

HUMAN RIGHTS HANDBOOK

ELSA INTERNATIONAL
2019/2020



elsa

The European Law Students' Association

FOREWORD

Dear Network,

Seventy years have passed since the European Convention on Human Rights was opened for signature. This celebratory year for such a core international human rights instrument can only be a reminder of the importance of human rights, their contribution towards a more just world, as well as the on-going challenges that deprive people all over the world of their enjoyment.

Since 1992, when its Philosophy Statement was adopted, it became clear that human rights constitute a major priority of ELSA, an association which envisages “a just world in which there is respect for human dignity and cultural diversity”. With this in mind, we are proud to present you an updated and revised edition of the Human Rights Handbook.*

The scope of this new edition of the Handbook is to provide the Network with a more holistic overview of the multidimensional interaction of ELSA with human rights, record the evolution of its commitment and provide every single Officer food for thought on how they can make the most out of the immense potential that the association has on human rights.

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Table of Contents

1. What is the Human Rights Handbook?	- 4 -
2. What are Human Rights?	- 4 -
2.1. Defining Human Rights.....	- 4 -
2.2. History and Development of Human Rights.....	- 5 -
2.3 Main International Human Rights Instruments.....	- 6 -
3. The Council of Europe	- 8 -
3.1 Overview	- 8 -
3.2 ELSA and the Council of Europe.....	- 9 -
4. The Need for Human Rights Education	- 10 -
4.1 Defining Human Rights Education	- 10 -
4.2 The Importance of Human Rights Education for Law Students.....	- 11 -
5. ELSA and Human Rights	- 13 -
5.1 Introduction.....	- 13 -
5.2 Presence of human rights in ELSA's history	- 13 -
5.3 ELSA's Philosophy Statement	- 15 -
5.4 The non-political status of ELSA and human rights.....	- 16 -
6. What ELSA does for Human Rights.....	- 17 -
6.1 The Human Rights Campaign.....	- 17 -
6.1.1 The Elements of the Human Rights Campaign	- 17 -
6.1.2 ELSA Day	- 18 -
6.2 Human Rights in the Key Areas	- 19 -
6.3 Human Rights in Academic Activities.....	- 20 -
6.3.1 Legal Writing.....	- 21 -
6.3.2 Academic Competitions	- 21 -
6.3.3 Professional Development.....	- 22 -
6.4 Human Rights in S&C	- 23 -
6.4.1 Lectures, panel discussions, seminars and conferences	- 23 -

6.4.2 Institutional Visits.....	- 23 -
6.4.3 Study Visits.....	- 24 -
6.4.4 ELSA Law Schools.....	- 24 -
6.4.5 ELSA Delegations	- 24 -
6.4.6 International Conferences of ELSA	- 25 -
6.4.7 ELSA Webinars	- 25 -
6.4.8 ELSA Webinars Academy.....	- 25 -
6.5 Human Rights in STEP	- 25 -
6.5.1 Job Hunting.....	- 25 -
6.5.2 Reception.....	- 26 -
6.6 Human Rights in the Supporting Areas	- 26 -
6.7 Person Responsible for Human Rights in National/Local Groups.....	- 27 -
6.7.1 Being informed	- 27 -
6.7.2 Informing others.....	- 27 -
6.7.3 Working throughout the year	- 27 -
7. Suggested sources of information.....	- 28 -
7.1 Institutions/NGOs	- 28 -
7.2 Blogs.....	- 29 -
7.3 Publications.....	- 30 -

1. What is the Human Rights Handbook?

The Human Rights Handbook was initially created in order to serve “*as a first introduction to ELSA’s Commitment to Human Rights for local and national Directors for Human Rights*”.¹ Over the years, human rights have come to the fore in all respects and ELSA’s commitment has been evolved in such a way that this area should now concern every single Officer on duty, not only the responsible Director. Within this context, this Handbook has been updated and revised in order to be addressed to all Officers who aspire to understand ELSA’s multidimensional interaction with human rights and make the most out of its immense potential.

More specifically, the purpose of the present edition of the Handbook is to:

- Provide basic knowledge on human rights, their history and development;
- Briefly present the Council of Europe and the potential of its partnership with ELSA;
- Highlight the enhanced need for human rights education, especially for law students and young lawyers;
- Recall the presence of human rights in ELSA over the years;
- Discover how the commitment of ELSA to human rights derives from its own Philosophy Statement and to point out its capability to make an impact;
- Explore the presence and potential of human rights in both the Key and Supporting Areas;
- Offer the ELSA Network food for thought and useful suggestions for future ELSA projects on human rights.

2. What are Human Rights?

2.1. Defining Human Rights

As defined by the United Nations, human rights are rights inherent to all human beings, whatever their nationality, place of residence, sex, national or ethnic origin, colour, religion, language or other status is.² Every person is equally entitled to human rights, which are universal, inalienable, interconnected, indivisible and non-discriminatory.

Whether they are civil and political rights (such as the right to life and the freedom of expression), economic, social and cultural rights (such as the right to property, the right to education and the right to participate freely in the cultural life) or even third-generation human rights (such as the right to a healthy environment), the deprivation of one right adversely affects the enjoyment of the others. To give a simple example, an individual who is not able to read and write will find it extremely difficult to access a job or

¹ As stated in the introduction of the 2001 edition of the Handbook.

² United Nations. 2020. *Human Rights*. [online] Available at: <<https://www.un.org/en/sections/issues-depth/human-rights/>> [Accessed 29 April 2020].

participate fully in the political life of their country. It is for that reason that the aforementioned distinction has value today mainly for systematic reasons.³

It is equally important to remember that human rights entail rights but also obligations, which are undertaken by both individuals who are expected to respect the human rights of others and the states. States are obliged by international law to respect, protect and fulfil human rights. They have to refrain from downgrading their enjoyment by its nationals and, at the same time, to protect them against abuses that they may face as individuals or groups. Lastly, they are expected to take positive action and facilitate the enjoyment of basic human rights.

2.2. History and Development of Human Rights

There are examples, even from ancient history, that prove that the founding idea that human beings have inherent rights is neither an invention of the West nor of the previous century. In c. 539 B.C., Cyrus the Great, the first king of ancient Persia, freed the slaves and provided the people of Babylonia a list of rights, including religious freedom, rights to liberty and security, as well as some social and economic, as they are perceived today, rights.⁴ This ancient record, known as the Cyrus Cylinder, is recognised by many modern historians as the world's first charter of human rights. Since those days, human rights values had begun to spread from place to place and over time.

Another milestone in the historical development of human rights is Magna Carta, which was agreed in 1215 and provided a new framework for the relationship between the king and his subjects. Although it guaranteed only the rights of the privileged, it recognised for the first time that everybody, including the king, was subject to the law.⁵ Such documents, including the Petition of Right (1628), which demanded that the king would not tax the people without the Parliament's consent nor imprison anyone unjustifiably, the French Declaration of the Rights of Man and of the Citizen (1789) and the US Bill of Rights (1791) constitute the precursors of fundamental human rights documents of our times.

³ Office of the United Nations High Commissioner for Human Rights. n.d. *Are Economic, Social And Cultural Rights Fundamentally Different From Civil And Political Rights*. [online] Available at:

<<https://www.ohchr.org/EN/Issues/ESCR/Pages/AreESCRfundamentallydifferentfromcivilandpoliticalrights.aspx>> [Accessed 30 April 2020].

⁴ Council of Europe. 2020. *Compass: Manual For Human Rights Education With Young People - What Are Human Rights?*. [online] Available at: <<https://www.coe.int/en/web/compass/what-are-human-rights->> [Accessed 30 April 2020].

⁵ 2020. *A History Of Human Rights: Key Human Rights Milestones Throughout History*. [ebook] Available at: <https://www.amnesty.org.nz/sites/default/files/History%20of%20human%20rights_0.pdf> [Accessed 30 April 2020].

Nevertheless, the founding document of international human rights law is the Universal Declaration of Human Rights (UDHR), adopted in 1948 by the United Nations General Assembly.⁶ Although not a legally binding document, most of its provisions are considered as customary international law, due to the worldwide implementation of its rights through treaties, national laws and jurisprudence.⁷ The UDHR endorses the universality of human rights, meaning that rights should be recognised universally to all human beings.

The expression “human rights” itself began to replace other commonly used terms at the time, such as “natural rights” and “rights of man” after the creation of the United Nations and, even more, after the adoption of the Declaration.

It was agreed that right after a Covenant was to be implemented, which together with the UDHR would make up the International Bill of Human Rights. In the end, the Cold War and the decolonisation process resulted in two separate Covenants, both of which were adopted in 1966: The International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic Social and Cultural Rights (ICESCR).

2.3 Main International Human Rights Instruments

At this point in time, human rights are massively codified in international conventions as well as national constitutional texts and common legislation. The framework of instruments for the enforcement of human rights law is, however, still developing and improving nationally, regionally and internationally and not strictly through legally binding documents.

The scope of the following chart is to gather some of the most notable (global and European) human rights instruments with a view of summarising and putting forward the variety of human rights issues in the chronological order in which they attracted international attention and the evolution of international human rights law in general.

Date	Instrument
Dec 1948	Convention on the Prevention and Punishment of the Crime of Genocide

⁶United Nations. 2020. *Universal Declaration Of Human Rights*. [online] Available at: <<https://www.un.org/en/universal-declaration-human-rights/>> [Accessed 30 April 2020].

⁷United Nations. n.d. *The Foundation Of International Human Rights Law*. [online] Available at: <<https://www.un.org/en/sections/universal-declaration/foundation-international-human-rights-law/index.html>> [Accessed 13 May 2020].

Dec 1948	Universal Declaration of Human Rights
Nov 1950	European Convention on Human Rights
July 1951	Convention Relating to the Status of Refugees
Mar 1953	Convention on the Political Rights of Women
Aug 1961	Convention on the Reduction of Statelessness
Oct 1961	European Social Charter
Dec 1965	International Convention on the Elimination of All Forms of Racial Discrimination
Dec 1966	International Covenant on Civil and Political Rights
Dec 1966	International Covenant on Economic, Social and Cultural Rights
Dec 1979	Convention on the Elimination of All Forms of Discrimination against Women
Dec 1984	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
June 1989	Indigenous and Tribal Peoples Convention, 1989 (ILO Convention)
Nov 1987	European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
Nov 1989	Convention on the Rights of the Child
Dec 1990	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

Oct 2000	Charter of Fundamental Rights of the European Union
May 2005	Council of Europe Convention on Action against Trafficking in Human Beings
Nov 2006	The Yogyakarta Principles: Principles on the application of international human rights law in relation to sexual orientation and gender identity
Dec 2006	Convention on the Rights of Persons with Disabilities
Dec 2006	International Convention for the Protection of All Persons from Enforced Disappearance
Dec 2018	Declaration on the Rights of Peasants and Other People Working in Rural Areas

3. The Council of Europe

3.1 Overview

The Council of Europe, the oldest international organisation dedicated to fostering cooperation in Europe, was founded in 1949, shortly after the end of the Second World War.⁸ Its principal aim, according to its Statute, is “*to achieve a greater unity between its members for the purpose of safeguarding and realizing the ideals and principles which are their common heritage and facilitating their economic and social progress*”.⁹

Since its creation, the Council of Europe has responded to major changes in Europe’s political and social landscape and the emergence of challenges to the human rights of the European population. Some of its greatest achievements include inter alia the introduction of the European Convention on Human Rights (ECHR), the abolition of the death penalty in all of the organisation’s Member States and the development of independent monitoring mechanisms which assess their compliance with human rights and democratic practices, as well as of strategies and tools to promote the learning of human rights.¹⁰

⁸Council of Europe. 2020. *Who We Are*. [online] Available at: <<https://www.coe.int/en/web/about-us/who-we-are?desktop=true>> [Accessed 22 April 2020].

⁹Treaty Office - Council of Europe. 2020. *Statute Of The Council Of Europe*. [online] Available at: <<https://www.coe.int/en/web/conventions/full-list/-/conventions/rms/0900001680935bd0>> [Accessed 22 April 2020].

¹⁰Council of Europe. 2020. *Achievements*. [online] Available at: <<https://www.coe.int/en/web/about-us/achievements>> [Accessed 22 April 2020].

The Council of Europe includes forty-seven Member States at the present time, twenty-seven of which are also members of the European Union. English and French are its two official languages, while its headquarters are in Strasbourg, France.

The main foundation on which the work of the Council of Europe is based is the Convention for the Protection of Human Rights and Fundamental Freedoms, also known as the European Convention on Human Rights (ECHR).¹¹ The Convention, adopted in 1950, is a prerequisite for any state willing to join the organisation and protects several human rights and political freedoms, namely the rights to life, a fair trial and security, the freedoms of expression, thought, conscience and religion, and the respect for private and family life, among others.¹²

As a counterpart to the ECHR, which protects civil and political rights, the Council of Europe adopted in 1961 the European Social Charter,¹³ an international treaty that guarantees fundamental social and economic rights related to housing, health, education, employment, social and legal protection.¹⁴ Vulnerable social groups, such as elderly people, children, people with disabilities and migrants, are emphatically protected while the Charter requires the enjoyment of the abovementioned rights without discrimination.

Lastly, a major feature of the Council of Europe's human rights system is the European Court of Human Rights, which was established in 1959. With 47 judges, one for each member state of the organisation, the Court allows individual complaints alleging violations of the civil and political rights set out in the ECHR.¹⁵ Its impressive body of case law, with almost 50,000 new applications being lodged every year,¹⁶ is constantly shaping the protection of human rights in Europe and influencing other systems as well.

3.2 ELSA and the Council of Europe

Since 2000, ELSA has had a participatory status with the Council of Europe. International non-governmental organisations (INGOs) with a participatory status form the Conference of INGOs of the

¹¹The full text of the European Convention on Human Rights can be found online at:

https://www.echr.coe.int/Documents/Convention_ENG.pdf

¹²Council of Europe. 2020. *European Convention On Human Rights*. [online] Available at:

<https://www.coe.int/en/web/human-rights-convention> [Accessed 25 April 2020].

¹³The full text of the European Social Charter can be found online at: <https://www.coe.int/en/web/conventions/full-list/-/conventions/rms/090000168006b642>

¹⁴Council of Europe. 2020. *The European Social Charter*. [online] Available at: <https://www.coe.int/en/web/european-social-charter> [Accessed 25 April 2020].

¹⁵European Court of Human Rights. 2020. *The Court - Presentation, Information, Videos*. [online] Available at:

<https://echr.coe.int/Pages/home.aspx?p=court&c=>> [Accessed 25 April 2020].

¹⁶2020. *Analysis Of Statistics 2019*. [ebook] European Court of Human Rights. Available at:

https://www.echr.coe.int/Documents/Stats_analysis_2019_ENG.pdf [Accessed 25 April 2020].

Council of Europe, a body which represents civil society at the Council and promotes participatory democracy.¹⁷ ELSA has the right therefore to attend the sessions of the Conference and to participate in the works of its committees and transversal groups.

In addition, the Council of Europe has been the human rights partner of ELSA since 2008. During the years of cooperation, ELSA has been involved in different initiatives promoted by the Council of Europe and the Council of Europe supports ELSA in many different ways. The most significant examples are the co-organisation of the European Human Rights Moot Court Competition, various International Legal Research Groups and, of course, the Council's support to the annual human rights campaign. Since 2020, the Secretary General of the Council of Europe, Marija Pejčinović Burić, has been the new Patron of ELSA.

There are several possibilities for the ELSA Network to benefit from the partnership between ELSA and the Council of Europe. More analytical information can be found on the Guidelines of Cooperation of ELSA and the Council of Europe.¹⁸

4. The Need for Human Rights Education

As is highlighted in the Universal Declaration of Human Rights, every individual and every organ of society “shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance”.¹⁹ It is undeniable that any law student needs to be familiar with human rights law in order to perform well in its future professional activity. In great contrast to this professional need to learn about human rights, as well as to the human rights violations committed all over the world every day, many law faculties do not pay the necessary attention to this basic field of law. It is a natural task of ELSA to compensate for this gap through the activities of its entire Network.

4.1 Defining Human Rights Education

There is a series of different definitions for Human Rights Education (HRE), each of which reflects the philosophy of its creator, either it as an organisation or an educational provider. Nevertheless, the Council of Europe has aptly observed that there is broad agreement among these definitions on the

¹⁷Council of Europe. 2020. *Participatory Status*. [online] Available at: <<https://www.coe.int/en/web/ingo/participatory-status>> [Accessed 25 April 2020].

¹⁸The Guidelines can be found at the following link:

https://files.elsa.org/AA/Council_of_Europe_cooperation_guidelines.pdf

¹⁹United Nations. n.d. *Universal Declaration Of Human Rights*. [online] Available at: <<https://www.un.org/en/universal-declaration-human-rights/>> [Accessed 13 May 2020].

three-dimensional character of HRE, namely learning about, through and for human rights.²⁰ HRE is not limited to the transfer on knowledge about human rights, their content and significance (learning about human rights), since the whole learning experience is generally imparted in order to be consistent with human rights values, such as participation and freedom of thought and expression (learning through human rights). At the same time, the scope of HRE is also to motivate learners to promote and defend human rights in their everyday lives (learning for human rights).

For the sake of completeness, the following is the definition that the United Nations World Programme for Human Rights Education has developed for HRE: “*education, training and information aimed at building a universal culture of human rights*”.²¹

4.2 The Importance of Human Rights Education for Law Students

HRE may be perceived by some law students as an unnecessary diversion from their field of studies, yet the reality is that human rights issues can be found in the heart of almost every area of law.

Human rights are guaranteed by states both on national and international levels. In fact, they constitute a core part of national public and public international law, both of which aim in parallel to ensure a minimum standard for everyone. Such related provisions define each national legal order and impact fundamental parts thereof whether the topic at hand is, for example, the procedure before the judge or the capability of same-sex couples to marry. In other words, human rights have a strong influence in every single field of law, including criminal law, social law and even company law. Thus, human rights education and strong knowledge of human rights law can ensure a legal professional, regardless of their area of expertise, the possibility to look at cases thoroughly and improve their legal argument.

Please find below a list of interesting human rights topics categorised according to the area of law that they are mainly interacting with. Its additional scope is to serve as a catalogue of theme suggestions for future ELSA projects.

²⁰Council of Europe. 2020. *Compass: Manual For Human Rights Education With Young People - Introducing Human Rights Education*. [online] Available at: <<https://www.coe.int/en/web/compass/introducing-human-rights-education>> [Accessed 27 April 2020].

²¹2006. *Plan Of Action: World Programme For Human Rights Education; First Phase*. [ebook] Office of the United Nations High Commissioner for Human Rights, p.1. Available at: <<https://unesdoc.unesco.org/ark:/48223/pf0000147853>> [Accessed 27 April 2020].

Public International Law	<ul style="list-style-type: none">• The legality of targeted killings in the context of international humanitarian law and human rights law• Counter-terrorism and the response from governments to terrorist threats• Reservations in human rights treaties: should they be allowed?• Extraterritorial jurisdiction of states when it comes to human rights violations
Information Technology Law	<ul style="list-style-type: none">• The impact of internet surveillance in the right to privacy and other fundamental rights• What is the social responsibility of social media?• Human Rights in the Age of Artificial Intelligence
Criminal Law and Criminal Justice	<ul style="list-style-type: none">• Enjoyment of fundamental rights by prisoners• Women Prisoners and human rights• The negative impact of corruption on the enjoyment of human rights
Public Law	<ul style="list-style-type: none">• Should voting be seen as a compulsory act rather than a right?
Medical/Health Law	<ul style="list-style-type: none">• Female genital mutilation and how to eradicate the practice• The relation between medical experiments and human rights• Access to Abortion and Prevention of Maternal Mortality as Human Rights• Mental health as a human right
Procedural Law	<ul style="list-style-type: none">• The right to privacy and the disclosure of the parties' names in judicial decisions
Alternative Dispute Resolution	<ul style="list-style-type: none">• The rise of mediation and its role in solving conflict• Alternative Dispute Resolution and the right of access to a court
Family Law	<ul style="list-style-type: none">• Same-Sex Parenting and Adoption• International Child Abduction

	<ul style="list-style-type: none">• Children's Rights in the digital era: protection from bullying, violation of privacy, sexual exploitation and abuse online
Commercial Law	<ul style="list-style-type: none">• International trade liberalisation and its role in raising the standard of living of populations in developing countries• Business and Human Rights²²

5. ELSA and Human Rights

5.1 Introduction

ELSA is the largest international association of law students and young lawyers in the world. ELSA spans the entire European continent and is represented at more than 350 universities in 44 countries. Uniting a network of almost 70,000 law students and young lawyers, ELSA is fully aware of its responsibility and potential to shape the world of tomorrow. With human rights projects, ELSA does not only educate law students but also future lawyers, attorneys, judges, civil servants, NGO workers and civil society as a whole.

There are two main reasons behind ELSA's commitment to human rights. The first being a wish to create a more just and humane society. For this, the promotion and strengthening of human rights is needed. ELSA's effort to achieve this is mirrored in several activities. One example is the annual human rights campaign, specifically created for the promotion of human rights. Moreover, ELSA Delegations to meetings of UN Bodies and the ELSA Human Rights Moot Court Competition (EHRMCC) have a huge impact with regards to human rights. The other reason behind ELSA's commitment to human rights is that there is a need for educating qualified and progressive professionals who work in the field of human rights law. ELSA takes part in this by educating law students through different kinds of projects such as International Legal Research Groups, International Conferences of ELSA, ELSA Webinars, ELSA Law Schools and a variety of human rights-related STEP Traineeship opportunities.

5.2 Presence of human rights in ELSA's history

The key role that human rights play in ELSA is a result of years of intense work of the ELSA Network and decisions taken by previous officers.

²²Read more at <https://www.ohchr.org/EN/Issues/Business/Pages/BusinessIndex.aspx>

Human Rights in ELSA's History Timeline	
12th of October 1992	The first step in including human rights as a major part of our association is taken. The philosophy statement is adopted, which states that the vision of ELSA is "A just world in which there is respect for human dignity and cultural diversity".
October 1993 (Rome)	It was decided that ELSA is to investigate the creation of a new Area of Activity (Key Area Activity), dealing with human rights and social solidarity.
October 1994 (Malta)	There was the approval of a one year pilot-phase in the field of human rights running from the ICM Malta to the ICM Nottingham.
September 1995 (Nottingham)	It was finally decided that "Human Rights will be permanently included within the ELSA activities".
1997	ELSA obtained Special Consultative Status with the United Nations Economic and Social Council (UN ECOSOC) and Consultative Status with the United Nations Commission on International Trade Law (UNCITRAL).
October 1998 (Rome) and March 2000 (Warsaw)	It was established that "ELSA shall be continuously committed to Human Rights awareness, Human Rights education, and the respect of the Rule of Law".
2000	ELSA was granted participatory status with the Council of Europe.
2008	ELSA signed a Human Rights Partnership agreement with the Council of Europe and strongly strengthened the ties to the organization.

2011	It was decided that the European Human Rights Moot Court Competition (EHRMCC) of ELSA would finally be a reality. In cooperation with the Council of Europe, this yearly MCC responds to the need for an English language Moot Court Competition on Human Rights expressed by students across Europe. This competition simulates the procedure of complaints to the European Court of Human Rights, where teams examine a fictive case and draft written submissions for each party.
March 2013	The date to remember as the first edition of the ELSA Day as a huge well-organised forum of various human-right-related events. On this day the ELSA network comes together to organise human rights events across Europe with a focus each year. The aim of the ELSA Day is to jointly demonstrate our human rights engagement by providing our members with legal education that enables them to be independent and critically minded individuals.
March 2015	The ELSA Law Review was founded in 1989 and it was published twice per year until 1996. It was re-established in 2015. Since the re-establishment, it has focused on human rights. The mission of the ELSA Law Review is to create a forum for the analysis and discussion of contemporary legal issues by serving as an avenue for the ELSA network to publish its academic work.
August 2019	The restructuring of the International Focus Programme (IFP). The IFP aims at raising awareness on a specific theme for the whole ELSA Network over a fixed term. As a part of the IFP, The ELSA Network organises a Europe-wide Human Rights Campaign to raise awareness on the importance of human rights protection and creates a forum for the voice of law students and young lawyers across Europe.

5.3 ELSA's Philosophy Statement

ELSA has a philosophy statement with a vision that unites all members of the association and drives our work. The philosophy statement reads as follows.

Vision:

- A just world in which there is respect for human dignity and cultural diversity.

Purpose:

- To contribute to legal education;
- To foster mutual understanding;
- To promote social responsibility of law students and young lawyers.

Means:

- By providing opportunities for law students and young lawyers to learn about other cultures and legal systems in a spirit of critical dialogue and scientific cooperation;
- By assisting law students and young lawyers to be internationally minded and professionally skilled;
- By encouraging law students and young lawyers to act for the good of society.

Aims:

- To develop professional and student relations of an international nature in the field of law;
- To prepare members for professional life in an international environment;
- To contribute to the exchange of scholarly experience;
- To stimulate mutual understanding and friendship on the principle of equality of all its members.

The Philosophy Statement is the guideline, which ELSA network follows in all its activities. It captures a strong focus on human rights. When working together for the statement's vision, it is important to encourage law students and young lawyers to act for the good of society, to contribute to human rights education outside of Law Faculties while stimulating mutual understanding and promoting social responsibility. In ELSA's efforts to contribute to legal education, the network needs to take up the challenges to commit to human rights education through various human rights law studies, which many universities might be lacking and connecting them with the real world.

5.4 The non-political status of ELSA and human rights

As stated in the purpose, ELSA Officers shall aim in our work to contribute to legal education, foster mutual understanding and promote social responsibility of law students and young lawyers. This means that our role with regard to human rights is educational, providing students with a platform of discussion which will enable them to gather knowledge and take a specific direction in their future. A representation of both (or the various) sides with respect to a specific human rights-related situation is essential. It is important to provide everyone with the opportunity to make their point, ensuring at the same time that

students are then in the best position to formulate their own opinion. To provide Human Rights Education (HRE) can also be an important task of ELSA, especially when formal university programmes do not include such a component. Nevertheless, we recognise that, depending from a country to another, there are human rights that can be more controversial or more sensitive. Not necessarily meaning that these topics cannot be discussed, the respective Local or National Groups should have some leeway and a margin of appreciation when deciding how to approach these specific topics.

ELSA brings change through education. The academic and neutral focus of ELSA allows the expansion of the association and the establishment of partnerships that would otherwise not be a reality. This growth translates into better opportunities for the Network to get in touch with human rights realities and further strengthen interest in the area. Therefore, the non-political status should not be a shield to groups when organising human rights activities. The status of the association defines its ultimate goal and the way that it aspires to effect change in society through education.

6. What ELSA does for Human Rights

6.1 The Human Rights Campaign

Each year the network organises a Europe-wide Human Rights Campaign falling under ELSA's International Focus Programme (IFP), with the aim of raising awareness on the importance of human rights protection and creating a forum for the voice of law students and young lawyers across Europe.

During the Human rights Campaign, the entire ELSA Network, throughout 44 countries and more than 350 local groups, works together to realise a unique human rights forum where our members have the opportunity to discuss national and international standards of protection and implementation of human rights. The forum consists of coordinated ELSA events falling back on ELSA's vision with the slogan "all different, all together". The topic of the campaign will correspond with that of the ELSA Day and will always fall under the International Focus Programme and be focussed and human rights.

In 2019/2020, ELSA organised an information campaign on the importance of Freedom of Expression Online. In 2020/2021, the Network will dedicate its attention to the interplay between artificial intelligence and human rights!

6.1.1 The Elements of the Human Rights Campaign

- ELSA launches an awareness **survey** to examine the knowledge of students and youth across Europe on the topic.
- A **video** is created to raise awareness on the topic across the Network.

- During the **annual webinar with the Council of Europe**, ELSA presents the results of the survey and the legal background thereof is discussed.
- An International **Legal Research Group** will analyse the results of the survey and compare legislation across Europe on the topic.
- The **ELSA Law Review** is a student-edited and peer-reviewed journal which is published bi-annually and accepts submissions on human rights law.
- The results of the survey and the expert comments are published in a **report**.
- **Traineeships** will be offered to ELSA members in the field of human rights law.
- Throughout the ELSA Network, ELSA Groups organise **Law Schools, Conferences, Competitions, Webinars and much more** to honour the human rights focus.
- All results and impact are gathered in a **concluding report**.

6.1.2 ELSA Day

ELSA Day constitutes a part of the annual Human Rights Campaign and was first introduced to the ELSA Network in 2012. The aim was to unify the Network, develop internationality and focus on human rights events. Since then, we have had eight editions and more than 1,000 ELSA Day events. The first edition was held on the 20th of March 2013.

At the ICM in Malta in 2014, it was decided that the event will take place on the last Wednesday of November each year. Over the years the ELSA Day project has gained high popularity and recognition and it has been established as the biggest and most influential event across the whole ELSA Network. The aim of the ELSA Day is to jointly demonstrate our Human Rights commitment by providing legal education and opportunities that enable law students to be independent and critical members of society. The event is also dedicated to raising awareness of human dignity and cultural diversity.

As said by Federica Toscano, the Vice President in charge of Seminars and Conferences of ELSA International 2012/2013 and the founder of ELSA Day:

“A culture of sharing and understanding shall not halt at some political borders, but should go beyond these frontiers: human dignity is not connected with a certain passport or the place where we are born. Let us ensure then that we move the discussions from the constraints of national borders and unite them under the ELSA Day.”

Previous ELSA Day Topics	
1st ELSA Day (2013)	Children Rights
2nd ELSA Day (2014)	Human Rights on the Internet
3rd ELSA Day (2014)	Social Responsibility
4th ELSA Day (2015)	Gender Equality
5th ELSA Day (2016)	Migration Law
6th ELSA Day (2017)	Access to Justice beyond Borders
7th ELSA Day (2018)	Right to Education
8th ELSA Day (2019)	Freedom of Expression Online
9th ELSA Day (2020)	Artificial Intelligence and Human Rights

The type of the ELSA Day event is left to the discretion of each ELSA Local Group. During the past editions, students have organised panel discussions, legal debates, seminars, conferences, lectures, moot court competitions, Institutional Visits, charity events, photo contests, movie screenings with discussion, human libraries, among other types of creative events. You may also check the ELSA Day Statistics.²³ More information as to the types of ELSA Day events, that can be organised, can be found in annually created and shared with the ELSA Network, respective ELSA Day Outline (available on officers.elsa.org)

6.2 Human Rights in the Key Areas

ELSA's vision for the promotion of human rights is to be implemented in the first place by the Key Areas. But before specifying the implementation of human rights in each Key Area and make suggestions for events and projects, one needs to highlight two important tips:

1. **Half of success is picking the right topic:** We highly recommend investigating which human rights topics are relevant and current in your local community or country in general. Smart choices can help the Group become attractive to not only potential sponsors and donors but

²³[Files.elsa.org](https://files.elsa.org/AA/Statistics/1819/ELSA_Day_statistics_2018.pdf). 2020. [online] Available at: <https://files.elsa.org/AA/Statistics/1819/ELSA_Day_statistics_2018.pdf> [Accessed 1 May 2020].

also students who will be more interested in participating in activities that cover a topic that they know is important in their community or can affect them in any way.

2. **Sharing is caring:** Our Network is what makes ELSA special when comparing it with other local or national law students' associations. When organising an event, remember that there are other Local and National officers in the ELSA Network, probably working with the same thing and facing the same challenges. Use the Network to get help, ideas and inputs on your work and to improve one of the Key Areas in ELSA. You can also organise joint actions with other National or Local Groups to maximise your impact on the society around human rights. Use the mailing lists to easily get in touch with the rest of the Network, make proposals to the NCMs or ICMs. Moreover, do not hesitate to approach any ELSA member interested in the field of human rights. These interested members can also provide you with some ideas and contacts, take part in the group as a Director for S&C, AA or STEP, or just as an occasional active member. Their contribution is valuable to the Group as well as to their own individual development.

The following parts regarding the three Key Areas take for granted that you already acquired background information into the respective areas. Please have a look at the relevant Handbooks if you do not know the specifics of the different areas yet.

6.3 Human Rights in Academic Activities

As stated in the Academic Activities Handbook²⁴, Academic Activities are focused on contributions toward legal education, involving the development of legal knowledge through guided practical activities. Choosing a topic that is supposed to be of interest to ELSA members, other law students, partners and institutions is the main point of tangency between AA and human rights, where human rights represent a wide array of potential topics for AA projects.

There are several internationally coordinated activities focusing on human rights in our network, such as the European Human Rights Moot Court Competition, the International Legal Research Groups and the ELSA Law Review. Following and promoting these activities is a great start for you to begin with your term as an AA officer, whether you are a fresher and need a source of inspiration or an already experienced AA officer. It is true however that this is not enough: it is also expected from officers to come up with other projects dealing with human rights that simultaneously prepare future law professionals. In that spirit, we will provide you with some suggestions.

²⁴ Files.elsa.org. 2020. [online] Available at: <https://files.elsa.org/AA/AA_Handbook.pdf> [Accessed 15 May 2020].

6.3.1 Legal Writing

- **Essay competitions** and legal trivia events can be easily turned into fun, enriching human rights activities.
- Consider having an issue of your National or Local **Law Review**²⁵ focussing on human rights. This way, you can partner with NGOs or other human rights associations, who may be interested in either helping you with the editing and the reviewing process, or contributing by means of an introductory academic paper. Also, maybe they are able to aid you financially or to distribute the publication, so it reaches a bigger network.
- The International **Legal Research Groups**²⁶ that ELSA International has organised in the past years have drawn serious attention and attracted the participation of numerous students. We encourage you to engage with these annually organised ILRGs, as they will most likely relate to human rights. This is a great opportunity for your members to get in touch with human rights at an international level. Also, you may want to launch your own LRG. We encourage you to focus on human rights when deciding on the topic of research. In either case, you may organise a preparation legal course for your researchers (and other students) so that the final outcome is of the highest quality.

6.3.2 Academic Competitions²⁷

- When it comes to **negotiation**²⁸ or **contract competitions**, human rights may not be the obvious main choice of topic. However, you may add some human rights content to another, non-human rights topic. On the other hand, essay competitions and legal trivia events can be easily turned into fun, enriching Human Rights activities. Furthermore, finding Human Rights experts that can guide and advise the participants or the organisers is an excellent way to ensure the academic quality of your event. Finally, be creative when it comes to award winners of the competition. A traineeship in a law firm that works with Human Rights, a NGO, a civil society organisation, a ministry, an Ombudsman office and others that deal with Human Rights are an

²⁵ Files.elsa.org. 2020. [online] Available at: <https://files.elsa.org/AA/Law_Review/Law_Review_Handbook.pdf> [Accessed 15 May 2020].

²⁶ Files.elsa.org. 2020. [online] Available at: <https://files.elsa.org/AA/LRG/LRG_Handbook.pdf> [Accessed 15 May 2020].

²⁷ Files.elsa.org. 2020. [online] Available at: <https://files.elsa.org/AA/Academic_Competitions/Academic_Competitions_Handbook.pdf> [Accessed 15 May 2020].

²⁸ Files.elsa.org. 2020. [online] Available at: <https://files.elsa.org/AA/ENC/ENC_Handbook_2018.pdf> [Accessed 15 May 2020].

excellent idea. To make your job easier, firstly contact the STEP officer in your group to see which contacts they already have that might be useful.

- A **legal debate** is an excellent way to put “human rights in action”, as you will stimulate parties to think about the other side, the other opinion. Since Human Rights are often a topic of discussion, choosing them as the issue in debate is a great opportunity to get the attention of students in your faculty. Challenge and provoke your members to think critically, to develop rhetorical and communication skills and learn about Human Rights! Many universities in the network already have debate clubs. We advise you to contact them, as this is a good chance for your ELSA group to expand its cooperation.
- In order to provide law students with an opportunity to gain practical experience in the field, ELSA organises a Europe-wide **moot court competition**²⁹ on the European Convention on Human Rights in cooperation with the Council of Europe, the European Human Rights Moot Court Competition (**EHRMCC**).³⁰ The competition simulates the procedure of complaints to the European Court of Human Rights: The teams will examine a fictive case and draft written submissions for each party. Following this, all teams will participate in Regional Rounds where they plead orally for both Applicant and Respondent. The teams will be evaluated based on their written submissions and oral pleadings in the regional rounds and the best 18 teams will compete in the Final Oral Round at the European Court of Human Rights and the Council of Europe in Strasbourg. The European Human Rights Moot Court Competition works as a unique contribution to university curricula in helping students understand the principles and implementation of the European Convention on Human Rights. Furthermore, through the competition students gain practical experience that can only be paralleled by pleading a real case in the European Court of Human Rights itself. The prize for the winner team of the competition “the Council of Europe Prize” is a traineeship at the European Court of Human Rights in Strasbourg. The groups in the network are encouraged to promote this major project and organise local or national moot court competitions on the thematic of human rights.

6.3.3 Professional Development

- **Legal Courses** is the perfect way for you to enhance a presence of human rights in your university’s agenda by adding to the substantive courses taught in school or offered in the S&C area. Bear in mind that as an Academic Activity a legal course seeks to provide students with practical skills. Therefore, we recommend that you choose a practical skill that you would like to

²⁹ Files.elsa.org. 2020. [online] Available at: <https://files.elsa.org/AA/mcc_handbook.pdf> [Accessed 15 May 2020].

³⁰ Files.elsa.org. 2020. [online] Available at:

<https://files.elsa.org/AA/EHRMCC/8th_edition/EHRMCC_Promotional_Outline.pdf> [Accessed 15 May 2020].

strengthen in your fellow students and shape the course, so it tackles the specialties of these skills in the field of Human Rights. Suggested topics could be mediation in Human Rights, research in the context of Human Rights (this could be organised as a preparation activity before a LRG on human rights), legal writing and vocabulary of human rights (i.e. think of how important it is when using HR concepts to adhere to those meanings that have attained international agreement).

- There are many opportunities to connect your members with the professional world, including organising a **Lawyers at work (L@W)** event in the office of a human rights organisation or National Human Rights Institutions, allowing the students to learn how daily work in this field of law and also to interact with their volunteers; inviting human rights organisations, NGOs and regular law firms to your faculty (either as an isolated event or in the context of a job fair), allowing students to see the differences between these occupations. Through these events, you will provide your members with the chance to get a closer look in that area of specialisation and possibly strengthen their interest in it. Also, this can be an excellent way to establish a partnership for future activities.

6.4 Human Rights in S&C³¹

The aim of an S&C event is to provide students with a positive learning experience and make them aware of different social and cultural environments. S&C events are ideal projects to prepare students towards their responsibilities as legal practitioners as well as citizens of the world.

6.4.1 Lectures, panel discussions, seminars and conferences

Human rights issues are always an interesting and current topic for your events. They are also a guarantee to have an internationally relevant topic, since human rights by definition are connected to international law. In addition, there are various non-governmental organisations and international institutions working with human rights and it is easy to find academic partners and speakers for your events.

6.4.2 Institutional Visits³²

There are numerous possibilities to organise Institutional Visits to international institutions dealing with human rights issues. These institutions include, for example, the International Criminal Court and the International Court of Justice in The Hague, the Council of Europe and the European Court of Human Rights in Strasbourg, and the United Nations and the International Committee of the Red Cross in

³¹ Files.elsa.org. 2020. [online] Available at: <https://files.elsa.org/SC/S&C_Handbook.pdf> [Accessed 15 May 2020].

³² Files.elsa.org. 2020. [online] Available at: <https://files.elsa.org/SC/IV_Handbook_2015.pdf> [Accessed 15 May 2020].

Geneva. This list is naturally only the tip of the iceberg! In addition, Institutional Visits are not limited to Europe, you can organise visits all over the world.

6.4.3 Study Visits³³

When organising a visit to or with another Local or National Group, it is a good idea to arrange the academic programme of the Study Visit in the theme of human rights. Such academic programmes could include an Institutional Visit to the local human right organisation, a lecture on a human rights related issue or a joint volunteering action, such as help in a local nursing home.

6.4.4 ELSA Law Schools³⁴

It can be interesting to bring a human rights' perspective to the academic programme of a Summer or Winter ELSA Law School even if it focuses on any business-related subject (M&A, Business Compliance, IP/IT Law, Media Law, Sport Law). Ordinarily, academic programmes are focused on the concepts themselves, but practices are not necessarily questioned. An idea would be to plan a final session aiming at going “beyond the law”: inviting a practitioner, a pro bono counsel or any relevant guest that would take a different position or demonstrate how things work in “real life”, or even challenge a previous speaker during a final round-table debate.

6.4.5 ELSA Delegations

Since ELSA enjoys a special consultative status within several United Nations bodies, especially United Nations Human Rights bodies such as the Committee against Torture, the Committee on the Elimination of Racial Discrimination and the Committee on the Rights of the Child, it offers to its members and alumni a possibility to attend the sessions of the mentioned institutions several times a year. When attending ELSA Delegations, representatives of ELSA have a chance not only to learn about the current issues related to the topic of the respective session, but to speak out about the topic on the behalf of ELSA. This, however, is only possible after getting a prior approval to do so from the International Board of ELSA. Moreover, ELSA Delegations give an opportunity to ELSA members to experience international decision-making on the highest level, given these institutions' unique mandate from the international community to promote and protect all human rights.

³³ Files.elsa.org. 2020. [online] Available at: <https://files.elsa.org/SC/SC_Study_Visits_Handbook_Updated_2020.pdf> [Accessed 15 May 2020].

³⁴ Files.elsa.org. 2020. [online] Available at: <https://files.elsa.org/SC/ELSA_Law_Schools_Handbook.pdf> [Accessed 15 May 2020].

6.4.6 International Conferences of ELSA

An International Conference is the ideal event to have an impact internationally and promote human rights to participants from different cultural backgrounds. Additionally, it is a perfect way to network with experts and professionals in the field, from different countries.

6.4.7 ELSA Webinars

Organising an ELSA Webinar in the theme of human rights, hence organising an event easily accessible thanks to its digital nature, allows for a bigger audience of your event, thus its bigger visibility. Additionally, as ELSA Webinars are taking place online, you can invite human rights experts from all over the world to participate in the event and share their knowledge with the participants.

6.4.8 ELSA Webinars Academy

ELSA Webinars Academy is a newly launched project, which introduces a brand for online legal courses in ELSA. By attending an ELSA Webinars Academy on human rights, a participant can acquire a specialised knowledge in the respective field, without leaving home. Completion of the course is confirmed by the certificate of participation, which gives an additional visibility and credibility to ELSA, as a human rights expert among youth NGOs.

6.5 Human Rights in STEP

6.5.1 Job Hunting

STEP Traineeships are the opportunity for ELSA members to implement in practice their knowledge and skills they have acquired in the field of human rights.

The Local and National Groups together with ELSA International have a track-record of successfully securing STEP Traineeship opportunities directly in the field of human rights. Notable examples include inter alia:

- The Council of Europe in Strasbourg, France (the Committee on Social Affairs, Health and Sustainable Development, the Committee on Legal Affairs and Human Rights, and the Special Representative of the Secretary General on Migration and Refugees);
- The Council of Europe Liaison Office in Brussels, Belgium;
- The European Court of Human Rights in Strasbourg, France;
- The Office of the Representative of the Republic of Armenia before the European Court of Human Rights in Yerevan, Armenia;
- Association for the Social Support of Youth in Thessaloniki, Greece;
- Jerusalem Institute of Justice in Jerusalem, Israel;

- Adana Women's Shelter and Support Center in Adana, Turkey;
- Center for Free Secondary Legal Aid in Luhansk and Kharkiv Oblasts in Ukraine;
- Legal Advice Centre (University House) in London, the United Kingdom;
- The AIRE Centre in London, the United Kingdom;
- Island Advice Centre in London, the United Kingdom.

Although STEP Traineeships generally need to be remunerated either in monetary terms or in kind, human rights -related STEP Traineeships usually qualify for an exemption from this requirement. STEP Traineeships may be unpaid at the discretion of ELSA International if:

- The Traineeship Provider generally does not pay its employees performing tasks comparable to those of a STEP Trainee (this is usually the case of organisations employing volunteers);
- The benefit for ELSA outweighs the lack of remuneration; or
- The respective National or Local Group "hosting" the Traineeship provides the STEP Trainee with remuneration themselves (monetary or in-kind).

When the application period for STEP Traineeships is open twice a year, special recognition will be given on the STEP website for those Traineeship Providers that are active in the field of human rights. Hence, this is an important feature of boosted visibility to highlight to the prospective Traineeship Providers during Job Hunting.

6.5.2 Reception

When it comes down to the STEP Trainees themselves, they should be included in the activities of the respective "hosting" Group. The reception strategy could be enriched further by incorporating a human rights dimension therein by inter alia inviting the STEP Trainee to human rights events you organise during their Traineeship, generally providing an overview the human rights commitment in the hosting country and taking the STEP Trainee on visits to human rights -related organisations in the hosting country/city (e.g. ministries, courts, NGO offices or international institutions).

6.6 Human Rights in the Supporting Areas

The Key Areas might give flesh and blood to our vision, but the Supporting Areas can contribute substantially in promoting human rights.

- The President plays a crucial role in establishing partnerships that the Key Areas will take advantage of.
- The Marketeer can run human right campaigns throughout the year, through social media, raising awareness about human rights, statistics, historical facts, current threats, international days and other facts.

- The Secretary General may organise trainings for the members of the ELSA Group on human rights, Sustainable Development Goals or any other related topic.

6.7 Person Responsible for Human Rights in National/Local Groups

We already saw that human rights should be implemented in all key area activities. The added value of an individual responsible for the coordination of human rights themes, events and partnerships among AA, S&C and STEP officers, is obvious. A Key Area officer may ask that person for specific information, delegate some tasks and elaborate on the OYOP amongst other things. Cooperation with institutions that contribute to human rights is expected as well, through attendance to their events or organising common projects. Below, you can find more example tasks and duties of the director/assistant for human rights.

6.7.1 Being informed

One of the example tasks of the Director/Assistant for Human Rights is to stay informed and up to date about news that could raise human rights issues, events, publications, inter alia. This simply means keeping your eyes and ears open, watching the news and checking newsletters from the numerous institutions that work with human rights.

6.7.2 Informing others

As the Director/Assistant for Human Rights, it is important to keep your members updated. Use a website, mailing lists or other tools to spread the word about important news regarding human rights. One idea is to implement a Human Rights Newsletter, where you summarise the important events that have taken place in some time span, as long as you think that this is interesting and appealing to your members. Another possibility is to use a free tool of curation to have information easily accessible and up to date. For this the options are many: scoop.it, paper.li, feedly.com, among others.

6.7.3 Working throughout the year

The Director/Assistant for Human Rights is recommended to keep in touch with the Key Area Officers. The Director needs to contact and encourage the officers regularly to build partnerships with human rights professionals such as specialised lawyers, NGOs, human rights lobbyists, specialised academic professors (constitutional law, human rights law, Public International Law) and specialised journalists for example. The Director may also suggest activities or topics for activities and assist in the organisation.

The Director/Assistant for Human Rights should ask the marketer of the group to promote the human rights events that are organised throughout the whole Network. They can work with a calendar, where all officers can include future events that should be publicised.

If you are organising a human rights related activity, fill in the appropriate forms to make sure that ELSA International is updated on what the network is focusing at the moment. If you are unclear about how to do this, just contact your National Group or ELSA International, in case your group is not available.

If for the purpose of organising a new activity you came up with a list of interesting human rights topics, do not forget to share them with the network. The topics you might have crossed out for whatever reason can be helpful for a successful activity in another group.

Also, as an officer you can inform your board members on what is going on at the international level and encourage people to get involved. Human rights are the fuel of our association and we should not ignore them in our work.

7. Suggested sources of information

It is very difficult to limit relevant human rights sources to a one-page list. Here you can find several suggestions that should help you in the preparation of a human rights event.

7.1 Institutions/NGOs

- United Nations Human Rights Office of the High Commissioner for Human Rights: <http://www.ohchr.org/EN/Pages/WelcomePage.aspx>
- European Court of Human Rights: <http://www.echr.coe.int/Pages/home.aspx?p=home>
- Human Rights Watch: <http://www.hrw.org/>
- The International Criminal Court Forum: <http://iccforum.com>
- International Criminal Court: http://www.icc-cpi.int/EN_Menus/icc/Pages/default.aspx
- Amnesty International: <https://www.amnesty.org/en/>
- International Committee of the Red Cross: <https://www.icrc.org/en>
- International Labour Organization: <http://www.ilo.org/>
- UNICEF – United Nations International Children’s Emergency Fund: <http://www.unicef.org/>
- International Federation for Human Rights: <http://www.fidh.org/>
- World Health Organization: <http://www.who.int/>
- International Court of Justice: <http://www.icj.org/>
- ETO – Extraterritorial Obligations Consortium: <http://www.etoconsortium.org/>
- REDRESS: <http://www.redress.org/>

7.2 Blogs

- **ELR Blog** (lawreview.elsa.org/blog): The ELR Blog is ELSA's human rights focussed blog whereon we post articles creating debate on the enforcement and protection of human rights, including privacy, discrimination and democracy.
- **Journal of Human Rights in the Commonwealth** (<http://journals.sas.ac.uk/jhrc/index>): An electronic peer-reviewed interdisciplinary journal which covers a vast range of issues relating to human rights in the Commonwealth of Nations including, but not limited to: human rights and the law, democracy and governance, development, poverty, conflict, transitional justice, climate change, equality and discrimination.
- **UK Human Rights Blog** (<http://ukhumanrightsblog.com>): Aiming to provide a free, comprehensive and balanced legal update service. Blog's intention is not to campaign on any particular issue, but rather to present both sides of the argument on issues which are often highly controversial.
- **Oxford Human Rights Hub** (<http://ohrh.law.ox.ac.uk>): Blog aims to bring together academics, practitioners, and policy-makers from across the globe to advance the understanding and protection of human rights and equality.
- **Human Rights Doctorate** (<http://humanrightsdoctorate.blogspot.fr>): A weblog for students engaged in doctoral studies in the field of human rights. It is intended to provide information about contemporary developments, references to new publications and material of a practical nature.
- **Human Rights @ Harvard Law** (<http://hrp.law.harvard.edu/areas-of-focus/>): The Human Rights Program of Harvard Law helps students, advocates and scholars deepen and disseminate their knowledge of human rights by advancing discussions and critical reflection on several areas of this field of law.
- **ECHR Blog** (<http://echrblog.blogspot.fr>): A blog offering an in-depth analysis of recent developments on Human Rights, information about new ECHR publications and updates on Human Rights related events, such as summer schools and conferences.

7.3 Publications

- I. Bantekas and L. Oette, *International Human Rights Law and Practice*, Cambridge University Press, 2013
- Clapham, *Human Rights – A Very Short Introduction*, Oxford University Press, 2007
- D. Moeckli, S. Shah & S. Sivakumaran (eds), *International Human Rights Law*, Oxford University Press, 2nd edition, 2014
- O. De Schutter, *International Human Rights Law*, Cambridge University Press, 2010
- P. Alston, R. Goodman (eds.), *International Human Rights – Texts and Materials*, Oxford University Press, 2013
- D. Forsythe, *Human Rights in International Relations*, Cambridge University Press, 3rd edition, 2012