

ELSA ADVOCACY MANUAL

ELSA INTERNATIONAL
2019/2020



elsa

The European Law Students' Association

FOREWORD

Dear ELSA Officer,

It was back in 1992 that our association adopted its vision statement, “A just world in which there is respect for human dignity and cultural diversity”. This philosophy statement was the product of a long discussion ever since the founding of ELSA, discussions revolving around the fact that ELSA should stand for something in the society.

In 1996, the International Board of ELSA and several ELSA Officers were part of the negotiations for the establishment of the International Criminal Court. In 2008, ELSA signed an agreement with the Council of Europe declaring it as its Human Rights Partner and making its Secretary General the Patron of the association.

However, for several years, a long discussion was part of the International Internal Meetings, hindering the association from achieving its full potential in advocacy and making a change through education in the society. A discussion about ELSA’s non-political status and the limits which ELSA’s advocacy can and should have.

Writing this manual, we aim at answering these long-asked questions. This Advocacy Manual is a document that has one major aim. To guide every group and officer of ELSA in their efforts to advocate and encourage our members as a part of the civil society to act for good causes.

Should you have any questions, you can always contact the acting President of ELSA at president@elsa.org or the Coordinator of the BEE Toolkit at coordinator.beetoolkit@elsa.org.

Enjoy the read!

Yours sincerely,

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ELSA International 2019/2020

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I. Introduction

The 60th International Presidents' Meeting, which took place in Munich, between the 5th and 9th of February 2020, was a great opportunity for officers all over the network to come together and answer three hugely important questions for our association. Why do we advocate? What do we advocate on? How do we advocate? Advocacy is not a new reality in our association. However, as the years passed our focus on advocacy, the importance of it and the matters we advocate, have changed. This Manual has been created to address all these topics, to answer long-asked questions and create new ones.

II. Defining advocacy

A. What does advocacy mean to you?

The workshop participants in the 60th International Presidents' Meeting shared some of the words they associate with advocacy:

- ✓ Raising awareness;
- ✓ Making an impact;
- ✓ Representing our association;
- ✓ Lobbying;
- ✓ Taking a position;
- ✓ Education;
- ✓ Persuasion;
- ✓ Balance;
- ✓ Necessity;
- ✓ Encouraging;
- ✓ Speaking up;
- ✓ Constructive interaction with the society;
- ✓ Protection of human rights;

B. How can we define advocacy?

Advocacy is an act or process of supporting a cause or an issue. An advocacy campaign uses a set of targeted actions in support of a cause or an issue. We advocate a cause or an issue because we want to:

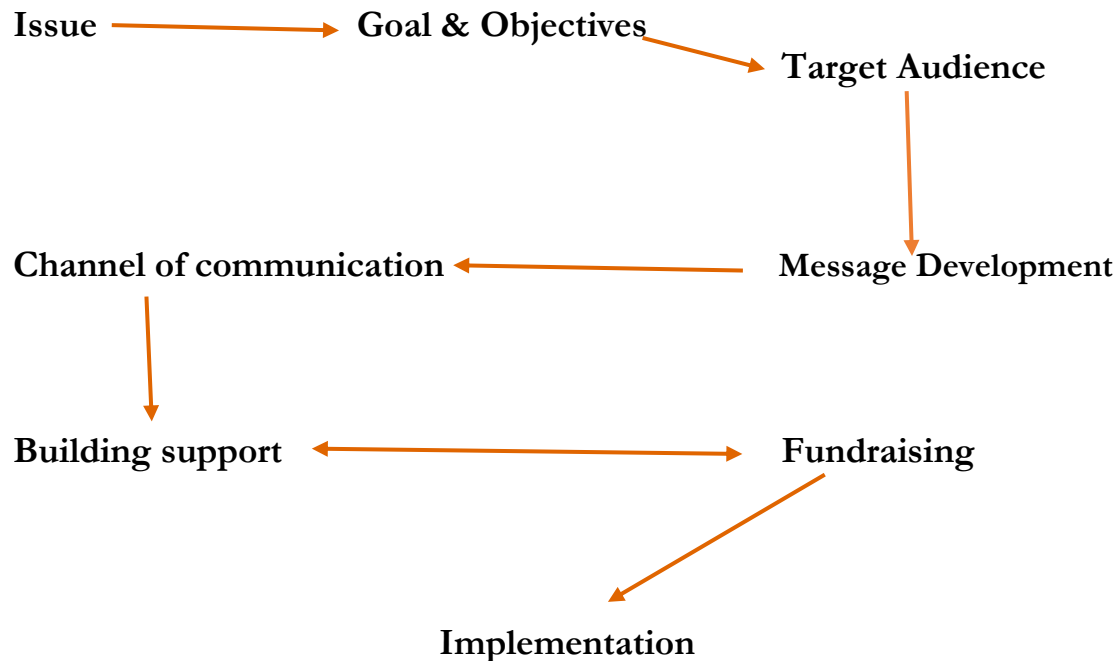
- Build support for that cause or issue;
- Influence others to support it;
- Try to influence or change legislation that affects it.

In a simpler way, advocacy is speaking up, drawing a community's attention to an important issue, and directing decision-makers towards a solution. Advocacy is working with other people and organisations to make a difference.

C. Advocacy and related concepts

Advocacy is often confused with other concepts that share the same elements. These concepts include information, education, communication, social marketing, public relations, and others. However, advocacy stands apart from these approaches because advocacy always seeks to change a policy or programme. Of course, **advocacy** requires the intermediate step of raising awareness, but it **does not stop at awareness-raising**. The advocacy process is complete when a decision-maker takes a prescribed policy action. We may often point out that the members of our association or the public can be the target of an advocacy campaign. In most cases, however, **public awareness is raised in order to pressure a particular policy maker**.

III. The Advocacy process



All throughout the process there are three important actions that should never be forgotten, that should always be repeated.

- **Data collection:** gathering, analysing, and using appropriate quantitative and qualitative information to support each step of your campaign.
- **Monitoring:** a process of gathering information to measure progress towards your advocacy objectives.
- **Evaluation:** a process of gathering and analysing information to determine if the advocacy objectives have been achieved.

IV. Important terms

Every advocacy process consists of several steps and phases. In this part we are going to try and identify some of them.

A. The issue

First and foremost, every advocacy campaign identifies a cause or **an issue** that needs to be tackled. This issue is the starting fire of an advocacy process. Simply said, it is the problem that requires a policy action.

B. Goal and objectives

- Goal is a statement of the general result we wish to achieve.
- Objectives are incremental steps towards achieving our goals. Objectives should be specific, measurable, achievable, realistic and time bound (SMART).

An advocacy goal is a long-term vision for change. An advocacy objective is a specific, short-term, action-oriented target.

A good advocacy objective contains several other elements:

- Identify the policy “actor” or decision-maker, who has the power to convert the advocacy objective into a reality.
- Identify the specific policy “action” or response required to fulfil the objective.
- Stipulate the timeframe and degree of change desired.

C. Target Audience

The public, the civil society and even more the policy makers you are trying to influence to support your issue.

D. Message development & channels of communication

Message development refers to the statements tailored to different audiences that define the issue. state solutions and describe the actions that need to be taken.

Channels of communication refers to the means by which a message is delivered to the various target audiences, e.g. radio, television, flyers, press conferences, meetings, social media etc.

E. Building support & fundraising

Building support usually involves building alliances with other groups, organisations, or individuals who are committed to supporting the same cause.

Fundraising refers to identifying and attracting resources (money, equipment, volunteers, supplies, space) to implement your campaign.

F. Implementation

Implementation refers to carrying out a set of planned activities to achieve your advocacy objectives (action plan).

V. ELSA & Advocacy

A. Why does ELSA advocate?

Ever since the early years of the creation of our association, ELSA has set the goal to make an impact in the society. More specifically, in 1992 ELSA adopted its Philosophy Statement. Our vision “A just world in which there is respect for human dignity and cultural diversity” is followed by a purpose.

To contribute to legal education, to foster mutual understanding and **to promote social responsibility of law students and young lawyers**. We have always wanted to promote socially responsible behaviour amongst our members and the members of the society. We have always wanted to encourage people to act for the good of the society.

Hence, **advocacy became a tool to promote social responsibility**. Advocacy as a part of the arsenal of ELSA supports us in pushing for change and becoming the change we wish to see in the society.

B. What are the causes ELSA advocates for?

The causes ELSA advocates for can be found in several pillars of the association:

Already in the Strategic Plan of our association, part of the ICM Decision Book of ELSA, it is made clear that ELSA should stand for:

- ✓ The Rule of Law;
- ✓ Human Rights;
- ✓ The United Nations' Sustainable Development Goals.

C. How does ELSA advocate?

ELSA advocates through the projects and campaigns which constitute the backbone of our association. Examples of such projects are the:

- ✓ Annual Human Rights' campaign of ELSA, as part of the International Focus Programme;
- ✓ Rule of Law Education campaign, in cooperation with ELSA Alumni;
- ✓ ELSA4Schools;
- ✓ European Human Rights Moot Court Competition, in cooperation with the Council of Europe and the European Court of Human Rights;
- ✓ Student Trainee Exchange Programme;
- ✓ ELSA Law Review;
- ✓ International Legal Research Groups;
- ✓ ELSA Law Schools;
- ✓ ELSA Delegations.

D. Is advocacy political?

A great, long discussion in our association has concerned the nature of advocacy and the danger of becoming political if we, as ELSA, advocate. It is in these moments that we should go back to our purpose and read. To read that we need to contribute to legal education, to foster mutual understanding, to promote social responsibility of young lawyers and law students.

There are several ways we can avoid being political, when advocating. First, **through education**. As very well described in the Human Rights Manual of ELSA, our association 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 advocacy activities. The status of the association defines its ultimate goal and the way that it aspires to effect change in society through education.

Second, through **focusing on the legal perspective** and protection of fundamental rights. Our nature, as a law students' and young lawyers' association, allows us to research, discuss and advocate on the level of the legal protection of rights, and the importance of upholding the Rule of Law. Our knowledge and academic approach are strong tools in our arsenal, when advocating to make a change.

E. Risks and guidelines

1. The risks

However, being a part of such a diverse Network means that the discussion around human rights, for example, can be **controversial** or **sensitive** depending from one country to another. The **risks** occurring in this case, have been one of the main topics of discussion in IPM Munich 2020.

It is very possible that speaking out on behalf of ELSA, as a Local or National Group, can often have consequences on the Local or National Network that the discussion is about. Over the years, there have been various events in one National Network discussing or creating a forum of discussion on the internal situation that concerns another country. This has caused several internal problems to the National and Local Groups that have been “the topic of advocacy”. Another usual case is the negative reaction of sponsors and external stakeholders which deem some of the discussions, or projects something they do not wish to be connected to.

The same discussion revolves around the conduct of statements by Local or National Groups of ELSA, when public incidents raise discussions around the rule of law, human rights and various other topics. What ELSA Officers have to always remember before drafting such statements is that ELSA is an independent association that stands for

education around human rights and the rule of law. ELSA's person is not to actively take part as a commentator in the incidents of everyday reality.

2. The guidelines

Acknowledging that ELSA wishes to advocate for a better society has been the first step. Setting guidelines and making steady steps in this path is necessary if ELSA wishes to advocate and impact the society. Some of the guidelines that have been discussed in IPM Munich are:

- ✓ Researching for external consultants' support in the field of policy and youth NGOs advocacy;
- ✓ Approaching the respective network about which an event or discussion will take place and asking them for additional information on the situation, as well as on how sensitive the respective topic is;
- ✓ Consulting with ELSA International when organising a project, or planning to make a statement;
- ✓ Creating a mentoring system inside the ELSA Network, which educates and advocates on the essence of advocacy and proper campaign planning;
- ✓ Including advocacy training in our national and international meetings;
- ✓ Aiming at creating national advocacy strategy, in cooperation with ELSA International.

Finally, these guidelines aim at making ELSA's advocacy respectful of the cultural differences inside the ELSA Network and finally impactful. ELSA International will stand by the side of the ELSA Network and guide them in this "new" pillar of our association.