



Institute for Human Rights and Business

TOP 10
BUSINESS AND
HUMAN RIGHTS
ISSUES 2026

TOP 10 BUSINESS AND HUMAN RIGHTS ISSUES: PRESSURE POINTS

Responsible companies are under immense pressure. Many have gone silent on their sustainability efforts as political attacks force their work underground. At the same time, public scrutiny of corporations continues to grow. The vast <u>majority of people</u> - 'the 89%' - still want action on climate change, <u>younger generations</u> are driving demand for ethical and sustainable goods, and calls to end business complicity in global conflicts are gaining momentum.

Companies which thought they could turn to international standards and regulation for clarity find the multilateral system paralysed by growing division and economic nationalism. Equally troubling, anti-ESG groups <u>are uniting</u>, subjecting companies to regulatory whiplash. The explosive growth in Al development further complicates the picture. It is a phenomenon without parallel, which promises innovation but also causes and exacerbates harms, at a pace not seen before.

Beneath the veil of despair, there are signs of hope. Communities, workers, and businesses are making progress together. There are promising stories of just transitions happening in all corners of the globe, capitalising on the enormous value that sustainability can create for people and businesses alike. Solar is now the cheapest way to generate power, and green economies are scaling up. Meanwhile, divestment from companies linked to war crimes is belatedly gaining pace. The tenets of the Universal Declaration of Human Rights and the UN Guiding Principles on Business and Human Rights continue to be critical north stars, as more companies recognise the links between responsible business actions and stable operating environments.

Each International Human Rights Day, IHRB releases our <u>Top 10 Business & Human Rights Issues</u> - an annual forecast of priority challenges and opportunities to advance the responsible business agenda in the year ahead.

Our 2026 Top 10 list scratches beneath the surface of messy, global turmoil to highlight the pressure points for human rights where the actions of responsible businesses are needed most acutely. While some of these issues will be familiar, we provide a nuanced view, illuminating complex human rights dimensions - and opportunities - for businesses to grasp head on in 2026.



OVERCOMING CORPORATE HUSHING AND SUSTAINABILITY BACKLASH

Political backlash and regulatory upheaval are pushing many companies to go quiet about their commitments on climate, social responsibility, diversity, inclusion, and equity, and human rights. This trend - commonly referred to as 'greenhushing' but applying to sustainability and human rights more broadly - is likely to grow in the year ahead. Fewer companies are making explicit commitments, with sustainability reports including increasingly vague targets and toned-down language. Fear of litigation, backlash from activist investors and politicians, and reputational risks mean an increasing number of businesses are choosing this path. In fact, some companies have not just gone quiet, but are actively walking back support for important initiatives now viewed as politically divisive.

But silence does not necessarily mean <u>inaction</u>. Many companies continue to invest <u>in energy</u> <u>efficiency</u>, others have <u>defended sustainability regulation</u>, and some have embraced the concept of a <u>circular economy</u>, recognising that environmental responsibility is a business imperative. Business leaders are having to <u>reframe</u> their sustainability strategies, not abandon them.

Much of this reframing starts internally. Boards increasingly expect climate and human rights risks to be integrated into core governance. Sustainability teams are under pressure to anchor their work in operational resilience, risk reduction, and financial materiality. The potential upside is that sustainability could increasingly become a <u>core business function</u>, not a public relations exercise. Companies are likely to continue exploring new ways of working on climate and social justice agendas by focusing on <u>results-driven approaches</u> that are meaningful on the ground, but which are not necessarily designed to win awards or accolades from customers.

However, 'hushing', if left unchecked, carries its own dangers. Corporate motivation for sustainability has never been more urgent and going too quiet could sap momentum when it's needed most. Investors need transparency, and clarity to assess social risks and know where to allocate capital. Regulators need accurate disclosures to enforce standards. Communities need to see evidence of responsible business or social unrest will follow. The challenge for the year ahead will be to speak publicly of verified claims that make material difference to people's lives, and provide evidence that good conduct makes business sense. Standardised, evidence-based disclosures on human rights impacts, combined with the rigour of robust, third-party verification, will become more necessary. These efforts will also be important to strengthen the business case for human rights, which is <u>under scrutiny</u>. Corporate hushing can be overcome by moving from fear-driven silence to measurable, aligned action - and communicating that action with precision.



SURMOUNTING SETBACKS IN SUSTAINABILITY LEGISLATION

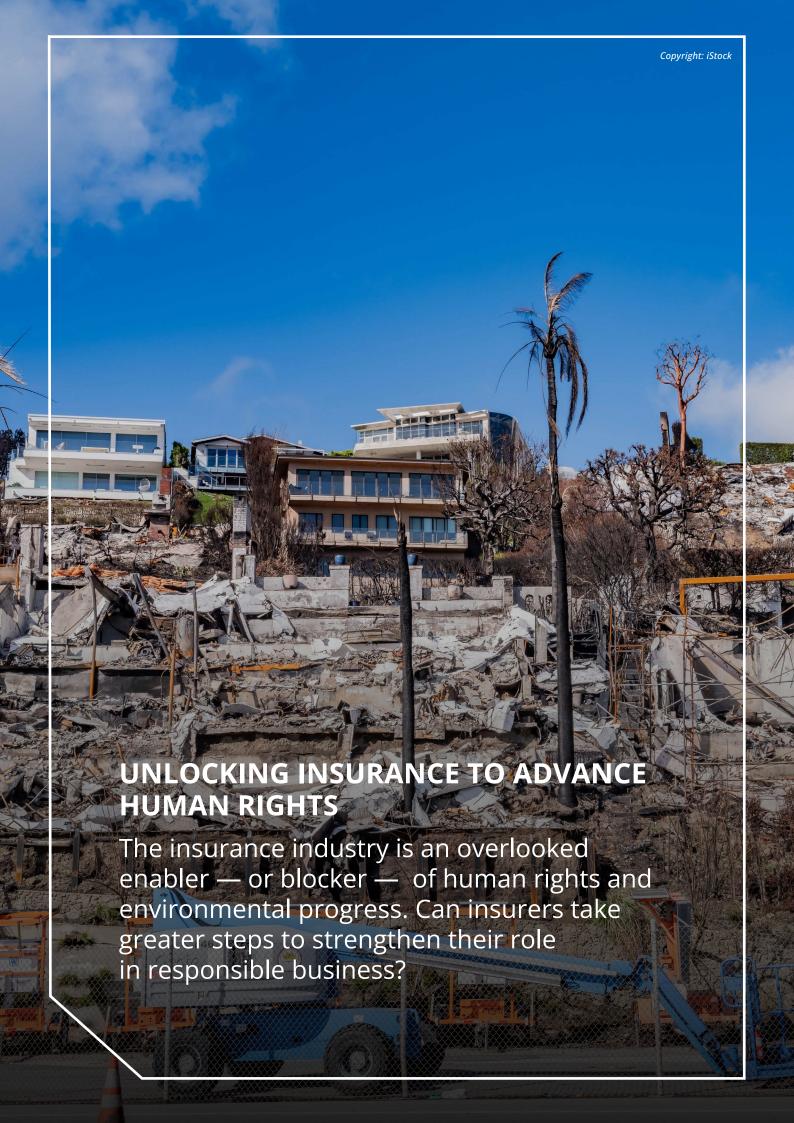
There have been a number of recent setbacks in international rule making for sustainability, including the collapse of the <u>UN Plastics Treaty</u>, and the torpedoing of the <u>International Maritime Organisation's Net-Zero Framework</u> led by governments of Saudi Arabia and the United States. In parallel, EU laws addressing environmental and human rights impacts have been <u>revised and delayed</u>, driven by a purported desire to simplify and deregulate.

European companies have sent <u>conflicting messages</u> on the Corporate Sustainability Due Diligence Directive (CSDDD), and other legislation. Business concerns - largely relating to competitiveness - are not entirely without foundation. Over the last five years, it has been challenging for companies to keep up with the raft of EU and national legislation related to reporting and sustainability, as well as deforestation, forced labour, critical minerals, and batteries. The European Commission, and national governments, are themselves behind on producing promised guidance.

But <u>heightened uncertainty</u>, and fragmentation of rules, are not helpful to companies. A patchwork of requirements increases operational burdens and compliance costs, particularly on small suppliers. Lacking global frameworks, companies lose the clarity needed for long-term capital decisions. For example, without a framework on how to achieve maritime decarbonisation, shipowners, charterers and financiers face ambiguous timelines for compliance, which can undermine investment in alternative fuels and zero-emission vessels.

Sustainability and human rights teams have burned precious time and <u>credibility</u> engaging Boards and senior executives on EU sustainability legislation, only to see it unravel. To obtain internal buy-in, they now need to reposition human rights due diligence as creating value by focussing on <u>'risks to business'</u>. A growing <u>trend to shift sustainability teams</u> from marketing to commercial departments may help connect human rights to long-term legal, reputational and operational risks - and crucially costs. On the other hand, absorbing these functions into Legal and Compliance teams risks reducing sustainability to a tick-box exercise.

It remains to be seen if final agreement on the revised CSDDD and associated Corporate Sustainability Reporting Directive (CSRD) will be achieved by the end of 2025. In the year ahead, businesses that stick to implementing risk-based due diligence in line with the UNGPs will be best placed to ride out the regulatory rollercoaster. And those continuing to focus on communication and reporting based on meaningful engagement at local level will be in the best position to maintain their social license to operate and strengthen resilience in their supply chains.



UNLOCKING INSURANCE TO ADVANCE HUMAN RIGHTS

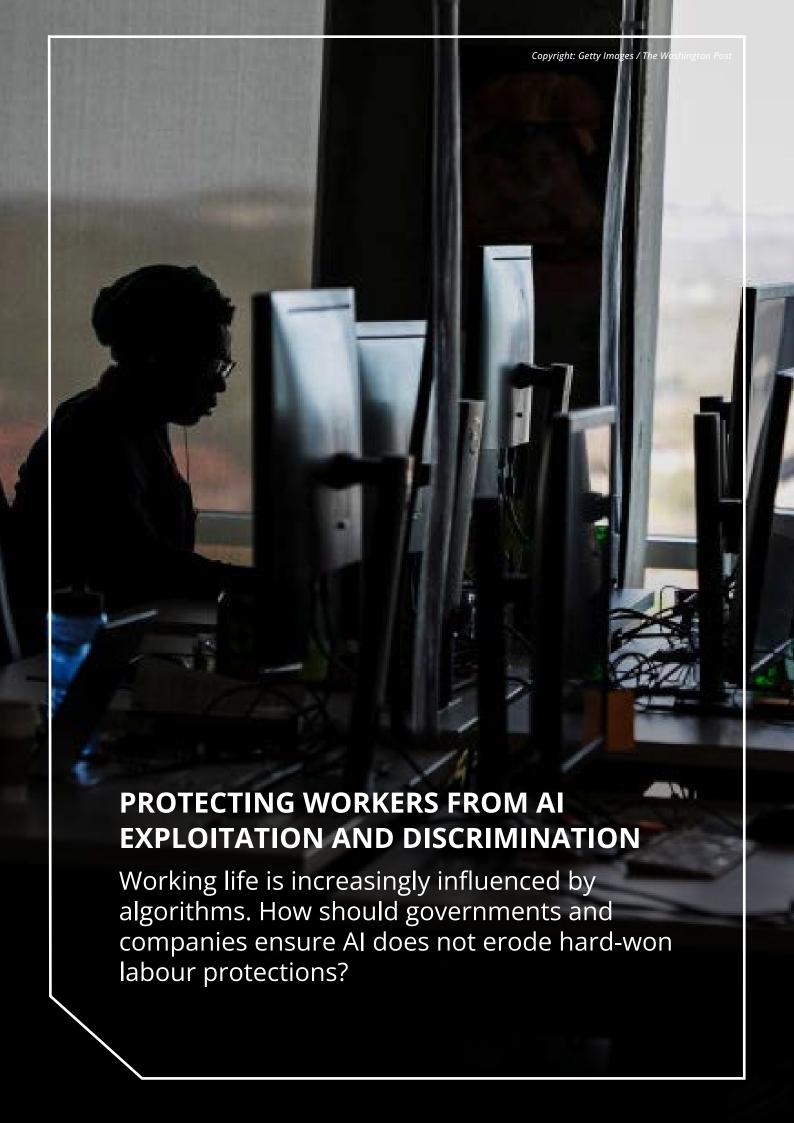
Insurance has long served as a stabilising force for households, businesses, and the wider economy by pooling risks and providing financial security. Today, however, the insurance sector faces new strains. Climate-driven catastrophes - from wildfires and extreme heat to flooding - are escalating losses and exposing the limitations of traditional models that depend on predictable weather patterns. Communities vulnerable to climate risks are left exposed without financial backstops. In developing countries, disaster losses not covered by insurance exceed 90%.

Insurance "deserts" are emerging even in wealthier nations, where private carriers withdraw from high-risk regions, leaving households, small businesses, and even entire municipalities unable to secure affordable coverage. Publicly-funded backstops, such as <u>California's FAIR Plan</u> or the <u>UK's Flood Re</u>, are increasingly stretched, revealing the fiscal pressures governments face when insurance markets fail. This is where human rights considerations come in, as it is the poorest and most marginalised who are often the most vulnerable to the adverse impacts of climate change, and yet will be unable to afford increasing premiums or will be dropped by private insurers altogether.

For insurers, the business model itself is under threat. Rating agencies are recording consecutive years of underwriting losses, while <u>reinsurers tighten terms and conditions</u>, putting further strain on primary insurers. The UK Institute and Faculty of Actuaries is concerned that these dynamics are not cyclical, but mark a shift toward systemic risk - <u>a "risk of ruin"</u> - where climate-tipping points undermine the very assumptions on which insurance operates.

Insurers must adapt in three broad ways: improving risk assessment, strengthening resilience, and innovating products. Advanced modelling - incorporating AI, geospatial data, and Earth-system science - can help update underwriting assumptions that no longer reflect reality. The year ahead will see growing calls for companies to adopt new frameworks, which emphasise early warning signals for climate-related tipping points, as well as response to continual scientific updates. At the same time, insurers will need to invest directly in reducing risks. This can include supporting resilient building standards, funding nature-based solutions, or backing infrastructure upgrades that lower the severity of losses. Some insurers are already experimenting with region-specific resilience programmes and ecosystem insurance to keep coverage viable.

<u>Product innovation</u> is equally essential. <u>'Parametric' insurance</u> offers faster payouts, including to low-income workers at risk of heat stress, and can serve regions lacking detailed claims histories. New lines of coverage - from climate-transition insurance to protection for workers facing extreme heat - can address emerging needs and expand access in underinsured regions. Public-private partnerships will also be critical in maintaining affordability. In 2026, governments and insurers should take greater steps to redesign programmes or develop national catastrophe pools to reward mitigation efforts rather than only subsidise risk. By doing so, insurers can help unlock the financial tools needed by communities to build resilience in the face of rising climate shocks.



PROTECTING WORKERS FROM AI EXPLOITATION AND DISCRIMINATION

Despite its machine-based image, there is a <u>human and often hidden</u> workforce behind AI and other tech-based products. Some work as 'content moderators' who identify, label and remove or flag user-generated content to ensure compliance with platform rules. Others are 'data labellers' who mark and annotate data, including harmful content, to train machine learning models. As <u>new research</u> has documented, these hidden hands frequently work under precarious conditions with low pay, little job security, and few legal protections.

The need to scale up moderation of harmful content, particularly where it is legally mandated, is driving platforms to automate using Al, potentially reducing exposure of workers to this content. But automated processes create other <u>risks to rights</u>, particularly freedom of expression. They lead to over-moderation of lawful speech, such as attempts to expose human rights abuses, and make it easier for governments or others to silence dissent.

Content moderators and data labellers are not the only workers exploited by technological change. Workers on digital labour platforms have wages for their 'gigs' set by algorithms, the same algorithmic boss who surveilles them, and that may suddenly fire or 'de-activate' them. In response, human rights groups have <u>demanded</u> stronger regulation including a ban on algorithmic management practices that pose unacceptable risks to workers' rights, such as exploitative wage-setting algorithms and unsafe work. For those seeking employment, Al-powered hiring tools (automated employment decision tools, or AEDTs) can embed bias and inequality deep into recruitment systems. This can result in discrimination based on gender, disability, race and ethnicity. These systems can entrench or amplify bias, such as penalising non-native speakers, people with atypical facial expressions, or those with interruptions during their careers.



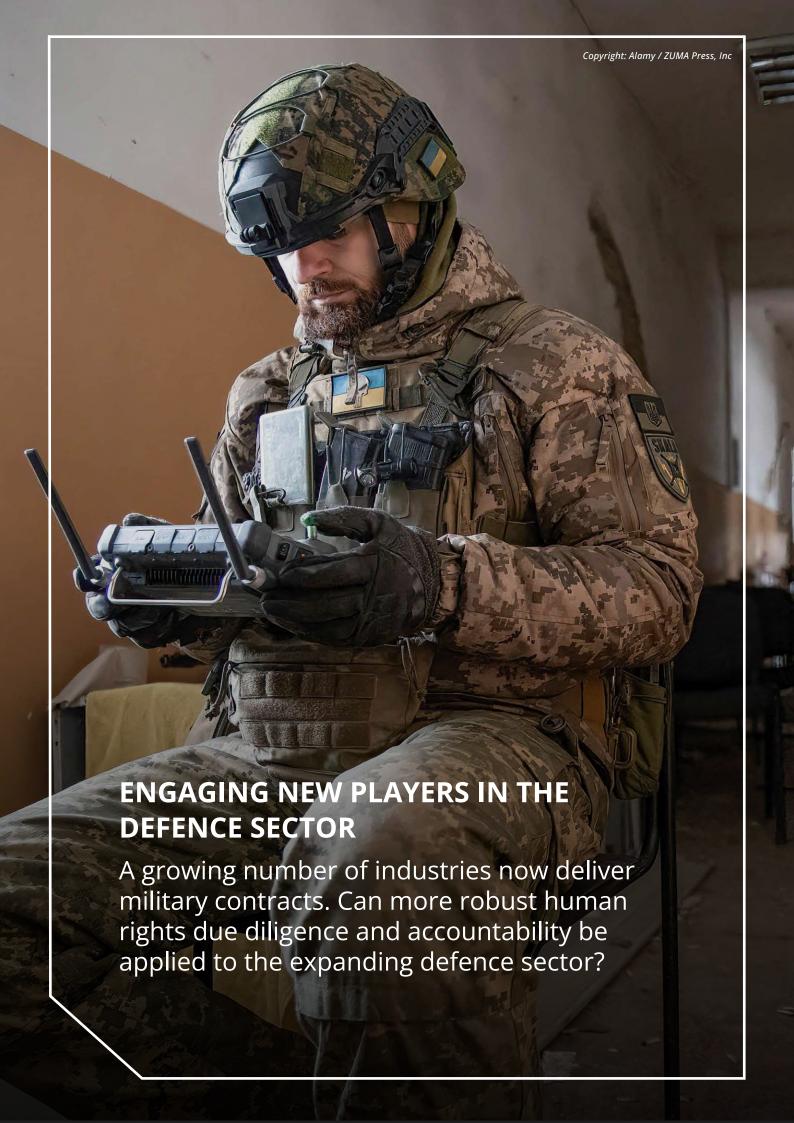
STRENGTHENING USE OF AI IN DUE DILIGENCE AND AUDITS

Al is being explored as a tool to root out exploitation of workers across complex supply chains. The idea is that Al can be used to break down data barriers between sectors, companies and geographies, creating unprecedented <u>visibility over human rights risks</u> that were previously hidden. Some <u>firms have already piloted</u> Al-generated human rights impact assessments in supply chains.

But effectively tracking human rights abuses still relies on data quality and coverage. For example, where artisanal and informal mining are the norm, <u>risks</u> are high but data gaps are more likely. Many Al tools are not able to pull granular data in challenging environments where standard audits may not be possible, such as in <u>Xinjiang</u>, China. Automated systems that offload high-risk suppliers rather than seeking to engage and use leverage to improve their practices is another emerging risk, and inconsistent with the UNGPs. Moreover, flagging harms is useful only if there are appropriate grievance mechanisms or remedies that involve participation of those affected; and those mechanisms are underinvested in or absent from digital approaches, as lessons from the critical minerals sector show.

How data is scraped also needs scrutiny. Extractive approaches to data gathering run the risk of 'stealing' intellectual property from grassroots organisations, Indigenous peoples, and communities. On the other hand, large language models are good at absorbing data that is available online and representing dominant narratives, but minority languages, indigenous cultures, and other marginalised groups are at a disadvantage. And what if Al attempts to fill in gaps because data hasn't been disclosed? The risk of 'hallucinations' - fake information presented as fact - is another concern for the integrity of data.

Ultimately, the value of AI tools in human rights due diligence will depend on whether systems, data, and governance are designed around rights-consistent approaches. That includes <u>critical analysis</u> by humans, preferably drawn from across company functions. Hybrid due diligence models that use machine-learning alongside community-reported data and qualitative reporting in local languages will strengthen reliability over time. The year ahead will see greater debate on AI's potential role in providing tools for human rights due diligence. But there is an urgent need for stronger governance and clearer guidance on how this fast-evolving technology is deployed, and human supervision must be paramount.



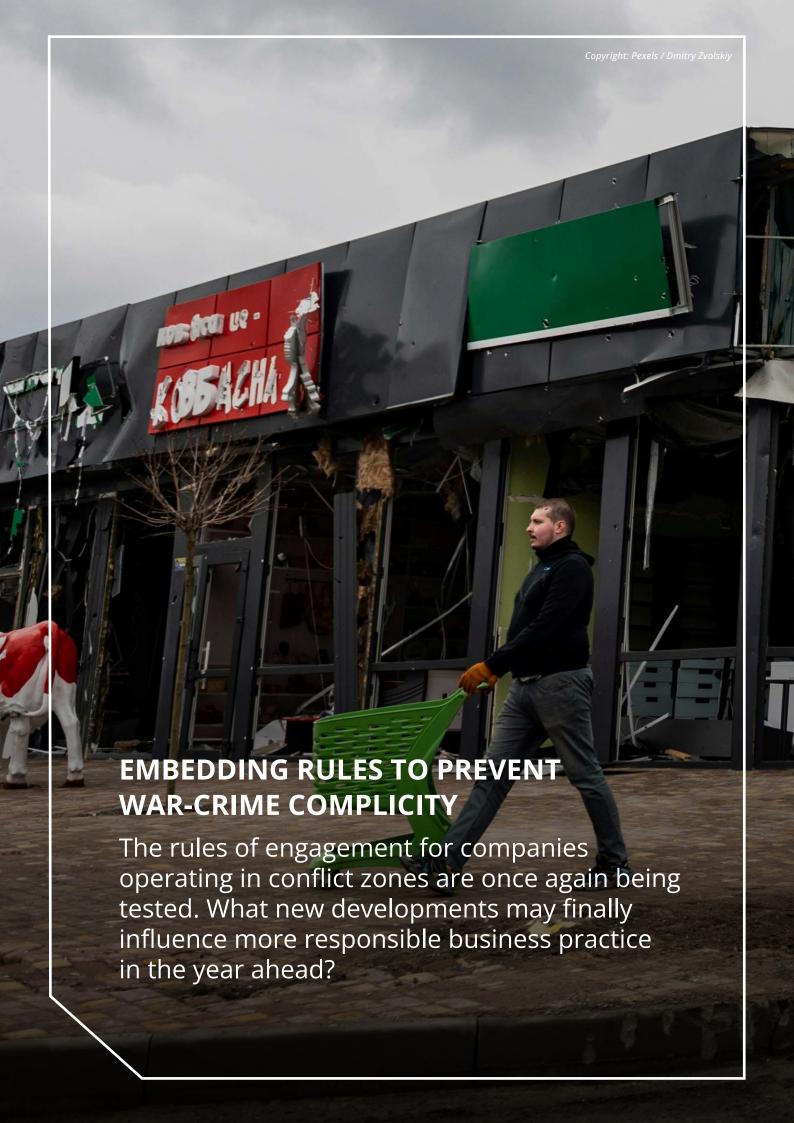
ENGAGING NEW PLAYERS IN THE DEFENCE SECTOR

The world is experiencing a <u>surge in conflict</u> not seen since World War II, with at least 100 conflicts recorded in 2025. Although <u>human rights groups</u> have long highlighted risks posed by the defence sector, from complicity in war crimes to irremediable harms to individuals and communities, the industry has traditionally operated under the cloak of national security. When challenged, weapons manufacturers point to security classifications and export licences from their own governments, or say they do not sell arms to countries that face sanctions. Accountability has always been elusive.

Now the scope of industries involved in defence is widening. War-waging nations are increasingly dependent on cloud-based technologies, and tech <u>firms</u> are accused of abetting atrocity crimes <u>in Gaza</u>. Silicon Valley's <u>embrace of 'tech nationalism'</u> is alarming, too. High-profile companies have reversed ethical safeguards to allow military and surveillance use of their products. The use of machine learning and <u>autonomous weapons systems</u> (AWS) will come under increased scrutiny. In 2021, the International Committee of the Red Cross (ICRC) issued a <u>position paper on artificial intelligence and machine learning in armed conflict</u>, highlighting the importance of preserving human control and judgement. Since then, there have been calls for <u>ethical guidelines</u> on autonomous weapons systems and even a binding Treaty to ensure compliance with international human rights and humanitarian law. And in November 2025, the UN General Assembly's First Committee <u>adopted a resolution on AWS</u> requesting a report on the challenges these systems pose.

The finance behind increased defence spending will continue to draw attention as well. Pension funds and asset managers <u>may continue to relax restrictions</u> on investments in defence companies. In response, a group of experts and investors is drafting a new set of <u>Principles for Responsible Defence Investment</u> to navigate the challenges of investing in a broad ecosystem of 'defence-related' commercial activities, with fresh focus on hi tech industries.

The year ahead will see growing calls for responsible action by companies with military contracts. The American Bar Association's 2022 <u>Defense Industry Human Rights Due Diligence Guidance</u> is a useful tool to clarify measures companies should take to prevent misuse of their products. The <u>UN Working Group on Business and Human Rights</u> has also provided recommendations for responsible conduct in the arms sector, and affirmed that companies have a responsibility to respect human rights independent of States' human rights obligations. It is noteworthy that large defence companies are in scope of the <u>EU Corporate Sustainability Due Diligence Directive (CSDDD)</u>, although downstream due diligence on product use by customers and partners is excluded if exports are state-authorised, leaving room for considerable ambiguity. The work to deepen understanding and due diligence in a fast evolving and expanding defence sector has just begun.



EMBEDDING RULES TO PREVENT WAR-CRIME COMPLICITY

In July 2025, a report published by the UN Special Rapporteur on the situation of human rights in the Occupied Territories of Palestine brought fresh attention to corporate complicity in alleged war crimes and armed conflict. This scrutiny will likely continue in 2026. A growing number of <u>investors</u> are reacting more forcefully to companies that persist in operating in conflict zones. Some companies choose to leave, curtailing or winding back operations when risks — legal, reputational, or ethical — become untenable, <u>such as in Russia</u> since its invasion of Ukraine. However, many continue to stay, through choice or necessity.

The saying that "conflict zones are not law-free zones" must now mean something in practice. Companies who continue to operate in such situations have the opportunity, as well as a critical and underutilised capacity, to prevent war crimes. In the year ahead, demands will grow for more robust, heightened due diligence. That includes clear and enforceable rules for companies when operating in conflict zones, and transparent accountability mechanisms that align business actions and commercial behaviour with human-rights and International Humanitarian Law (IHL) obligations.

Norms and practical guidance for businesses operating in conflict settings have evolved and matured. The International Committee of the Red Cross (ICRC) has published dedicated guidance clarifying legal obligations and operational choices companies face on the ground. Governments and multilateral bodies are shifting from voluntary expectation to formal regulation. Legislation based on the UNGPs should make heightened, conflict-sensitive human-rights due diligence a legal and commercial imperative for large firms. When rigorously applied, existing tools can help convert high level guidance into concrete steps: screening partners, mapping supply-chain exposure, suspending harmful transactions, and engaging with affected communities and impartial monitors.

Preventing war crimes is not only a legal or moral imperative; it is enlightened risk management. Clear rules will enable businesses to act in ways which protect civilian lives, potentially shield companies from legal risks and reputational fallout, and stabilize markets. In 2026, it is likely that mandatory standards will continue to be strengthened, even if not applied empirically, and companies will increasingly be expected to embed conflict-sensitive thinking and practice into governance and procurement.



UNDERSTANDING RISKS IN ASYLUM AND IMMIGRATION SERVICES

Demand for immigration and asylum related services in many countries is increasing. For companies involved, safeguarding human rights is a critical challenge, but why is it all too often being ignored?

UNDERSTANDING RISKS IN ASYLUM AND IMMIGRATION SERVICES

Global cross-border displacement is at record levels, driven by conflicts, disasters, persecution, and climate change. By 2050, climate change alone is projected to <u>displace over a billion people</u>. This influx, and changes to national policy, are placing increasing pressure on asylum systems worldwide. Governments are <u>relying on the private sector</u> to provide essential services such as accommodation, catering, healthcare, security, and transport for the individuals involved. However, this shift has raised significant human rights challenges. A lack of adequate safeguards has led to abuse, exploitation, and poor living conditions for many people who leave their countries. <u>Investigations</u> have uncovered overcrowded and unsanitary facilities, as well as reports of violence. The implications for companies providing these services are significant and multifaceted. Reputational risks are high, with public backlash often swift when poor conditions or abuses are exposed.

As the sectors providing services continue to evolve, several new challenges are emerging. For example, the use of <u>Al and automation in immigration</u> decision-making is accelerating. Governments are increasingly using algorithm-driven tools to process asylum cases, which raises <u>concerns about bias</u>, fairness, and the erosion of human oversight. The use of technology in private security—especially collaborations among private firms, tech companies and governments for electronic surveillance—raises major human rights risks, including privacy concerns relating to collecting and processing migrants' biometric data at borders. Businesses have a responsibility to ensure that these systems are transparent and accountable.

Human rights due diligence should be integrated throughout the operations and value chains of companies engaged in these activities. Adopting a proactive, rights-based approach is critical for all those involved. For example, private security companies providing immigration and detention services should seek to operate in accordance with The Responsible Security Association's (ICoCA) International Code of Conduct. Equally important, they must establish grievance mechanisms that enable asylum seekers and staff to report concerns safely. Comprehensive training on human rights, safeguarding, and cultural sensitivity should be provided to all personnel to reduce the risk of abuses.

As global displacement of large numbers of people continues to rise, the business of immigration and asylum services will expand, requiring transparent and responsible corporate policies and practices. The year ahead will see a more intense spotlight on all companies involved. By implementing rigorous due diligence, continuous monitoring, and safeguarding measures, businesses can avoid complicity in human rights violations while fulfilling their critical role in this growing sector.



PLUGGING LABOUR SHORTAGES IN THE GREEN JOBS MARKET

As efforts scale up to meet climate targets, the green jobs market is facing a significant labour shortage, posing a threat to climate resilience, affordability, and worker rights. How can companies help overcome this gap?

PLUGGING LABOUR SHORTAGES IN THE GREEN JOBS MARKET

For the first time, <u>renewable energy overtook coal</u> in 2025 as the world's leading source of electricity. Green industries, as well as offering climate solutions, are now established as drivers of <u>long-term business value</u>. Economies worldwide need skilled workers who can process transition minerals, build carbon-neutral homes, and operate renewable infrastructure. The International Labour Organisation has predicted <u>24 million new green jobs</u> will be created by 2030 across <u>sectors</u> like construction, manufacturing and mining. Yet there is a shortage of trained workers in green jobs.

Labour shortages create bottlenecks for the roll out of decarbonisation initiatives. Businesses face costly project delays - only 8.5% of infrastructure projects are currently completed on time and budget. In this scenario, workers are at risk of exploitation through informal labour arrangements and opaque sub-contracting. Meanwhile, energy bills and housing costs will increase due to few affordable homes being built or existing properties retrofitted.

Key skills projected to be in high demand for the construction and engineering workforce include waste management, energy efficiency, and digital skills, such as programming and robot management, using Al-assisted tools, and Building Information Modelling skills. One million new electricians are required in the US. In Europe, 750,000 heat pump installers need to be trained. Domestic labour pools are shrinking across Global North countries due to ageing populations, as well as gaps in specialist skills training, and other factors. Building up the green workforce will rely heavily on migrant workers, yet many governments are tightening the routes for legal migration.

Businesses must respond through enhanced training programmes and innovative production methods. For example, <u>apprentice programmes in construction</u> have gone beyond government requirements. In Spain, a <u>collective of cooperatives</u>, <u>non-profits</u>, <u>private companies and local authorities</u> is creating low-carbon, affordable housing. Demand for green jobs is an opportunity to increase and improve employment opportunities for groups traditionally under-represented in construction, engineering and energy sectors, including women, people with a disability, and ethnic minorities.

<u>Some companies are building homes</u> for workers as a means to attract and retain talent. In Oman, the <u>port town of Duqm</u> has invested in dignified on-site accommodation for workers as part of sustainable port management and ESG priorities. Companies are also advocating for safe, legal migration pathways for their sectors, such as through regularisation schemes for undocumented migrants, as seen in <u>Greece</u>. In the year ahead, scaled-up collaboration between industry, social partners, employers, and trade unions with all levels of government will be required to ensure that accessible green jobs drive employment, improve working conditions and strengthen local communities.



CONFRONTING THE HUMAN RIGHTS RISKS OF THE CRYPTO INDUSTRY

Cryptocurrency markets continue to expand globally. The U.S. dollar-denominated stablecoin market alone has grown to \$225 billion, accounting for approximately 7% of the broader \$3 trillion crypto-ecosystem that will have an estimated 962 million users by 2026. Advocates for the industry stress the benefits of decentralisation, inclusion and anonymity. In countries where banking access is limited or controlled by corrupt or unstable regimes, or where national currencies are collapsing, crypto has been viewed as a critical tool. Human rights activists have highlighted the value of digital assets for people facing political repression and economic hardships.

But the crypto industry is facing increased scrutiny for its social and environmental impacts, particularly in regions with weak regulation, political instability, or high energy dependency. A recent <u>report</u> warns that "as cryptocurrencies find their way into banks, payment systems, retirement plans, and even local infrastructure, the risks they pose are beginning to surface in ways that can impact ordinary people. From financial instability to investor fraud to environmental and public safety risks, the potential consequences are real and growing."

The cryptocurrency industry remains highly volatile, and is often lacking in user protection. The decentralised, cross-border nature of crypto assets makes them attractive for money-laundering, sanctions evasion, human trafficking financing, and other illicit actions, although blockchain transparency combined with machine learning can be used to investigate and <u>trace transactions</u>. In recent weeks, the G20's Financial Stability Board (FSB) has urged governments to speed up implementation of comprehensive and globally consistent standards, and <u>has noted</u> that crypto rules remain too "fragmented, inconsistent, and insufficient to address the global nature of crypto-asset markets".

What began as a tool which claimed to increase financial freedom and combat economic exclusion has increasingly become associated with <u>scam centres</u>, opaque corporate partnerships and <u>speculative memecoins</u>. Developments such as <u>crypto ATMs</u> in convenience stores and other shops, which can quickly turn cash into cryptocurrency, are becoming ideal tools for financial scammers who leave users without recourse if their funds are stolen or frozen.

As with encryption more generally, <u>tensions exist</u> between privacy and law enforcement objectives, for example privacy technology being misused by illegal actors to launder money. Like data centres, energy intensive crypto-mining operations cause <u>environmental pollution</u>, strain local infrastructure, degrade land and water, and <u>harm communities</u>. The year ahead will likely see more red flags about the adverse impacts of the industry on human rights and the environment, and more calls for stronger regulation. Greater transparency of the industry is needed, as well as broader stakeholder dialogue, bringing crypto industry representatives, technology and financial experts together with the human rights community to understand risks and seek more responsible ways forward.



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Making respect for human rights part of everyday business