for causing their own genocide, (d) Statements that cast the Holocaust as a positive historical event, (e) Attempts to blur the responsibility for the establishment of concentration and death camps devised and operated by Nazi Germany by putting blame on other nations or ethnic groups,”

In this regard, social media plays a dangerous role of spreading disinformation and misinformation. A report<sup>25</sup> by UNESCO, the UN and the World Jewish Congress, published in 2022, states that 16.2 percent of Holocaust-related content on major social media platforms denies or distorts the fundamental facts. On Telegram, the number is said to be as high as 49%.

This trend has the dangerous potential of inciting violence; repeating and propagating genocidal ideologies. It diminishes the legacy of these heinous crimes and their victims.

### **3. Potential Topics for Advocacy and Events**

- Memory laws and freedom of expression
- Holocaust denial and hate speech
- Rise of populist nationalism and discrimination against minorities

### **4. Further Readings**

- Resources of Yad Vashem - [The World Holocaust Remembrance Center](#)
- [History under attack: Holocaust denial and distortion on social media](#)
- UNESCO and World Jewish Congress website: <https://aboutholocaust.org/en>
- United Nations Website regarding the International Holocaust Remembrance Day 2023: <https://www.un.org/en/outreach-programme-holocaust/2023>

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<sup>25</sup> [UNESCO Social media study exposes virulent holocaust denial and distortion](#)





# International Day of Human Fraternity, 4th of February

The United Nations has promoted the idea that peace is not only absence of conflict, but actually requires a positive and dynamic participatory process. In this process, conflicts should be resolved in a spirit of mutual understanding and in a non-violent way.<sup>26</sup> In peaceful cooperation, interreligious understanding and dialogue plays an increasingly important role - and international organisations play a key role in peacemaking.

The 4th of February was proclaimed the International Day of Human Fraternity by the United Nations General Assembly, by its resolution 75/200 of 21 December 2020. The day was adopted to underline the importance of peace and cooperation among all humanity, and to raise awareness of different cultures and religions. This year, the theme of Human Fraternity Day is “Pathway to the Future” and it will be celebrated in the context of World Interfaith Harmony Week, which creates a platform for interfaith groups to build ties between world religions, as well as smaller ideological and religious groups.<sup>27</sup> The event is celebrated in cooperation with the UN Alliance of Civilizations, the Permanent Missions of Egypt and the United Arab Emirates to the UN, and the Higher Committee of Human Fraternity.

## 1. The Law

The International Day of Human Fraternity was established to reaffirm the principles of the Charter of the United Nations and the Universal Declaration of Human rights - in particular the right to freedom of thought and religion.

- Article 18 of the Universal Declaration of Human Rights: Everyone has the right to freedom of thought, conscience and religion, which also includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.
- Freedom of thought and religion are similarly regulated in the European Convention of Human Rights, Article 9, but with the exception that they shall be subject to such limitations that are prescribed by law and are necessary in a democratic society in the

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<sup>26</sup> [UN General Assembly Resolution 53/243](#)

<sup>27</sup> [World Interfaith Harmony Week](#)

interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.

- Other important international conventions regarding the protection of religion and freedom of thought include the UN International Covenant on Civil and Political Rights and the UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief - the latter of which outlines religious rights in detail.
- The UN Universal Declaration on Cultural Diversity was drafted to reaffirm that culture should be regarded as the set of distinctive spiritual, material, intellectual and emotional features of society or a social group, and that it encompasses, in addition to art and literature, lifestyles, ways of living together, value systems, traditions and beliefs. The mandate of protecting these values has been entrusted to UNESCO.

## 2. Current Trends and Challenges

In the time of the unexpected crisis of the COVID-19 pandemic, the General Assembly expressed its deep concern about the growing climate of intolerance and religious hatred.<sup>28</sup> New violent conflicts still emerge, so an active culture of peace and means to resolve conflicts in a non-violent and mutually respectful way are needed. Religious violence still exists in the modern world - whether it is extremism against people who do not follow the rules of the religion or racist hate against people that practise other religions. In turn, conflict often displaces civilian populations, who are forced to flee in order to safeguard their lives and the lives of their families. Displaced populations, whether internally or as international asylum seekers and refugees, are then often particularly vulnerable to discrimination.

The UN has underlined that education and promoting diversity is important in building mutual understanding. Media and especially relevant non-state actors including religious leaders have a vital role in promoting tolerance. Another important factor is education in schools that can help in the elimination of discrimination based on religion or belief.<sup>29</sup>

There are increasingly more organisations involved with the peace dialogue. The United Nations Alliance of Civilizations (UNAOC, est. 2005) is a leading United Nations platform for intercultural dialogue, understanding and cooperation. It connects governments, lawmakers, civil society organisations and individuals who are devoted to values of peace and human fraternity.<sup>30</sup> With its initiatives and projects, the alliance promotes, e.g., preventing violent extremism through education and women's role as peacemakers. The Higher Committee for Human Fraternity has drafted "the Document on Human Fraternity for World Peace & Living Together" in 2019 to promote peace between individuals, organisations and nations - even between humanity and the environment.<sup>31</sup>

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<sup>28</sup> [UN General Assembly Resolution 75/200](#)

<sup>29</sup> [UN General Assembly Resolution 75/200](#)

<sup>30</sup> [UNAOC Mission](#)

<sup>31</sup> [The Higher Committee for Human Fraternity Mission](#)

### **3. Potential Topics for Advocacy Events**

- Freedom of thought and religion and hate based on ideology
- The Freedom of thought in the context of peacekeeping and international conflicts
- Peacebuilding and building mutual cooperation via intercultural dialogue

### **4. Further Readings**

- [UN General Assembly Resolution 75/200](#) on establishing The International Day of Human Fraternity
- [List of UNAOC ongoing projects](#)
- [World Interfaith Harmony Week](#)
- [UN General Assembly Resolution 64/14](#) about the Alliance of Civilizations
- [UN General Assembly Resolution 69/312](#) about the UN Alliance of Civilizations



# International Day of Zero Tolerance for Female Genital Mutilation, 6th of February

In 2012, the UN General Assembly designated February 6th as the International Day of Zero Tolerance for Female Genital Mutilation, with the aim to amplify and direct the efforts on the elimination of this practice.<sup>32</sup>

Female genital mutilation (FGM) comprises all procedures that involve altering or injuring the female genitalia for non-medical reasons and is recognised internationally as a violation of the human rights, the health and the integrity of girls and women.

The practice of FGM is still conducted in 28 countries in Africa, as well as some parts of the Middle East and Asia. World wide 100-140 million girls and women have undergone FGM in approximately 40 countries.<sup>33</sup>

## 1. The Law

Legislatively, little has been done to put an end to the practice of FGM in places where it is most prevalent. However, international and regional human rights treaties call on governments to recognise the practice as a violation of human rights.

- UN Declaration of Human Rights: “No one shall be subjected to torture or to cruel, inhuman, or degrading treatment or punishment”
- UN High Commissioner for Refugees states that women fleeing FGM are considered refugees
- UN Committee on Elimination of Discrimination Against Women declares FGM a risk to women’s sexual/reproductive health & violation of human rights for girls and women
- The UN Convention on the Rights of a Child requires nations to extinguish tradition practice that threatens the health of children.

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<sup>32</sup> [International Day of Zero Tolerance for Female Genital Mutilation](#)

<sup>33</sup> [FGM – We Moved Because we had to...](#)

## 2. Current Trends and Challenges

In situations of conflict or social emergency, the general breakdown in law and order, and of protective societal norms increases population vulnerability. Women and girls are disproportionately affected by this insecurity of crisis situations, and all forms of gender-based violence, including FGM, are usually exacerbated within these contexts. Two out of three of the top 15 countries with the highest Female Genital Mutilation (FGM) prevalence rate are suffering from humanitarian crises and/or defined as “fragile countries”.

Preventing Female Genital Mutilation and providing care for survivors must be urgently prioritised within humanitarian and emergency settings. In order to mitigate the risk of undergoing FGM of women and girls in fragile contexts it is essential to guarantee their economic empowerment and education, as well as the adoption of clear organisational policies on Zero Tolerance against FGM. Factors such as the insecurity of crisis situations, disruption of the education system, and dynamics related to population displacement are all related to a higher risk of FGM for affected women and girls. In addition, the rate of child early and forced marriage tends to increase in the wake of conflicts, which may result in FGM occurring at an earlier age, if social norms promote this for girls’ marriageability. In such tumultuous circumstances, parents or caregivers may be driven to subject their daughters to FGM, in order to increase their chances of marriage, so that they would be “protected” and provided for in wedlock.<sup>34</sup>

The abrupt disruption of the school system and the prolonged absence of girls from classrooms during humanitarian crises pose major challenges to FGM prevention, as it creates a big “window of opportunity” for cutters to perform the practice.

In a context of population movement, whether forced displacement in crisis situations, or resettlement within the asylum system, some families opt to let their daughters undergo FGM by a ‘trusted cutter’ before undertaking the journey, regardless of the age of the girls. This is done either because it is perceived as a form of protection for them, particularly from sexual violence, regarding their honour, or because FGM is criminalised in their future country of resettlement.<sup>35</sup> After population movement, FGM might be found in regions where it originally did not exist, and thus present a challenge to healthcare and other professionals within those contexts, who may be unaware of or untrained in the phenomenon. This is known as “cross-border FGM”.

- **YEMEN:** During the conflict in Yemen, families were afraid that their daughters would be victims of human trafficking or enslaved, and therefore resorted to FGM and child marriage so that they could be safe and “protected” within a marriage.
- **MALI:** Daughters of displaced families from the North (where FGM is not traditionally practiced), but who are living amongst host communities in the South (where FGM is common), were being ostracised due to not being circumcised. This, in turn, led to families from the North feeling pressure to perform FGM on their daughters.

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<sup>34</sup> [Physical Violence and Other Harmful Practices in Humanitarian Situations](#)

<sup>35</sup> [Combating FGM in Kenya's Refugee Camps](#)

- SUDAN: In refugee camps in Sudan, girls as young as ten were found to be pregnant as a result of rape, having undergone FGM as young children, with numerous children almost dying in childbirth.

### **3. Potential Topics for Advocacy and Events**

- FGM as gender-based violence during armed conflicts
- Women's Rights and Religious Practice<sup>36</sup>
- FGM in Western Migrant Communities
- Cross-Border Female Genital Mutilation<sup>37</sup>

### **4. Further Readings**

- Building bridges to end FGM website: [copfgm.org](http://copfgm.org) – [Building Bridges to end fgm](#)

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<sup>36</sup> [Female Genital Mutilation and Religious Violence in the Western World; Religion and FGM](#)

<sup>37</sup> [Cross-Border FGM](#)



Let us know what you think!

Do you have comments, suggestions, or ideas? We'd love to hear from you!

We hope you find these resources useful in helping plan rewarding, meaningful, and enjoyable sessions for your group. If you have any suggestions for how we can improve these background materials, or if there are particular topics/international days you would like to see included in a future edition, let us know!

Please send any feedback, ideas, or suggestions to [director.humanrights@elsa.org](mailto:director.humanrights@elsa.org)