

<Annual Human
Rights Campaign>

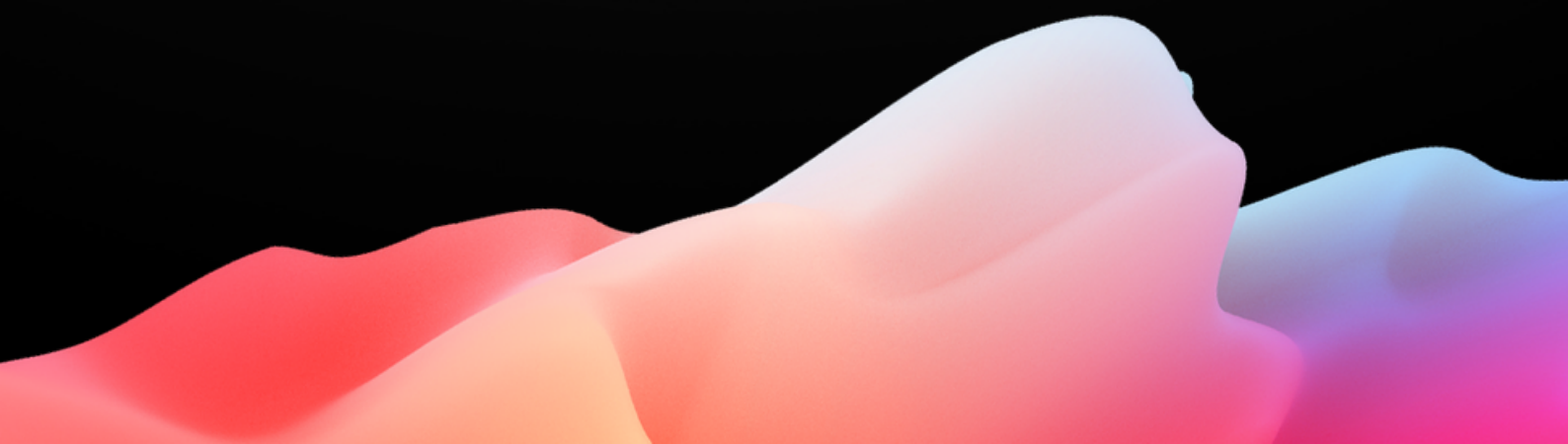
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The European Law Students' Association

ANNUAL HUMAN RIGHTS CAMPAIGN 2023/2024

SUPPORTING MATERIALS

(January - April)



FOREWORD

Dear Network,

We were delighted to witness the engagement with the first set of supporting materials. Now, we are excited to present the second edition for the months of **January to April 2024**. These materials serve as suggestions, aiming to support and facilitate National and Local Groups in their commitment to promoting the significance of human rights protection.

We can't wait to see you bring these materials to life, and we hope you enjoy reading them as much as we enjoyed drafting them.

Best regards,

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I. January: Education for (Anti-)Corruption

International Day of Education, 24th of January

1. A short Introduction

It has been said that “One child, one teacher, one book, and one pen can change the world”. Education, as a fundamental human right, truly is the driving force for the development of both individual and the society, preparing students to become responsible, active, and aware citizens. Having said this, on 3 December 2018, the United Nations General Assembly adopted with consensus a resolution proclaiming 24 January as International Day of Education, to highlight the pivotal role education plays in development and peace.¹

Celebrating this International Day and raising awareness is more urgent than ever before, in the modern society where corruption lies, being a major obstacle to realise the SDG 4 by affecting various aspects of educational systems. It is striking that 41 per cent of people globally believe that the education sector in their country is corrupt or extremely corrupt.² This proves that strong anti-corruption, integrity, and accountability policies should be implemented so that the educational system is not “contaminated” by corruption.

2. The Law

2.1 International Conventions

Education is not merely a privilege; it is a fundamental human right enshrined in numerous international legal instruments. The landmark **Universal Declaration of Human Rights**, adopted in 1948, stipulates that everyone has the right to education.³ Since the relative provision in the Universal Declaration of Human Rights, the fundamental freedom of education has been safeguarded by various other international conventions.

The **European Convention on Human Rights**, through its Protocol No. 1, Article 2, reinforces the right to education, guaranteeing that “no person shall be denied the right to education”.⁴ The **UNESCO Convention against Discrimination in Education**, adopted in 1960, is the first legally binding international instrument entirely dedicated to the right to education. This Convention highlights states' obligations to ensure free and compulsory education, under no form of discrimination. In this way, it emphasises that the right to education is not a luxury but a fundamental human right that needs to be sufficiently protected for all the individuals.⁵

¹[UN | International Day of Education, Background](#)

²[Transparency International | Topic Guide on Corruption in Education](#)

³[Universal Declaration of Human Rights](#)

⁴[European Convention on Human Rights | Guide on Article 2 of Protocol no. 1- Right to Education](#)

⁵[UNESCO | Convention against Discrimination in Education](#)

Furthermore, the **UN Convention on the Rights of Children**, adopted in 1989, recognizes the right to education as essential for children's well-being. Articles 28 and 29 of this convention bind State Parties to implement necessary measures to protect children's rights, including the right to education.⁶

Additionally, the **International Covenant on Economic, Social and Cultural Rights**, adopted in 1966, recognizes the right to education as a fundamental human freedom. Article 13 of this covenant stipulates that the State Parties should take into consideration the accessibility to education, by every appropriate means, to achieve the full realisation of this right.⁷

Beyond international legal frameworks, the significance of education is further emphasised in the **2030 Sustainable Development Goals (SDGs)**. Quality education sets the grounds for the development of societies, in an equitable and sustainable way. For this reason, states have committed to integrate education in the 2030 Agenda for Sustainable Development. In particular, the SDG 4 is dedicated to “Quality Education: ensure inclusive and equitable quality education and promote lifelong learning opportunities for all”.⁸

2.2 National Laws

The right to education is recognized as a fundamental human freedom, which is safeguarded by Constitutional provisions in most countries around the world. Constitutions typically emphasise on the free character of education, leaving room for the regulation of specific topics around the right to specific domestic legislative provisions. To give an illustrative example, the Greek constitution stipulates at Article 16 paragraph 2 that “*Education constitutes a basic mission for the State and shall aim at the moral, intellectual, professional and physical training of Greeks, the development of national and religious consciousness and at their formation as free and responsible citizens*”.

3. Current Trends and Challenges

Corruption in education is sector wide. It may be found in various areas of educational planning and management, from distribution of funds for education to the admission to universities.⁹ Each area comes with its own opportunities for corruption; therefore, it requires its own solutions.

3.1 Corruption in policy making, planning, and school management

One major area where corruption in education unfortunately flourishes is policy making, planning, and school management. To begin with, leakage and embezzlement of public allowances which would be allocated for the improvement of public education has been noticed. In Nigeria, according to a report, \$21m intended for schools was lost in two years,¹⁰ while in Uganda only 13 percent of the distributed grants for an expenditure in local schools reached the schools. Alongside

⁶[UN| Convention on the Rights of Children](#)

⁷[OHCHR: International Covenant on Economic, Social and Cultural Rights](#)

⁸[UN|SDG 4](#)

⁹[UNESCO's International Institute for Educational Planning|Mapping the Risks](#)

¹⁰[BBC News: Corruption and bribery in the classroom](#)

embezzlement, bribery is considered, too, one of the most common acts of corruption in education. It occurs, for instance, when a lecturer pays a member(s) of the selection committee of a university for being recruited over other, more qualified applicants.¹¹ Another example, demonstrating that in some cases education is being sacrificed on the altar of money, is the distribution of paid textbooks, while they should be offered free of charge. In Afghanistan it has been reported by students' parents that government officials and teachers are selling textbooks to students instead of offering them for free.¹² Finally, it has been revealed that in the United States about a thousand fake universities run, selling bought diplomas,¹³ threatening other people's lives by handing out false academic qualifications.¹⁴ The so-called "Degree Mills" prove that education is being transformed into an industry, where economic gain and personal interest prevail.

3.2 Teacher management and professional conduct

A different area of the educational system where corruption sadly lies is teacher management and professional conduct, starting from the recruitment of schools' personnel to its behaviour and performance. In the first place, it has been observed that some school systems have "ghost teachers", either being permanently absent or not existing. However, their salaries continue to be paid to someone. Notably, in Nigeria, in the first half of 2016, there have been 8,000 cases of teachers alleged to be either ghost teachers or to be collecting more than their official salary.¹⁵ Moreover, scandals of teachers demonstrating extortion behaviours prove that immorality has found its own way into the education sector, too. Extortion is the use of coercion, violence or threats to extract something from another person, for example, when a teacher demands sexual favours or non-required fees from students or their parents, so that the students can receive better grades. When the extortion has a sexual nature, it is sometimes called sexual extortion or sextortion.¹⁶

At the end of the day, corruption affects both the students, by undermining the quality and accessibility of education, and the society in general, too, by producing under-qualified future leaders and professionals.¹⁷ It creates the unhealthy perception that immoral practices are acceptable, and that money defines society. Consequently, assessing and addressing corruption is vital to save education from losing its important purpose. Investing in accountability mechanisms, for instance in terms of public allowances management and teachers' behaviour monitoring, may highly contribute to the fight against corruption in the educational system.¹⁸

4. Current Trends and Challenges

¹¹[United nations Office for Drugs and Corruption|Manifestations of corruption in education](#)

¹²[U4 Anti-corruption Resource Centre: Education Sector Corruption, How to assess it and ways to address it](#)

¹³[BBC News: Corruption and bribery in the classroom](#)

¹⁴[Council of Europe: Tackling today's challenges together: Corruption in education](#)

¹⁵[U4 Anti-Corruption Resource Centre: Education Sector Corruption, How to assess it and ways to address it.](#)

¹⁶[United Nations Office on Drugs and Crime: Manifestations of corruption in education](#)

¹⁷[Transparency international|Topic Guide: Corruption in education](#)

¹⁸[U4 Anti-corruption Resource Centre: Education Sector Corruption: How to assess it and ways to address it](#)

- Bribery and embezzlement in the educational system
- Degree Mills Industry
- Harassment and Bullying in Schools
- Combating corruption in the education sectors: measures and approaches

5. Further Reading

- [SDG4: Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all](#)
- [UN | Interview: In fighting for girls' education, UN advocate Malala Yousafzai finds her purpose](#)
- [United Nations Office on Drugs and Crime | Fighting corruption in education](#)

II. February: Social Justice

World Day of Social Justice, 20th of February

1. A short Introduction

With all of us being law students, justice is a primordial concept for us. But social justice will reveal itself as something else, due to the origin of the concept emerging of struggles surrounding our society. It requires a geographical, sociological, political and cultural framework within which relations between individuals and groups can be understood, assessed and characterised as just or unjust.

This concept first surfaced in the industrial revolution and the parallel development of the socialist doctrine as it emerged as an expression of protest against what was perceived as the capitalist exploitation of labour and as a focal point for the development of measures to improve the human condition.

Nowadays, we live in an era where the economic and social crises of recent years have been marked by the consequences of the COVID-19 pandemic, natural disasters due to accelerating climate change, geopolitical tensions and the growing existence of more and more armed conflicts. Beyond the human tragedies associated with them and their impact on the world of work, these crises have highlighted the interlinkages and dependencies of economies and societies around the world and shown the crucial need for concerted action to respond to them, at global, regional, and national levels.

The United Nations defines Social Justice as: *“Social justice makes societies and economies function better and reduces poverty, inequalities and social tensions. It plays an important role in attaining more inclusive and sustainable socio-economic development paths and is key for reaching the Sustainable Development Goals (SDGs) of the 2030 Agenda for Sustainable Development (2030 Agenda), especially at a time when the achievement of those goals remains faraway. It is more important than ever that the multilateral system coalesce around a set of shared values and goals and identify the means to respond to peoples’ aspirations and needs. Social justice has therefore to become one of the cornerstones of the renewed multilateralism that is required; a rallying objective but also a significant instrument for a more efficient multilateral system, ensuring coherence across a range of policy areas.”*¹⁹

The definition given above establishes the idea that we cannot define social justice without versing on economic justice, they are both interconnected and are an indispensable element of one another. Economic justice refers to the principles focusing on equal economic opportunities which sometimes leads us to the relation between social justice as a synonym of distributive justice, since it refers to the fair division of resources, opportunities, and privileges in society.

The Center for Economic and Social Justice, a non-profit all-volunteer educational centre, established in 1984 to advance liberty and justice for every person through equal opportunity and access to the means to become a capital owner, says that: *“Social justice encompasses economic justice. Social justice is the virtue which guides us in creating those organised human interactions we call institutions. In turn, social institutions, when justly organised, provide us with access to what is good for the person, both individually*

¹⁹[United Nations | A Global Coalition for Social Justice](#)

and in our associations with others. Social justice also imposes on each of us a personal responsibility to work with others to design and continually perfect our institutions as tools for personal and social development.”²⁰

It is also said that social justice contains one more principle: participative justice. It refers to equal access to the means of acquiring private property in productive assets, as well as equal opportunity to engage in productive work.

This principle rejects monopolies, special privileges, and other exclusionary social barriers to the full participation and economic self-reliance of every person which connects directly with the theme of our Annual Human Rights Campaign with nepotism, favouritism, etc. being dangerous forms of corruption and factors of contribute to the unequal access to opportunities.

Resuming, we can say that social justice means:

- **Equality of rights**, implying the elimination of all forms of discrimination and respect for the fundamental freedoms and civil and political rights of all individuals;
- **Equality of opportunities**, which requires stable social, economic, cultural and political conditions, that enable all individuals to fulfil their potential and contribute to the economy and to society;
- And **equity in living conditions**, such as employment status, access to education and health, housing conditions, and social and political participation.

It is for strengthening even more the importance of this topic that in November 2007, the General Assembly declared that, starting from the sixty-third session of the General Assembly, 20 February will be celebrated annually as the World Day of Social Justice.

“**Leave no one behind**”²¹ serves as the motto of the 2030 Agenda for Sustainable Development. This is where social justice enters and where our dear AA area can make her part.

2. The Law

2.1 International Conventions

The pursuit of social justice for all is at the core of the United Nations' mission to promote development and human dignity.

For this effect, we can count with **The International Labour Organization**, a United Nations agency, founded in 1919, which makes it one of the firsts and oldest specialised agencies of the United Nations, and whose goal is to make progress for social and economic justice by setting international labour standards.

According to ILO estimates, about 20 per cent – or 1.4 billion people – have access to comprehensive social protection, while the remaining 4 billion people have access to only limited

²⁰ [Centre for Economic and Social Justice | Defining Economic Justice and Social Justice](#)

²¹ [United Nations | Leaving no one behind](#)

social protection coverage. This stresses the importance of having mechanisms to combat it, or, at least, try to diminish it.

The **Social Protection Floor Initiative**, launched in 2009, is a UN system-wide effort to promote common priorities and solutions, to ensure basic social guarantees for all. Social protection floors are nationally defined sets of basic social security guarantees that should ensure, as a minimum, that, over the life cycle, all in need have access to essential health care and to basic income security which together secure effective access to goods and services defined as necessary at the national level.

In addition to this, ILO adopted the **R202 - Social Protection Floors Recommendation**, 2012 (No. 202),²² where it is reaffirmed that the right to social security is a human right in the same proportion that it is an economic and social necessity for development and progress and an important tool to prevent and reduce poverty, inequality, social exclusion and social insecurity, to promote equal opportunity and gender and racial equality, and to support the transition from informal to formal employment, among other affirmative measures worth reading.

But this agency has done even more over the years and we can also bring to this exposition the **ILO Declaration on Social Justice for a Fair Globalisation**,²³ adopted in 2022, where it is once again affirmed that *“the commitments and efforts of Members and the Organization to implement the ILO’s constitutional mandate, including through international labour standards, and to place full and productive employment and decent work at the centre of economic and social policies, should be based on developing and enhancing measures of social protection ... which are sustainable and adapted to national circumstances, including ... the extension of social security to all.”*

In the last month, ILO has also adopted the **Global Coalition for Social Justice**,²⁴ affirming that it *“aims to generate increased political commitments and investments and to foster concrete actions towards social justice and decent work, in support of national priorities. The Coalition will increase multilateral cooperation and partnerships and play a key role in advocating for social justice and galvanising support for the recognition of social justice in the multilateral agenda, in particular at the UN Summit of the Future in 2024 and the proposed UN World Social Summit in 2025. The Coalition will bring together the ILO tripartite constituents – Governments, workers’ and employers’ organisations – international and regional organisations including international financial institutions, enterprises, academia and non-governmental organisations that are committed to support the cause of social justice.”*²⁵

Leaving the ILO, but still in the United Nations area, the Office of the High Commissioner for Human Rights adopted, in 1976 but still very actual and adequate to the needs that we live, the **International Covenant on Economic, Social and Cultural Rights**.²⁶ In the preamble, we can read that it emphasises *“[...] the ideal of free human beings enjoying freedom from fear and want can only be*

²² [Recommendation R202 | Social Protection Floors Recommendation](#)

²³ [International Labour Organisation | Declaration on Social Justice for a Fair Globalisation](#)

²⁴ [International Labour Organisation | Global Coalition for Social Justice](#)

²⁵ [International Labour Organisation | Global Coalition for Social Justice endorsed by ILO Governing Body](#)

²⁶ [Office of the High Commissioner for Human Rights | International Covenant on Economic, Social and Cultural Rights](#)

achieved if conditions are created whereby everyone may enjoy his economic, social and cultural rights, as well as his civil and political rights [...]’.

The **Guiding Principles on Extreme Poverty and Human Rights**²⁷ are also of major importance in these topics, recommending the implementation of the above-mentioned Social Protection Floors in all countries. It is also worth mentioning, and will be a topic we’ll return to later, that *“Poverty is an urgent human rights concern in itself. It is both a cause and a consequence of human rights violations and an enabling condition for other violations. Not only is extreme poverty characterised by multiple reinforcing violations of civil, political, economic, social and cultural rights, but persons living in poverty generally experience regular denials of their dignity and equality”*, reflecting the need of the States to act and the importance of Social Justice in it, because poverty is, at least in part, created, enabled and perpetuated by acts and omissions of States and other economic actors.

Finally, the instrument that enables all of us to do this amazing work and to live in a world where our Human Rights are taken in accountability: The **Universal Declaration of Human Rights**,²⁸ with her 75th birthday celebrated in the same month we write this to our AA’ers. In articles 22 and 25, it is said that, accordingly, *“Everyone, as a member of society, has the right to social security and is entitled to realisation, through national effort and international cooperation and in accordance with the organisation and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality”* and *“Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control”*, once again, and in such a primordial Declaration, the reaffirmation of the need to assure social and economic justice.

2.2 National Laws

With the Spanish Presidency of the Council of European Union and their choice of social justice as one of its four main priorities for the six-month period,²⁹ we thought it would be adequate to verse on their politics and measures in their own country.

The Committee on Economic, Social and Cultural Rights reviewed the sixth periodic reports of Spain in March 2018, concluding that: Spain adopted in 2012 an economic policy strategy to overcome the crisis, and expressed confidence that job creation with a robust and functional social protection system was the best way to fight inequality and poverty, with the creation of 500.000 jobs a year. Even though the intention was there, Spain was the country with the highest unemployment rate in the European Union in June 2023. As of the first quarter of 2023, there were over 3.1 million people unemployed in the country.

²⁷ [Office of the High Commissioner for Human Rights | Guiding Principles on Extreme Poverty and Human Rights](#)

²⁸ [United Nations | Universal Declaration of Human Rights](#)

²⁹ [Spanish Presidency of the Council of the European Union | Towards a more egalitarian European Union through social justice](#)

Spain was implementing its policies and strategies against racism and racial discrimination and had adopted in 2017 the national plan on businesses and human rights. Gender-based salary gaps have been narrowing significantly and were below the European average, the minimum wage had increased by eight percent, and Spain adopted a new strategy to fight poverty and social exclusion for 2018-2020. Following the economic crisis, exceptional measures had been adopted to protect persons facing serious difficulties in accessing housing, and the State Plan 2018-2021 made housing available to homeless people or those with little means.

More recently, Spain had adopted **Law 15/2022**, of July 12, 2022,³⁰ non-discrimination, recognizing the right to equal treatment and non-discrimination of persons regardless of their nationality, of whether they are minors or of legal age or of whether or not they are legally resident. Nobody can be discriminated against on grounds of birth, racial or ethnic origin, gender, religion, belief or opinion, age, disability, sexual orientation or identity, gender expression, illness or health condition, serological status and/or genetic predisposition to suffer from pathologies and disorders, language, socioeconomic situation or any other personal or social status or circumstance.

3. Current Trends & Challenges

Social Justice faces a need of progress and development in a lot of areas, being the biggest social justice issues the Climate Change, Crime and Gun Violence, Healthcare, Refugee Crisis, Wealth Gap, Hunger and Food Insecurity and Human Rights such as the auto-determination of our sexual orientation, with the LGBTQIA+ being the most fragilized group and in a need for protection all over the world.

To avoid the exhaustive reading, we can state in a general way that the current issues passes by:

- Inequalities in the distribution of income;
- Inequalities in the distribution of assets (lands, buildings and capital);
- Inequalities in the distribution of opportunities for work and remunerated employment;
- Inequalities in the distribution of access to knowledge;
- Inequalities in the distribution of health services, social security and the provision of a safe environment;
- Inequalities in the distribution of opportunities for civic and political participation.

3.1. Economic Inequality and Poverty

Economic inequality refers to the unequal distribution of income and opportunity between different groups in society and it is reflected by people's different positions within the economic distribution - income, pay, wealth.

Income inequality distinguishes itself from pay inequality due to the fact that in the first one it needs to be considered all the money received from employment plus investments, such as interest

³⁰[Boletín Oficial Del Estado | Law 15/22](#)

on savings accounts and dividends from shares of stock, savings, state benefits, pensions (state, personal, company) and rent; in the second one it is only being taken in consideration the payment from employment. Lastly, wealth refers to the total amount of assets of an individual or household which can include financial assets, such as bonds and stocks, property and private pension rights.

Globalisation, the Covid-19 Pandemic, new technologies, economic deregulation, decadence of labour market institutions such as minimum wage laws, the tax system and the tax progressivity, among other factors, severely increase an unequal society.

Almost in every country, economic inequality reflects itself in a society marked by poverty. Poverty shows itself in many forms such as hunger, discrimination, poor health, vulnerability, insecurity, and a lack of personal and professional development opportunities.

It is important to note that poverty is not only caused by the environment or the country you were born into. By discrimination, such as racial, gender or disability injustices, where people are denied the same rights and opportunities, you can face forms of poverty such as unemployment, homelessness or illiteracy.

We also sometimes think of economic inequality as “the gap between the rich and the poor”. This is also where corruption enters as it weakens economic growth by distorting economic decision-making, deterring investments and undermining competitiveness.

By accepting bribes or special privileges such as work opportunities or easier access to a certain position, the gap becomes day by day more and more profound and difficult to straighten.

3.2 Green and Digital Economy

The International Labour Organisation affirms that: *“The COVID-19 pandemic has accelerated the rise of the digital economy. It has also opened new opportunities to accelerate the transition to a green economy. These trends will cause disruptions in labour markets and affect millions of people. There will be job losses in some sectors, and gains in others. Many workers will have to acquire new skills. In these times of rapid change, social protection floors will be essential to ensure a human-centred recovery from COVID-19 and a future of work that leaves no one behind.”*

To pursue universal social protection, different types of investments need to be made, leveraging the power of partnerships, capacities and technologies, and based on the principles of social dialogue, accountability and solidarity.

As it was stated before, the COVID-19 pandemic performed a major change in the use of online platforms to perform work as they are redefining economic relationships established through technology. But the fake safety feeling that the internet gives us it's dangerous and there are significant concerns regarding freedom of association, collective bargaining, social security coverage, inadequate earnings for workers, long and unpredictable hours, and discrimination and

harassment. It's mandatory that we protect labour rights both offline and online, as fundamental principles and rights at work need to be provided for platform workers.³¹

Green policymaking has gained significant traction in recent years. These strategies have tended to focus on raising economic growth while reducing the intensity of greenhouse gas emissions, and are becoming increasingly central to national planning, economic development, have the backing of multilateral institutions and create opportunities for attracting international carbon finance. The main areas of greening strategies are nearly always the key sectors of energy, transport and infrastructure.

We often think that green policies will bring long-term benefits to people living in poverty by stimulating economic growth, creating jobs and restoring environmental assets. But in practice, that's not the experience. Societies living in poverty could face significant costs, such as rising energy prices and restricted access to forest resources, while anticipated job opportunities and national investments in green infrastructure may not reach them.

3.3 Asylum and Migration

In the **New York Declaration for Refugees and Migrants**³² states reaffirmed the principles and purposes of the United Nations Charter and committed to “fully protect the human rights of all refugees and migrants, regardless of status” and “demonstrate full respect for international law and international human rights law” as they work to improve international cooperation on migration governance. To promote peaceful and inclusive societies for sustainable development and providing access to justice for all, good migration governance and good policy must be built grounded in fundamental respect for our common humanity and the equal dignity and rights the United Nations Charter and Universal Declaration of Human Rights proclaims.

The **Global Coalition on Migration** addresses that one of the problems referring to human rights and social inclusion passes by “*On top of the violence and injustice done to those whose status is irregular, branding as “illegal” a group of human beings—especially one associated with people marked as racially or ethnically “other”—spills over and attaches to a much wider group of people, perpetuating and exacerbating social exclusion, marginalisation and rights deprivations not only on the basis of status per se but also on the basis of race or ethnicity. Cohesive societies demand social inclusion of all migrants, and respect for human rights.*”³³ It also stresses the fact that “*access to education and to employment are important channels for integration within the host country and will reduce the dependence of refugees or migrants on public support or private charity.*”

But this is not everything. It also urges the need for health, social protection, social security, child welfare, social cohesion and social dialogue as all major concerns for migrants and for migration governance, as well as for protection of all persons in their human and social nature. Their

³¹ [International Labour Organisation | On the World Day of Social Justice, governments and UN leaders call for decent work on digital labour platforms](#)

³² [Office of the High Commissioner for Human Rights | The New York Declaration for Refugees and Migrants](#)

³³ [Global Coalition on Migration | Ensuring Human Rights of All Migrants, Social Inclusion and Non-Discrimination in the Global Compact](#)

consideration and inclusion is essential if the compact is truly to take a whole of government and whole of society approach.

It is emphasised too that migrants should never have to give up human rights such as the right to get a job and countries of origin should not have to subsidise the social costs of low wages in destination countries. Social justice passes by this, it's not only assuring the rights of the national ones but also of those who seek security and a "home" in our country, with them being in a much more vulnerable position and in a much more urgent need for protection.

Migrants and asylum seekers are often victims of human trafficking, violence, forced labour and discrimination being seen as a prejudice for society and often charged as guilty for the increasing number of committed crimes.

The child immigrants also reveal themselves as one of the biggest urges of the migration policy. They may be forced into child labour, pressed into early marriage, exposed to aggravated smuggling, subjected to human trafficking, and put at risk of violence and exploitation. They often don't have access to education and proper medical care which manifests lasting physical and psychological effects and can prevent children on the move from reaching their full potential and their future adulthood.

To fight these problems, we can count on **The Global Refugee Compact**, an international agreement, adopted in 2018, that sets the building blocks for a stronger, more predictable and more equitable international response to large refugee situations. The four key objectives of the Compact are: to ease pressures on host countries; increase refugee self-reliance; expand access to resettlement and other solutions; and support conditions in countries of origin for refugees to return in safety and dignity.

Also, **The Global Compact for Safe, Orderly and Regular Migration**, the first inter-governmentally negotiated agreement, in which Member States committed to cooperate internationally to facilitate safe, orderly and regular migration.

4. Potential Topics for Events and Advocacy

- What are the key challenges to overcoming rising inequalities, decent work deficits, including lack of access to social protection, digital exclusion and disruption of trade?
- Green and digital economy: what opportunities do they offer to reduce inequalities and promote social justice?
- What actions are needed by governments, the UN system, international financial institutions, employers' and workers' organisations, civil society and other stakeholders to increase investments for social justice?
- Corruption: Is nepotism, favouritism, bribery and special privileges one of the biggest barriers to a society lined by social justice?

5. Further Reading

- [United Nations | Social Justice in an Open World: The Role of the United Nations](#)
- [Office of the High Commissioner for Human Rights | Social Protection Floors and Economic and Social Rights](#)

III. March: Freedom of Expression: Corruption and Gender Inequality

International Women's Day, 8th of March

1. A short Introduction

Without a doubt, women, since the last century, have marked various important achievements, attained fundamental rights that they did not enjoy in the past and contributed to the society's progress with their efforts in many fields of human activity. They believed in themselves and their

potential and eventually showed their courage to demand the position they deserve in the modern world. And exactly here's where the International Women's Day stands.

Women movements in both America and Europe had already been formed since the beginning of the last century, organising gatherings to celebrate women's achievements on different days. Therefore, Women's Days had been observed prior to this great milestone. However, it was in 1975 when the 8th of March was established worldwide by the United Nations as a day to commemorate the collective efforts and fights of women to demand a better future for the next generations of women. Two years later, in December 1977, the General Assembly adopted a resolution proclaiming a United Nations Day for Women's Rights and International Peace to be observed on any day of the year by Member States, in accordance with their historical and national tradition.³⁴

Celebrated in many countries around the world, this day is a tribute to women's great social, economic, cultural, and political achievements. It serves, too, as a powerful reminder to engage in the fight for establishing actual equality between the genders.³⁵ This year's International Women's Day theme is *#inspireinclusion*, focusing on a world free from bias and discrimination, but full of diversity and inclusivity,³⁶ where women will feel safe to express themselves and discover their transformative potentials. At this point, one crucial question may arise: how in reality will this inclusivity be established as a principle, in a world sacrificing everything to the altar of corruption? Unfortunately, despite the important efforts of women movements throughout all these years, corruption still plays a significant role in the violation of women's human rights, tearing apart any sense of inclusivity. It is totally understandable that this is something in need of change!

2. The Law

2.1 International Conventions

2.1.1 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW):

Adopted in 1979 by the UN General Assembly, CEDAW is considered a landmark treaty in women's rights protection. It is the first comprehensive global legal instrument recognizing gender equality and aiming to eliminate discrimination against women in all forms and spheres. As of today, 189 states have ratified CEDAW, making it one of the most widely ratified human rights treaties.³⁷

2.1.2 Universal Declaration of Human Rights (UDHR):

³⁴[UN | International Women's Day, Background](#)

³⁵[International Women's Day](#)

³⁶[International Women's Day, 2024 Theme](#)

³⁷[CEDAW](#)

The UDHR, adopted in 1948, was the first international document to set out fundamental human rights for universal protection. It recognizes that all individuals are born equal and are entitled to the enjoyment of human rights set forth in the Declaration, without any sex-based discrimination. The UDHR laid the foundation for further legal instruments specific to women's rights.³⁸

2.1.3 Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention):

This international treaty, signed in 2011 by 45 Council of Europe member states, aims to strengthen the position of women in the modern world. It defines gender-based violence and obliges state members to take necessary legislative and policy measures to combat it and protect victims. With 34 ratifications to date, the Istanbul Convention plays a crucial role in addressing violence against women in Europe.³⁹

2.1.4 European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR):

Article 14 of the ECHR stipulates that the human rights set out in the Convention should be enjoyed by all individuals, without any discrimination on the basis of sex. State members that have ratified the ECHR are committed to ensuring that women can freely enjoy their rights.⁴⁰ The European Court of Human Rights in Strasbourg administers justice in cases where governments fail to adequately safeguard women's freedoms.⁴¹

2.1.5 International Covenant on Civil and Political Rights (ICCPR):

Articles 2, 3, and 26 of the ICCPR emphasise that each state party recognizes, respects, and protects the civil and political rights of all individuals, without any discrimination. This means that women are equal to men before the law and are entitled to equal protection of the law without gender-based discrimination.⁴²

2.1.6 International Covenant on Economic, Social and Cultural Rights (ICESCR):

Similarly, the ICESCR protects gender equality in terms of economic, social, and cultural rights. Articles 3 and 7(a)(i) of the ICESCR state that each state party undertakes to ensure the equal right of men and women to the enjoyment of all economic, social, and cultural rights.⁴³

2.1.7 Other Regional Human Rights Conventions:

³⁸[UN | Universal Declaration of Human Rights](#)

³⁹[Istanbul Convention](#)

⁴⁰[European Convention for the Protection of Human Rights and Fundamental Freedoms](#)

⁴¹[Details on the European Convention for the Protection of Human Rights and Fundamental Freedoms](#)

⁴²[OHCHR | International Covenant on Civil and Political Rights](#)

⁴³[OHCHR | International Covenant on Economic, Social and Cultural Rights](#)

Several regional human rights conventions outside Europe also contribute to women's rights protection. These include the:

- a) **Inter-American Convention on the Prevention, Punishment, and Eradication of Violence Against Women:** This convention establishes a comprehensive framework for addressing violence against women in the Americas.
- b) **Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa:** This protocol recognizes and protects the specific rights of women in Africa.

2.2 National Laws

In addition to incorporating international conventions into domestic law, states have enacted measures at the national level to safeguard intellectual property rights, providing safeguards and additional mechanisms to effectively protect creators and entrepreneurs.

3. Current Trends & Challenges

Despite all the legal instruments, whether national or international, women tend to be more susceptible than men to the consequences of corruption in modern society, resulting in facing more difficulties in some areas of their life. This originates from the gender-based stereotypes about women and their position in the world, that unfortunately still prevail in some societies, even in the western ones. Women's rights are violated due to corruption either in a direct or in an indirect way. This part of the Supporting Materials is focusing on addressing some aspects, both direct and indirect, of corruption's gendered impacts.

3.1 Women as direct victims of corruption

3.1.1 Obstacles in accessing public services

Given that women are still the primary caretakers of the family, they are usually the ones seeking help from public services, especially in the fields of education and healthcare. It has been noticed that women are in general more likely to be asked to pay bribes when seeking these public services. While there is this pressure to pay bribes to be efficiently served, women often either cannot afford bribes or cannot express their opposition to these unacceptable policies out of fear.⁴⁴

The situation deteriorates when women are unable to report these cases to the authorities or when their access to justice is jeopardised due to the corrupt judiciary system in some societies. Giving a deeper insight on the difficulties women face in some countries when seeking justice services, there is a chance that their cases will often not be processed or decided against them if the defendant has power, wealth, or connections.⁴⁵

⁴⁴[UN Office on Drugs and Crime | Gendered Impacts of Corruption](#)

⁴⁵[Transparency International | Gender and Corruption Topic Guide](#)

3.1.2 Sexual corruption

Women are frequently forced to perform sexual favours in exchange for services, having their bodies transformed in the currency of corruption. This is where the term “sexual corruption”, or even the term “sextortion”, when these behaviours are coercive, enters.⁴⁶

The unfortunate truth is that women do not usually seek help to address these cases, out of fear, shame, and guilt. Apart from that, the victim-blaming and stigmatising tendencies in some societies prevent women from expressing the problems they face to the authorities. As a result, a significant number of these kinds of cases remain unreported, and a vice cycle of these unacceptable behaviours against women perpetuates.⁴⁷

Human trafficking constitutes another dimension of sexual corruption, disproportionately impacting women and girls. The situation is even worse in post-conflict states where the government and the rule of law are still feeble. To illustrate this with an example, sex-for-food scandals where peacekeeping forces and aid workers supplied food and other resources on condition of sexual favours from women and children, have been observed.⁴⁸

Similar to these extreme cases, sex workers are being exposed to human trafficking incidents, too, apart from being demanded sexual favours in exchange for a tolerant attitude, when trying to report these situations to law enforcement officials. A survey of female sex workers, conducted in 2016, comes to this conclusion, revealing that almost one in ten female sex workers has been subjected to physical abuse by law enforcement officials, while other violations of their rights, such as threats, blackmail, psychological pressure, humiliation, and illegal detention have unfortunately taken place.⁴⁹

3.2 Women as indirect victims of corruption

3.2.1 Gender Discrimination and access to public and political life

There has been some growing evidence that women's engagement in leadership positions has a positive impact on the decision-making. For example, in Norway, childcare coverage was attributed to the sufficient presence of women in municipal councils. Despite these pieces of evidence, women continue to be under-represented in the public and political life, as data show. It is striking that one hundred years after women won the right to vote or were first elected to parliament in some EU countries, government, parliaments, and deliberative bodies are still male dominated. UN Women concluded, after collecting information provided by Permanent Missions to the United Nations, that as of 15 September 2023, there are 26 countries where 28 women serve

⁴⁶[UN Office on Drugs and Crime | Gendered Impacts of Corruption](#)

⁴⁷[Council of Europe | Corruption in the eyes of women and men](#)

⁴⁸[UN Office on Drugs and Crime | Gendered Impacts of Corruption](#)

⁴⁹[Council of Europe | Corruption in the eyes of women and men](#)

as Heads of State and/or Government. On a local level, data from 141 countries reveal that women constitute 35.5% of elected members in local decision-making bodies.⁵⁰

The causal relationship between social-political factors and corruption has been an object of research. It has been discovered that states which provide mechanisms for checking corruption and adopt gender equality policies experience lower rates of corruption.⁵¹ This means that the gendered impacts of corruption “thrive” in societies where the right of women to participate in political and economic life is not adequately protected.

3.2.1 Poverty as an impact of corruption

Corruption is a leading factor to poverty, as it increases income inequality, by benefiting the-haves at the expense of have-nots. It, as well as its consequences, affect men and women differently. Since women are overrepresented in poorer social segments of society and under-represented in decision-making bodies, they are more susceptible to the negative impacts of poverty, stemming from corruption.⁵² They also are more dependent than men on the public sector, for education and healthcare services. Consequently, women often experience either higher prices for services or lower quality services,⁵³ given that usually the public sector is the most corrupt. Lacking financial resources to seek any private alternative, they are sadly exposed to this situation.⁵⁴ To give an illustrative example of this, women in poverty-stricken areas, especially in developed countries where instability prevails, are far less likely than men to be able to allocate a lot of money to access health services.⁵⁵

4. Potential Topics for Events and Advocacy

- Empowering women to combat corruption
- The gendered impact of corruption
- Combating violence against women
- Access to abortion services
- Sexual harassment in the workplace
- Understanding femicide
- The intersection of femicide with other forms of discrimination

5. Further Reading

- [Women's history month: Discover four courageous women fighting against corruption](#)
- [SDG 5: Achieve gender equality and empower all women and girls](#)

⁵⁰[UN Women | Leadership and political participation, facts and figures](#)

⁵¹[Transparency International | Gender and Corruption Topic Guide](#)

⁵²[OHCHR | Corruption affects disproportionately persons living in poverty](#)

⁵³[UN Office on Drugs and Crime | Gendered Impacts of Corruption](#)

⁵⁴[Transparency International | Gender and Corruption Topic Guide](#)

⁵⁵[UN Office on Drugs and Crime | Gendered Impacts of Corruption](#)

IV. April: Innovation and Corruption

World Creativity and Innovation Day, 21st of April

1. A short Introduction

In a world characterised by rapid and transformative change, innovation has transcended mere desirability to become a critical necessity for all nations striving for economic well-being and sustainable development. It serves as the driving force behind the emergence of new industries,

the development of cutting-edge technologies, and the creation of ingenious solutions, ultimately leading to not only economic growth, but also a more inclusive and equitable society with expanded opportunities for all, including women and youth. As such, nurturing and supporting mass entrepreneurship, creativity, and innovation becomes paramount in unlocking this immense potential.

One way to nurture and support this process is by celebrating World Creativity and Innovation Day, designated by the United Nations General Assembly on April 21st through Resolution 71/284.⁵⁶

When individuals and communities are encouraged to embrace their creative spirit and pursue innovative ventures, a dynamic ecosystem takes root. New businesses emerge, bringing fresh ideas and solutions to the market, fostering a more competitive and diverse economy. This attracts investment, stimulates job creation across various sectors, and ultimately propels economic growth.

However, this engine of progress can be significantly hampered by the corrosive presence of corruption. When unethical practices become ingrained within a system, it creates a climate of mistrust and fear, discouraging risk-taking and stifling creativity. Resources are often misallocated, rewarding connections over merit and diverting funds away from crucial innovation initiatives. This creates an uneven playing field, disproportionately impacting women and youth, and hindering their ability to contribute to the innovation landscape. Therefore, tackling corruption and promoting ethical practices is crucial to nurturing a thriving innovation ecosystem and unlocking the full potential of innovation for a more prosperous future for all.

2. The Law

Before delving into the applicable legal framework, it is crucial to understand the nature and value of innovations developed by individuals. These individuals develop ideas, products, or services for various purposes, and the forms these creations take can be diverse. Ultimately, the specific nature and value of each innovation determine the applicable legal framework. In principle, intellectual property can be regarded as a decisive policy tool, transforming intangible resources like creativity and innovation into sustainable development assets through their protection and promotion.⁵⁷

In the following, we will analyse a non-exhaustive list of legal acts that promote and protect some of the forms or natures in which innovation can manifest.

2.1 International Conventions

2.1.1 Berne Convention for the Protection of Literary and Artistic Works

⁵⁶[General Assembly | Resolution adopted by the General Assembly on 27 April 2017](#)

⁵⁷[IAEA, ITU, UNESCO, UNOOSA, WIPO | Science, technology and innovation and intellectual property rights: The vision for development](#)

The Berne Convention is a foundational agreement in international copyright law, protecting the works and rights of authors. It establishes three core principles: national treatment (treating foreigners and locals equally), automatic protection (no need for formalities), and independence of protection (protection exists regardless of the work's origin).⁵⁸ The Convention sets minimum standards for protected works, rights granted to authors, and the duration of protection. It allows certain limitations and exceptions on economic rights, allowing free use of protected works in specific cases.⁵⁹ Notably, it grants developing countries the option to implement non-voluntary licences for translation and reproduction of works in certain educational contexts.

2.1.2 WIPO Copyright Treaty

The WIPO Copyright Treaty (WCT) is an international agreement that specifically addresses the protection of works and authors' rights in the digital environment. It complements the Berne Convention and applies to computer programs and databases.⁶⁰

The Treaty grants authors three additional rights: distribution, rental, and a broader right of communication to the public. This includes on-demand and interactive communication through the Internet. Limitations and exceptions are permitted, but they must meet certain criteria. The minimum term of protection is 50 years.⁶¹

The Treaty also prohibits the circumvention of technological measures used by authors to protect their rights and the removal or alteration of information necessary for managing those rights.⁶² Additionally, it requires Contracting Parties to provide legal remedies for infringement and establish effective enforcement procedures.

2.1.3 Paris Convention for the Protection of Industrial Property

The Paris Convention outlines international protection for industrial property rights, encompassing patents, trademarks, industrial designs, and other forms of innovation. It establishes three core principles: national treatment (guaranteeing equal protection for nationals of all member states), right of priority (allowing applicants to claim priority based on their first filed application in one member state), and common rules (ensuring basic standards of protection across member states).⁶³ These common rules encompass various aspects, including independence of patents granted in different countries, inventor naming rights, and restrictions on compulsory licensing. Similarly, the Convention dictates regulations for marks, industrial designs, trade names, and indications of source, aiming to prevent unfair competition and protect the rights of creators and businesses.⁶⁴ Governed by an Assembly and Executive Committee, the Paris Convention plays a

⁵⁸[WIPO | Berne Convention for the Protection of Literary and Artistic Works](#)

⁵⁹[WIPO | Summary of the Berne Convention for the Protection of Literary and Artistic Works](#)

⁶⁰[WIPO | WIPO Copyright Treaty \(WCT\)](#)

⁶¹Ibid.

⁶²Ibid.

⁶³[WIPO | Paris Convention for the Protection of Industrial Property](#)

⁶⁴[WIPO | Summary of the Paris Convention for the Protection of Industrial Property](#)

crucial role in promoting global innovation and ensuring fair treatment for intellectual property holders across different countries.

2.1.4 Trademark Law Treaty

The Trademark Law Treaty (TLT) aims to simplify and harmonise trademark registration procedures across different countries.⁶⁵ By outlining clear requirements for each stage of the application process, including registration, changes, and renewal, the TLT reduces complexity and ensures transparency for businesses seeking trademark protection. The Treaty's focus on clearly defined requirements, standardised duration periods, and simplified forms facilitates efficient trademark administration and promotes international consistency.⁶⁶ Additionally, the TLT eliminates unnecessary formalities such as signature verification, further streamlining the process. Notably, the Treaty is open to all WIPO member states and certain intergovernmental organisations, making it a valuable tool for businesses seeking global trademark protection.⁶⁷

2.1.5 Madrid Agreement concerning to the International Registration of Marks and the Protocol relating to that Agreement

The Madrid System for the International Registration of Marks offers a convenient and streamlined way for trademark owners to obtain protection for their marks in multiple countries. By filing a single application with the International Bureau, owners can avoid the complexities and costs of filing separate national applications in each desired country. The system also simplifies the process of maintaining and renewing registrations, as well as assigning or changing ownership.⁶⁸

2.1.6 Patent Law Treaty

The Patent Law Treaty (PLT) aims to make patent application procedures easier for applicants and offices alike.⁶⁹ It standardised requirements for filing dates, national and regional applications, and Model International Forms. Additionally, it simplifies procedures, such as allowing single communications for multiple filings, to reduce costs. The PLT also provides safeguards against unintentional loss of rights due to formality errors and facilitates electronic filing while ensuring compatibility with paper-based systems.

2.1.7 European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR):

Article 1 of Protocol No. 1 of the ECHR stipulates that: *“Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and*

⁶⁵[WIPO | Trademark Law Treaty](#)

⁶⁶Ibid.

⁶⁷Ibid.

⁶⁸[WIPO | Madrid Agreement concerning to the International Registration of Marks and the Protocol relating to that Agreement](#)

⁶⁹[WIPO | Patent Law Treaty](#)

*subject to the conditions provided for by law and by the general principles of international law.*⁷⁰ This Article applies to all forms of intellectual property, including trademarks even before registration, patents, and copyright.⁷¹ This means that intellectual property rights are protected under the Protocol and any interference with these rights must be justified. Examples of protected intellectual property include the right to publish a translation of a novel, the right to musical works, and the economic interests derived from licensing agreements.

2.2 National Laws

In addition to incorporating international conventions into domestic law, many states have enacted comprehensive measures at the national level to safeguard intellectual property rights. These measures include not only the adoption of international standards but also the implementation of safeguards and additional mechanisms tailored to the unique challenges faced by creators and entrepreneurs within their respective jurisdictions. By doing so, these states aim to enhance the effectiveness of intellectual property protection and create a conducive environment for innovation and economic growth.

3. Current Trends & Challenges

3.1 Piracy of intellectual property

Piracy of intellectual property stands as one of the most pressing global challenges, impacting diverse sectors, particularly creative industries. At its core, it entails the unauthorised reproduction, analysis, or use of copyrighted works, trademarks, patents, or trade secrets, occurring without the express consent of the rightful holder.⁷²

This illegal activity not only robs creators and businesses of their rightful revenue and disrupts fair market competition, but it also fosters a fertile breeding ground for corruption. Corrupt officials, lured by bribes or personal gain, may turn a blind eye to piracy, allowing it to flourish and further enrich criminal networks. This insidious link between piracy and corruption creates a vicious cycle: piracy weakens legitimate businesses, making them more vulnerable to extortion or predatory deals with corrupt officials, who in turn continue to enable piracy for personal profit.

The symbiotic relationship between corruption and piracy has been the subject of numerous studies. These studies have not only established a positive correlation between the two but have also shown that this correlation is sensitive to the prevailing level of piracy within a country.⁷³ Ultimately, this corrosive partnership stifles innovation, undermines economic growth, and erodes public trust in intellectual property protections.

⁷⁰[Council of Europe | European Convention on Human Rights](#)

⁷¹[European Court of Human Rights | Guide on Article 1 of Protocol No. 1 to the European Convention on Human Rights](#)

⁷²[WIPO | WTO – Agreement on Trade-Related Aspects of Intellectual Property \(TRIPS\)](#)

⁷³[Andres and Goel | Corruption and Software Piracy: A comparative Perspective](#)

3.2 Discouraging the creators

The disregard for intellectual property, particularly in environments marred by corruption, severely discourages creators and entrepreneurs. Forced to present and share their ideas within a system that offers no guarantee for reaping the rewards of their creativity, these individuals are disincentivized to contribute. This discouragement not only hinders the sharing of intellectual creations with the public but can also lead to a withdrawal from creative and entrepreneurial activities. In developing countries, this can be exacerbated by brain drain, as talented individuals, deprived of the opportunity to benefit from their own ingenuity, opt to pursue their ideas elsewhere, further depriving their communities of the potential advantages.

4. Potential Topics for Events and Advocacy

- Creators and entrepreneurs: Between innovation and brain drain
- How corruption enables piracy and stifles creativity?
- How corruption undermines innovation and rewards piracy?

5. Further Reading

- [Corruption and Human Rights](#)
- [WIPO | Berne Convention for the Protection of Literary and Artistic Works](#)
- [WIPO | Paris Convention for the Protection of Industrial Property](#)

Contact us

Do you have comments, suggestions, or ideas?

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