



Irish Council for
Civil Liberties

2020

ANNUAL REPORT



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Message from the Chair

On behalf of the Board of ICCL, I am delighted to present what we feel is an impressive record of our activities and achievements during 2020.

The work of ICCL during this period proves the essential role of independent human rights advocacy. We also feel that the strategic priorities of ICCL – policing, equality, privacy and democratic freedoms – have all played us front and centre of some of the most important legal and human rights issues that Ireland has faced for several decades.

The arrival of the threat of Covid and the consequent need to protect ourselves has given everyone a fresh appreciation of liberty and freedom. It is important that ICCL was and is there to provide an effective independent responsible challenge function to Government. Such intervention in the public discourse is similar to the challenge presented by other organisations on economic policy. The importance of this role needs to be understood by all public representatives and members of the civil and wider public service.

Covid and the issues arising from the State's response have provoked a lot of reflection within ICCL about our mission, our strategy and the role of a civil liberties organisation in a national emergency. As Liam points out in his message, hard issues and national emergencies are nothing new to ICCL, but this public health crisis has certainly presented some novel and difficult problems for civil liberties.



It has been a difficult line to hold to argue for human rights protections within an effective public health response. Based on strong research and evidence and careful analysis of the policy and legal issues that have arisen, we have managed to articulate a unique, constructive and effective perspective. In doing so, ICCL has staked out an important space in public and political discourse throughout the pandemic, ensuring that human rights and equality concerns are always visible and often reflected in the myriad decisions that government and Oireachtas have navigated over this period.

As a Board, we have not shirked from making the necessary decisions to support the prioritisation of these difficult but crucial new issues. Crucially our members have also stepped up – helping us identify emerging human rights risks, providing essential feedback on policy positions that needed to be adopted quickly, and taking up the campaigning baton by spreading our message and addressing our concerns directly to policy makers. You have all made the difference in ensuring ICCL has been able to keep human rights front and centre in the public debate on Covid.

At the centre of this work, the staff at ICCL have taken on a huge additional volume of work this year because they recognised the historic importance of these issues, but they have also done this while working remotely and under the personal strain of a pandemic. They have delivered all of this additional policy and campaigning work on top of, not instead of, existing programmes of work. This has involved great sacrifices from our amazing team for which I am deeply grateful.

The ability to respond effectively to a crisis is built on solid organisational foundations. Over the past five years, ICCL has invested in strong governance structures and built financial and organisational capacity in the areas of policy and communications. As an organisation we have also concentrated on growing our membership to strengthen our voice and authority. This year, that work has borne fruit when we needed it most in the enormous volume of work and the impressive list of impacts that our team has delivered for our members during this most challenging period.

I would like to thank Liam and his team at ICCL for the continued commitment to the protection of civil liberties in Ireland.

Muiris Ó Ceidigh

Director's Foreword

It will likely be many years before we can understand the full significance of all that happened in 2020. The Covid-19 pandemic arrived early in the year and has upturned every aspect of our lives. Every aspect of this terrible disease has presented complex and urgent challenges for human rights and civil liberties. ICCL has been at the forefront of meeting these challenges.

At a time when there is increasing hostility towards civil society across the globe from reactionary voices, we can be proud that at this time of crisis civil society and community and voluntary organisations stepped up and fought to ensure rights and equality were protected. ICCL showed the value of an independent voice for rights that was not afraid to challenge State power, even in a national emergency.

We were the first organisation to demand and secure parliamentary oversight over the duration of emergency legislation – a fight we are still continuing. We called for and secured limits and oversight on Garda emergency powers. We highlighted infringements on democratic rights. We engaged with Government to build data

protection safeguards in the Covid Tracking App. We consistently called for human rights proofing of policies and regulations and highlighted the vulnerabilities of those most at risk.

ICCL has provided detailed legal analysis of every stage of the pandemic, identifying human rights risks and constructively recommending improvements in the State response. At all times we have supported the public health goals of protecting our communities; but we have made the case that a strategy that respects human rights will be more effective.

At times, taking a stand has been difficult: Government and its supporters have been defensive of measures that disregarded civil liberties, while groups who are dismissive of genuine health risks or the rights of those most at risk have sought to inflame public fears and concerns. Throughout, ICCL has remained true to its values and its mission and we are proud of the role we have played.

For me, the courage of our members and staff to speak truth to power at the most difficult moments has always been the essence of ICCL. Whether it has been standing up for fair trial rights in the face of the Troubles, challenging the Church on reproductive rights and gay rights at the height of its hegemony, or asking the hard questions that need to be asked about public health regulations now – ICCL has always been evidence-led, analytical, and fearlessly loyal to our values.

It has been a challenging year, but we are proud of the part we have played, and we are emboldened that this role will continue to be relevant and necessary for some time to come.



A handwritten signature in black ink, appearing to read 'Liam Herrick', written in a cursive style.

Liam Herrick

OUR PEOPLE

IRISH COUNCIL FOR
CIVIL LIBERTIES



Executive Board 2020

In 2020, Mary Lawlor, Tony Hanway and Simon Murtagh stepped down from ICCL's board. ICCL extends our deep appreciation to all three for their advice over the years. We also welcomed four new Board members.

LIZ CAROLAN

Liz Carolan is the Executive Director of Digital Action, which works to counter digital threats to democracy. In 2018 she set up and ran the Transparent Referendum Initiative, a project to enable scrutiny of online activity during the Irish referendum on the 8th Amendment. She has spent the last 10 years working on governance, transparency and data issues, at the Institute for Government, the Africa Governance Initiative and Open Data Institute.

BULELANI MFACO

Growing up in the apartheid ghetto of Khayelitsha in Cape Town, Bulelani Mfaco became involved at an early age in protests for adequate housing & access to land with Abahlali BaseMjondolo, health care in the Khayelitsha Health Forum, and improved policing in neighbourhood watches. In 2017 he claimed asylum, seeking protection from violence and targeted killings of LGBT+ people. He is one of the Spokespersons at MASI – the Movement of Asylum Seekers in Ireland where he is campaigning for the right to work for all asylum seekers, and to end Direct Provision. Bulelani is also part of Equinox, a coalition of anti-racist campaigners in the EU.

DAMIAN O'BROIN

Damian is an internationally recognised expert in fundraising with over 25 years experience in fundraising, nonprofit communications and campaigning. He is the Managing Director of Ask Direct which he founded to inspire as many people as possible to take action for the causes they care about. He is a former Chair of Friends of the Earth Ireland, was a member of the Fundraising Strategy Group for the Together For Yes campaign and jointly led the fundraising for President Michael D Higgins re-election campaign. He is a member of both the Chartered Institute of Fundraising and the Institute of Directors and also sits on the board of Rogare - The Fundraising Think Tank.

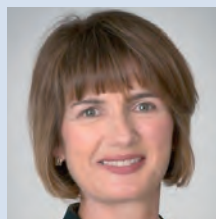
NATHALIE WEADICK

Nathalie Weadick is a curator of architecture and spatial practice based in Dublin. She is director of the Irish Architecture Foundation, an organisation committed to communicating the culture of architecture and urbanism to the public. From 2013-2015 she sat on the Board of the Gay and Lesbian Equality Network. In 2017 she received an Honorary Fellowship from the Royal Institute of British Architects. She currently sits on the advisory panel of the Government's Policy on Architecture. She is researching a Phd in Queens University Belfast and RMIT Melbourne.

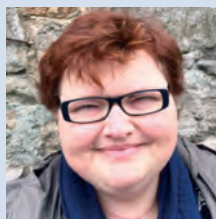
BOARD OF ICCL 2020



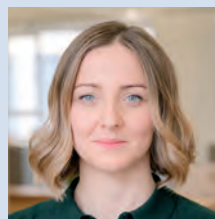
MUIRIS Ó CEIDIGH - CHAIR



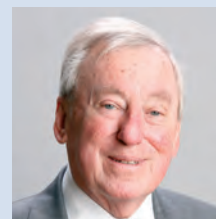
MARGUERITE BOLGER



SUZY BYRNE



LIZ CAROLAN



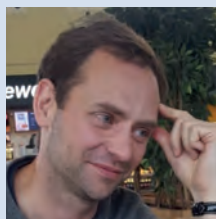
MAURICE MANNING



BULELANI MFACO



MARIA MURPHY



SIMON MURTAGH



DAMIAN O'BROIN



NATHALIE WEADICK

Staff Profiles

LIAM HERRICK EXECUTIVE DIRECTOR

Liam Herrick was appointed to Executive Director of the Irish Council for Civil Liberties (ICCL) in November 2016. Prior to his appointment, he worked as Advisor to President Michael D. Higgins for almost three years. Liam was Executive Director of the Irish Penal Reform Trust (IPRT) between 2007 and 2014. He has also worked as the first head of legislation and policy at the former Irish Human Rights Commission and with the Law Reform Commission and the Department of Foreign Affairs. He is a former member of the Irish Human Rights and Equality Commission (IHREC), a former Board member of the Children's Rights Alliance and the Minister for Justice and Equality's Strategic Review Group on Penal Policy (2012-2014). Liam graduated from University College Cork with a BCL and LLM and from University College Dublin with a Diploma in Human Rights Law.



DOIREANN ANSBRO HEAD OF LEGAL AND POLICY

Doireann Ansbro is Senior Research and Policy Officer for the ICCL. She is called to the Bar of England, Wales and Ireland. She has previously worked as associate legal adviser to the International Commission of Jurists, consultant to the UN Special Rapporteur on truth, justice, reparations and guarantees of non-recurrence and human rights attache to the Permanent Mission of Ireland to the UN in Geneva. She holds an LLM in Human Rights Law from the University of Nottingham, an LLB (Graduate) from Nottingham Law School and a BA from Trinity College Dublin.



CHRIS McCARTIN OFFICE AND OPERATIONS MANAGER

Chris McCartin joined the ICCL as an Administrative Officer in September 2017 and is responsible for office operations. Chris has previously provided administrative support to key units in the Department of Public Expenditure and Reform and Department of Foreign Affairs and Trade. Prior to joining the ICCL, he worked with University College Dublin's University Secretariat to support a number of governance and management committees.



SINÉAD NOLAN COMMUNICATIONS MANAGER

Sinéad Nolan took up her post as Public Engagement and Communications Officer with the ICCL in October 2017. She previously worked with Front Line Defenders, an Irish organisation which provides protection to human rights defenders at risk. Before that, she spent a year working alongside activists at risk in northern Mexico with Peace Brigades International (PBI) and she continues to advocate for the protection of organisations, communities and defenders through PBI Ireland. Sinéad has participated, as a delegate and interpreter, in the Caravana Colombiana, an international delegation of jurists that observes the situation of human rights lawyers in Colombia. She has also worked on the mandate of the UN Special Rapporteur on the situation of human rights defenders. Sinéad holds an MA in International Security and Conflict Studies and has voluntary experience working in homeless services and with sex workers in Dublin.



Staff Profiles

GRACE TIERNEY DEVELOPMENT AND ENGAGEMENT OFFICER

Grace Tierney joined ICCL as Funding and Development Officer in November 2018. She previously worked as Fundraising Manager for Suas Educational Development. Grace holds a BA in Economics and Social Studies from Trinity College and a Masters in Public Policy specialising in human rights from University College Dublin. She is currently studying to qualify as a Barrister at the King's Inns.



DEIRDRE NÍ CHEALLACHÁIN DEMOCRATIC FREEDOMS POLICY OFFICER

Deirdre Ní Cheallacháin joined ICCL as the Democratic Freedoms Policy Officer during 2020, leading a programme of work on democratic rights and civil society freedom. She was ICCL's principal lead in the Coalition for Civil Society Freedom, a coalition of civil society organisations working on issues related to freedom of association. Deirdre has previously worked in various policy roles, at the Permanent Representation of Ireland to the Council of Europe, the Institute of International and European Affairs and the European Commission, as well as in the private sector. Deirdre holds an LLM in Human Rights Law from the Irish Centre for Human Rights (NUI Galway) and a BA Honours from Trinity College Dublin.



DR JOHNNY RYAN SENIOR FELLOW - INFORMATION RIGHTS

Dr Johnny Ryan FRHistS joined ICCL as a Senior Fellow in August 2020. He is also a Senior Fellow at the Open Markets Institute. He is focused on surveillance, data rights, competition/anti-trust, and privacy. He is former Chief Policy & Industry Relations Officer at Brave, the private web browser. Dr Ryan led Brave's campaign for GDPR enforcement and liaised with government and industry colleagues globally. Previously, Dr. Ryan worked in adtech, media, and policy. His roles included Chief Innovation Officer of The Irish Times and Senior Researcher at the Institute of International & European Affairs (IIEA).



OLGA CRONIN POLICY OFFICER - INFORMATION RIGHTS

Olga Cronin joined ICCL as the Policy Officer on ICCL's and INCLLO's shared Information Rights Programme in April 2020. Olga worked in journalism for almost 15 years in various newspaper reporting and editing roles and at Broadsheet.ie for the past 10 years. Olga holds a BA in Print Journalism from Western Kentucky University and a MSc in Political Science from Trinity College Dublin.



We also said goodbye to Elizabeth Farries, who headed up our information rights programme for three years. A fond farewell and best of luck to Elizabeth!

OUR WORK

IRISH COUNCIL FOR CIVIL LIBERTIES



Covid-19 and Human Rights

During early 2020, we heard more and more news about the novel coronavirus which had emerged in Wuhan and was spreading like wildfire through Asia. In February, the virus took hold in Europe. In March, as European governments began to issue unprecedented stay-at-home orders, ICCL called for a human rights approach to inform pandemic-related restrictions. This became our clarion call during 2020.

From the early phases of the pandemic crisis, ICCL insisted that human rights requirements were relevant to emergency legislation and that human rights be considered in the government's overall response to the health emergency.

We emphasised that rights restrictions should be provided for by law, restricted in time, necessary, and proportionate to the aim of stemming the spread of disease and protecting life and health. We also emphasised the need to ensure non-discrimination; to prioritise protection for vulnerable groups; and to ensure the policing response and additional police powers were in line with human rights standards.

Emergency Powers

On 13 March, the Taoiseach Leo Varadkar closed schools and advised anyone who could work from home to do so. There was an atmosphere of fear and anxiety never experienced in living memory. Even St Patrick's Day was cancelled, as the Taoiseach delivered an emergency address from the US. On 19 and 20 March, emergency legislation was rushed through the Oireachtas to introduce emergency measures to deal with

the pandemic. ICCL, through media and advocacy work, ensured a sunset clause of 9 November on this unprecedented piece of legislation. ICCL also provided a human rights analysis of the draft legislation to media and government. The following week we provided a further analysis of a 2nd piece of emergency legislation that included changes to the Mental Health Act.

However, when the sunset date of 9 November 2020 approached, it seemed government was going

to steamroll a renewal without debate through the Oireachtas. ICCL raised the alarm, and a short debate was held but the legislation was renewed without amendment. We remained deeply concerned that the government had not allocated sufficient time for due scrutiny of legislation which has such far-reaching implications for our fundamental freedoms.

We continue to advocate on this point in 2021, including with a public campaign.

Fines

In October the Cabinet suggested graduated fines for non-compliance with movement restrictions. ICCL wrote to all Oireachtas members in advance of this move. We opposed the introduction of fines on the basis that they are ineffective, disproportionately impact the poor, and are expensive to administer.

Over the October bank holiday weekend, the system was introduced. There was much public confusion as to whether on-the-spot fines could be issued by the gardaí for breaches of public health guidelines. This is reflective of a broader problem with government blurring the lines between what is legally prohibited and what is advised against.

We called for draft regulations to be published in advance and for them to be submitted to the Oireachtas for scrutiny, in line with the ordinary law-making process.

Covid-19 and Human Rights

Garda Powers

As March progressed, people were asked to stay at home except if they were an essential worker. Businesses, sports clubs and religious organisations were all shut. We were asked to limit close contacts to a handful of people. But no legal restrictions were introduced, despite the new legislation.

In April, all that changed, as government moved to enforce public health guidelines via criminal justice. ICCL opposed this move from policing by consent to policing by 'coercion' every step of the way.

Garda powers of arrest and detention were introduced on 8 April. We called on gardaí to avoid using these draconian powers. We also called for a human rights analysis to determine if these powers were necessary or proportionate.

Originally introduced for just four days over the Easter bank holiday, the garda powers were extended without fanfare after Easter. We kept the pressure on, calling for figures on the use of these powers to be published and used to analyse whether a further extension would be necessary.

In early May, the regulations were again extended without being published beforehand. ICCL again raised our voice in opposition. We pointed out that for people to be able to obey the law, they need to know what those laws are. We called on the Health Minister to show evidence of the necessity, proportionality and legality of the measures, as

required by human rights law.

At the end of May, having never seen any test to show necessity, proportionality or legality of the garda powers, we called for them to be ended in phase two of reopening. In June our call was heeded and garda powers of enforcement were removed from restrictions on movement.

"ICCL consistently called for better processes in relation to the drafting of regulations, including greater transparency in decision making and clearer messaging to the public."

In October, as the whole country was moved to level 5 for six weeks, regulations giving effect to a 5km movement restriction came into operation – yet again before they were even published. The Minister reintroduced criminal penalties for breaching movement restrictions, so this marked a worrying departure from the change in approach to enforcing these types of restrictions initiated on 8 June. ICCL again voiced our opposition to enforcing public health guidelines via the criminal justice system.

Media reported that the extension of garda enforcement powers by up to 8 months was under consideration. We opposed this move. If introduced, this would fit with a worrying trend of normalising emergency powers by dispensing with short time frames.

House parties, pub grub, and outdoor drinking – three ill-fated examples of misuse of emergency powers

Following their repeal in June, by August there was already talk of reintroducing garda powers for restrictions on movement. The new Health Minister, vested with the power to make regulations without prior scrutiny thanks to the emergency legislation, suggested giving gardaí powers to enter homes to enforce the limits on social gatherings. ICCL strongly opposed the move and government was forced to row back on the idea.

The Minister then mooted legislation requiring "dry pubs" and restaurants to keep receipts regarding customers' meals for 28 days. ICCL called out the invasion of privacy, and we demanded to see the tests for the necessity or proportionality of the measure. A key question we urged the Minister to ask was: how does this prevent the spread of Covid-19? However, the Minister proceeded with the new regulations though the obvious lack of adherence made a mockery of the law.

In late November we opposed the Health Minister's intention to give gardaí powers to fine people for drinking in groups outdoors. Although these plans were subsequently abandoned, this knee-jerk approach to policy-making is an ongoing cause for alarm and gives rise to much public uncertainty. ICCL consistently called for better processes in relation to the drafting of regulations, including greater transparency in decision making and clearer messaging to the public.

Covid-19 and Human Rights

Covid Tracker App

(see more detail in the Tech & Human Rights chapter)

Early in the pandemic, we joined forces with data protection experts to demand transparency from the HSE on the imminent contact-tracing app. We published nine principles that would guarantee safety and efficacy of the covid tracker app. We also wrote to the Minister separately about the app.

We hosted a webinar on the contact-tracing app, and welcomed the publication of the app's DPIA before launching, as we had called for.

Before it was launched, ICCL gave the contact-tracing app a C+ with marks deducted on privacy and efficacy. In late July, as it continued to be rolled out, we expressed our concern at the technology into which the app sits, which sends personal information to google every six minutes.

In November, we wrote to the Department of Health asking several detailed questions concerning the Covid Tracker app's efficacy.

At-Risk Groups

From the beginning, ICCL emphasised that some groups of people would be worse hit not only by the pandemic but also by the restrictions. We welcomed the broad range of supports brought in to support people affected by the restrictions, including the pandemic unemployment payment, a rent freeze, and a ban on evictions.

As the restrictions continued, people were asked to stay at home except to shop for essential items, exercise within 2km of home, or travel to essential work. ICCL continued our call for human rights to form the response to the pandemic. We were particularly loud about the need to protect at-risk communities.

When garda powers of enforcement were introduced, ICCL launched our call for a Human Rights Impact Assessment to identify the groups most at-risk from the restrictions and garda powers. We reiterated this call in August, with a special focus on people living in Direct Provision. We supported people who had been illegally evicted with gardaí present in North Dublin.

We became actively involved in the Covid-19 NGO group which kept political leaders informed of how the pandemic and associated restrictions were affecting marginalised groups. As part of this group, we called for and achieved the extension of the school meals programme to children at risk of hunger in their homes.

In early May, reports emerged of people being locked into

“We became actively involved in the Covid-19 NGO group which kept political leaders informed of how the pandemic and associated restrictions were affecting marginalised groups.”

the Direct Provision centre at Cahersiveen. ICCL and others wrote to the Department of Justice to demand why people had been locked into the Direct Provision centre at Cahersiveen and spoke with lawyers to see if this could be considered arbitrary detention. The centre claimed people had been free to leave as they pleased.

PUP cuts

In July, it emerged that the Department of Social Protection cut hundreds of people off from the Pandemic Unemployment Payment (PUP) because they had been abroad. ICCL objected in the strongest terms and by the end of the week the government had performed what it called a U-turn and said people travelling to green list countries would not be cut off. Nonetheless, many worrying discriminatory provisions remained.

In September ICCL wrote a joint letter with FLAC to the Taoiseach calling for the retention of economic and social rights protections after the pandemic.

We continue our focus on at-risk groups in 2021.

Covid-19 and Human Rights

General Advocacy

At the beginning of summer 2020 an Oireachtas Committee was established to look at the response to the pandemic. We contacted them immediately. We monitored the Committee as they discussed nursing homes and Direct Provision. ICCL provided an opinion piece to media about the importance of safeguards in nursing homes after this session.

In June ICCL met with the Minister for Health and raised several issues with him, including the contact-tracing app; the need for better data regarding people who are at-risk and consideration of human rights while legislating.

In September, ICCL's Liam Herrick and Doireann Ansbro took part in the Oireachtas Special Committee on COVID-19 response session on human rights & civil liberties considerations, making 7 recommendations to improve human rights protections in the State response to the pandemic.

We also wrote to the Chair of the new COVID oversight Committee reiterating our recommendations to the Special Oireachtas Committee on improving the State COVID- response from a human rights perspective. In October, we welcomed the inclusion of some our recommendations in the Oireachtas Committee's Final Report, including that all legislation should be human rights proofed, the importance of broad Oireachtas pre-legislative consultation, and of clear and effective government communication.

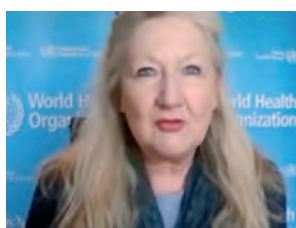
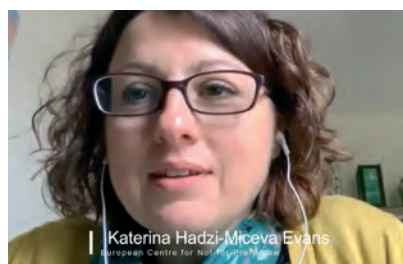
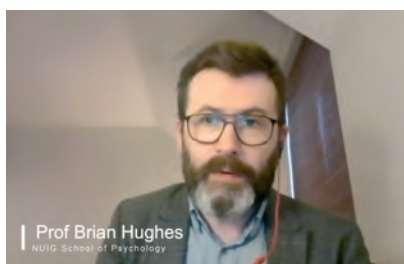
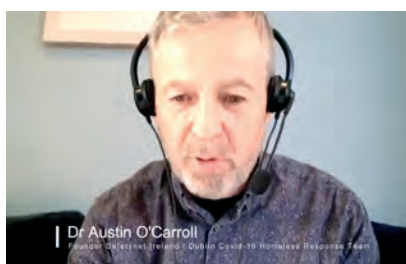
In November, we coordinated a letter from leading legal experts and civil society colleagues, outlining three straightforward steps to improve the State covid response. The letter was published in *The Irish Times* Saturday paper. We reiterated these points raised in a follow-up letter to An Taoiseach and Minister Donnelly.

On Human Rights Day (10 December) ICCL hosted a webinar



Doireann Ansbro and Liam Herrick appearing at the Oireachtas Special Committee in September

featuring experts from various fields including behavioural science, law and migrant rights. The discussion centred around the need for positive, hope-based policy and communications from government. We concluded that positive communication would get better public health results in terms of compliance with health guidelines than coercion.



Dr Austin O'Carroll, Prof Brian Hughes, Katerina Hadzi-Miceva Evans, Dr. David Kenny, Bulelani Mfaco, Dr Margaret Harris and UN Special Rapporteur Siobhán Mullally on Human Rights Day at the ICCL hosted webinar.

Covid-19 and Human Rights



Mandatory Quarantine

Mandatory quarantine was first mooted in the summer of 2020. ICCL highlighted the difficulties with such a system from a human rights perspective.

A precursor to this were the passenger locator forms which became mandatory at points of entry to the State (except on the border) in Summer 2020. In the media, we asked hard questions about these forms.

In November the debate on mandatory quarantine was reignited with the imminent EU traffic light travel system and NPHET advice counselling people not to travel at all. We believe the government's decision not to introduce mandatory quarantine for arrivals was prudent at that stage given potential human rights concerns. We continue to monitor this in 2021.

Protest

Difficulties with the garda enforcement powers became apparent as soon as they were introduced, as protests across the country were met with very different responses from gardaí. This was to be a feature of policing protest throughout the pandemic. ICCL called for the exercise of small, safe protests to be included as a reasonable excuse to leave home and we called for protesters to be given guidelines on how to protest in a pandemic-safe manner, and for gardaí to apply their powers equally across groups.

Even when garda powers were removed after the first lockdown, it was still a crime to organise a gathering of more than 15 people. ICCL publicly supported the leaders of the Black Lives Matter protests when they were threatened with prosecution for holding a protest after George Floyd was killed by US police. We also queried the powers used by gardaí in the arrest of Debenhams protesters on 9 September.

Our concerns at violence at far-right demonstrations went unaddressed despite a letter to the Garda Commissioner.

ICCL contributed to a global comparative report on government responses to the right to protest during Covid in 2020, and will continue to call for guidelines for pandemic-safe protest in 2021.

"ICCL called for the exercise of small, safe protests to be included as a reasonable excuse to leave home and we called for protesters to be given guidelines on how to protest in a pandemic-safe manner, and for gardaí to apply their powers equally across groups."

Vaccine Passports

We discussed the prospect of a mandatory vaccination policy on flagship radio programmes. We are opposed to it because of the implications for human rights such as equality, privacy and bodily integrity. Our work on this issue has continued into 2021 as we oppose a system of vaccine passports.

Policing

At ICCL, we believe that the State should be at the service of the people. The State should provide for the needs of the entire population, and it should make sure people are free from danger or harm. Policing is one of the main ways the State interacts with people so policing should be at the service of and respect the human rights of everyone in the population.

Making sure Irish policing is compliant with human rights has been an ICCL priority for as long as ICCL has been around, and 2020 was no different.

What was different were the incredible powers the Gardaí were granted this year in the context of the global pandemic. Throughout the year, ICCL maintained that criminal sanctions for breaching Covid-19 restrictions should be removed, and, failing that, should only be used as a very last resort.

You can read more about that work in the special section on Covid-19 and human rights in this report.

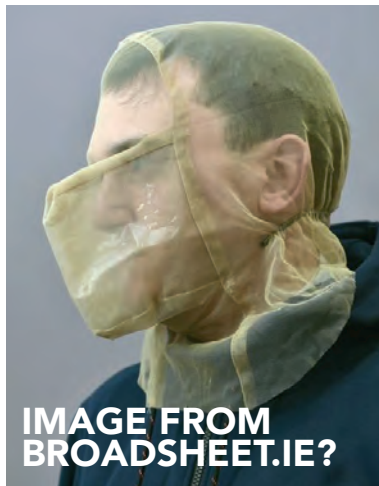
Spit Hoods

One of the more disturbing elements of the Covid-19 policing operation was the introduction of spit hoods, ostensibly to provide protection for gardaí against Covid-19 as a result of spitting. We say ostensibly because, according to the manufacturers, there is zero evidence that these hoods protect against Covid-19. What they do carry is a risk of torture or other inhuman or degrading treatment.

Spit hoods are full mesh hoods which are forced over a person's head. They have caused deaths in other countries. Their use can never be acceptable because of the risk they pose. 16,000 of these dangerous devices were ordered by the Garda at the outset of the pandemic.

As soon as ICCL learned of this, we sent our human rights analysis of why they should never be permitted to An Garda Síochána, the Department of Justice, media, and the policing oversight bodies.

“Spit hoods are full mesh hoods which are forced over a person’s head. They have caused deaths in other countries.”



There was much interest in this analysis, and we invited our supporters to contact the gardaí to increase the pressure. An Garda Síochána promised a review of their use in September. Over the summer, the Policing Authority, the

Irish Human Rights and Equality Commission (the State's human rights body) and The Irish Times all came out against spit hoods.

We launched a public campaign and alerted the media in advance of the September review of the use of spit hoods. In September, the Policing Authority reported that spit hoods had been used on children and on people with perceived mental health issues. We kept the pressure on, issuing a joint statement with the Children's Rights Alliance and another with Amnesty International Ireland.

But the results of the promised review were never published. Even after the Northern Ireland Policing Board recommended spit hoods be discontinued there, and horrifying statistics about the use of spit hoods against children and vulnerable adults were published, gardaí continue to use them.

In 2021, ICCL continues to campaign for spit hoods to be banned entirely.

Policing

Berkeley Road Eviction

In August it emerged that gardaí had assisted an illegal eviction in Dublin's Berkeley Road. Tensions were already high following the 2019 garda assistance at an eviction on North Frederick St.

ICCL released a press statement and wrote to the Garda Commissioner asking exactly what the officers had been doing there. There was huge media interest in our reaction. Later the Policing Authority also put pressure on AGS to investigate and both the Housing Authority and the Garda Commissioner himself requested reports.

In 2021, AGS informed us that GSOC had opened an investigation. We await more information.

Armed Police

During covid, the general public began to experience a level of policing normally only felt by inner city, migrant, or Traveller communities. ICCL received several calls about armed gardaí at Covid checkpoints. We wrote to the Garda Commissioner to verify these reports and ask why armed gardaí would be present at Covid-19 checkpoints.

Conor Gallagher at the Irish Times got some very interesting statistics on the silent increase in armed gardaí on our streets. ICCL spoke to him and a number of other media outlets on this issue. We called for public debate and for information and transparency from AGS about the number of gardaí with guns on our streets.

Garda Reform Process

ICCL made a huge contribution to the garda reform process in 2018 with our report on Human Rights-Based Policing by Alyson Kilpatrick. Throughout 2019, as the State implemented the Commission on the Future of Policing recommendations, we kept up our advocacy for the reforms to be carried out in full.

2020 was no different. New legislation on key reforms including powers and oversight was promised in the Programme for Government. ICCL immediately wrote to the new

Minister for Justice to outline our position on the reform agenda. We made a comprehensive submission to her Department on police powers of search, arrest, and detention as part of a consultation process on new legislation in this area.

We briefed members of the Oireachtas on the need for human rights-based reform of An Garda Síochána (AGS). The Dublin Inquirer invited us to contribute a monthly column on the need for garda reform, and we continued to be a go-to media commentator and podcast guest on the issue.



George Nkencho killing

On 30 December a young black man with a history of mental illness was shot and killed by the Garda Armed Support Unit outside his own home in North Dublin.

ICCL immediately outlined Ireland's human rights obligations to properly investigate police killings. We placed a particular emphasis on the need for a thorough, effective and timely investigation as required under the European Convention on Human Rights. We further emphasised the need to investigate whether race played a part in the killing, and whether An Garda Síochána had sufficient training in unconscious bias and in dealing with people with mental health issues.

ICCL contacted the family and their lawyer to offer our support, as well as writing to GSOC to remind them of their obligations.

In the days that followed, disinformation circulated by the far right suggested that George Nkencho had previous convictions. He did not and gardaí did not intervene to clarify this.

Our work on this case continues in 2021. ICCL will continue to work to ensure that policing in Ireland has human rights at its heart.

Protest

In a democracy, we all have the right to express our opinions, voice dissent, promote causes, and call for change. This is at the heart of political, socio-economic or other reform.

ICCL is a staunch supporter of the right to peaceful protest.

By protesting, people can make others aware of issues they might not otherwise have known about and they can initiate great change. The huge protests seen in the years before the Marriage Equality and Repeal referendums are testament to this.

All state actors, including the police, have a duty to facilitate protest. But an ICCL report in 2019 showed that many protesters – particularly those whose causes are marginalised – are met with a heavy-hand by police.

In 2020 we were outspoken about the need for explicit protections for pandemic-safe protest during the lockdown. You can read more about that work in the special section on protest during the pandemic below.



“Following extensive consultation with protesters all over the country in 2019, ICCL produced a comprehensive booklet and a pocket Know Your Rights guide to protest.”

Know Your Rights

Following extensive consultation with protesters all over the country in 2019, ICCL produced a comprehensive booklet and a pocket Know Your Rights guide to protest.

We launched the guide with a training session for protest leaders in January 2020. This session focused on protest rights before, during and after a protest – including in the case of interaction with Gardaí or arrest. A variety of protest groups were represented, from Direct Provision and housing activists to environmental campaigners and peace activists.

A planned training session requested by SIPTU was postponed in April 2020 due to Covid-19. ICCL delivered an online training session as part of the Dublin Arts and Human Rights Festival in October 2020 to a variety of protest groups.

Shelbourne Park Case

In a first for ICCL, we joined a case as a friend of the court (a person or body who provides the court with information) in a case taken to ban animal rights protesters at Shelbourne Greyhound Track .

ICCL provided information on the right to protest under the Irish Constitution and the European Convention on Human Rights, which was distributed to the legal professionals working on the case. The case was eventually settled with costs paid by the those representing the Shelbourne Greyhound Track. This was a big win for the right to protest.

Protest



ICCL attended the schools climate strike that gardaí refused to facilitate

School Climate Strikes

ICCL was contacted by a school climate protest group in early February. The group said the Gardaí had refused to engage with them or agree to facilitate a planned strike against climate change. ICCL wrote to the relevant Garda Superintendent to find out why the protest wasn't being facilitated. We also contacted the media.

On the morning of the protest, ICCL delivered a Know Your Rights training session to the young protesters. We also attended the climate strike itself in solidarity.

Protest Monitoring

A joint project with Front Line Defenders to set up a protest monitoring system in Ireland was established in early 2020. Recruitment and training of potential volunteer observers was postponed due to the outbreak of the pandemic. This project will be resumed in late 2021 following the easing of restrictions.

ICCL continued to monitor the policing of protests in Ireland under Covid-19 Regulations. We contributed to an international report on protest during the pandemic and to a training session on same.



ICCL takes over the streets at a training session for protest leaders

"Smoothiegate"

In October we again found ourselves writing to the Garda Commissioner. This time it was in response to a Garda statement that an investigation into a woman who had thrown a smoothie at the Tánaiste was focusing on women who "led alternative lifestyles or attended left-wing protests". We asked whether An Garda Síochána retained information of this type, and on what basis. In 2021 we received a response stating that gardaí did "not engage in social profiling of any kind".

Protest

Protest During the Pandemic

Despite not having any clear legal protection, protesters continued to make their voices heard during the lockdown. Some protesters did this in a pandemic-safe manner, for example by holding online rallies, small protests across different locations, and physically distant protest. Other protesters did not.

ICCL maintained a consistent line throughout: government should have provided clear guidelines for protesters on how to make their protests pandemic-safe. This would have assisted not only protesters

who wanted to keep to restrictions, but it would have helped gardaí in dealing with protests which endangered others.

One month into the first lockdown, in the week of 19 April, a number of protests took place. Physically distant protests in Cork and Dingle were facilitated, as was a non-physically distant protest at the Four Courts. Disappointingly, a physically distant protest in Dublin was broken up the same day. ICCL issued a statement calling for even-handed policing of protest, and for government to include protest as a legitimate reason to leave home.

In August, when an assault by an anti-lockdown protester was carried out against a counter-protester, we wrote to An Garda Síochána to highlight their duty to facilitate the right to counter-protest.

We also publicly stood up against the arrest of protesting Debenhams workers on 9 September. We have consistently highlighted the differential treatment of this group of workers under public health and other regulations.

Our call for pandemic safe protest to be facilitated under lockdown continued well into 2021.



“ICCL maintained a consistent line throughout: government should have provided clear guidelines for protesters on how to make their protests pandemic-safe.”

Courtroom Rights

Courtroom rights are what make our society safe. We all know that if we are accused of a crime, we can expect a fair trial and a robust defence. We know that evidence presented against us must meet high standards. We know we will be innocent until proven guilty. We know for serious crimes we will be judged by a jury of our peers.

People who are the victims of crime also have rights – to support, to information about the status of their case, adequate interpretation, accompaniment by a person of their choice, and to protection, to name a few.

Yet in Ireland, there are several impediments to these rights.

The Offences Against the State Act and the Special Criminal Court – a presumption of guilt?

The Offences Against the State Act was introduced as an emergency measure to deal with the terrorist threat in Northern Ireland in 1972. Almost 50 years later, the Special Criminal Court created by the Act is still in existence, still operating without a jury, and still accepting secret evidence from gardaí.

Successive governments have renewed the Act on a yearly basis since then, citing, variously, the ongoing threat from the North, the threat from gangland actors, and the threat of international terrorism.

ICCL opposes the Special Criminal Court on the grounds that it violates everyone's right to a fair trial. If a garda suspects you of being involved with the IRA or organised crime, your case will



automatically go to the Special Criminal Court and you lose your right to a jury of your peers. The garda does not have to disclose the grounds for their suspicion and you can be convicted of being a member of a terrorist group simply because a garda says they believe you are. This is a clear violation of the principle of innocence until proven guilty.

ICCL's position against the Court is important because it is not political, it is based in human rights principles. It is backed by various bodies including the UN Human Rights Committee and Amnesty International.

Ahead of the 2020 general

election, media cited our opposition to the Court on human rights grounds again and again. Our Executive Director penned a widely read letter to the Irish Times.

In the summer of 2020, ahead of yet another renewal without a review of the emergency legislation, ICCL published another position paper and released a statement to the press. We raised the issue with the Department of Justice and recorded a podcast outlining our concerns.

At long last, a review committee was established. In 2021, ICCL will work with this group to try to ensure the violations of fair trial rights end.

Courtroom Rights

What evidence can be presented against you?

ICCL participated in an EU wide project to assess how evidence is gathered for a trial and how it is used in Court. The EU has established common standards for all Member States on a range of rights in the criminal justice process. However, there are no common standards on suspects' rights during evidence gathering.

Gardaí have specific obligations under the Constitution and in law to respect suspects' rights when gathering evidence. This includes, for example, not searching their home without a warrant, ensuring they have been offered an opportunity to speak with a lawyer before being interviewed by gardaí, ensuring that they are looked after when they are in custody, and are not put under any pressure to sign a confession.

This project aimed to establish if there were differences in standards of gathering evidence across the EU to see if it might be necessary to establish common EU standards. This is especially important considering the European arrest warrant which means citizens can be sent to other countries for trial



with extraordinarily little procedural protections. It is vital that their rights are respected to the same level across each country.

ICCL investigated standards of evidence and evidence gathering in Ireland as part of this project. We interviewed solicitors and barristers and we conducted desk research, as well as making Freedom of Information requests. We concluded that while traditionally there were strong protections for suspects' rights in evidence gathering a recent Supreme Court case called DPP v JC weakened those protections.

We found access to evidence in order to challenge it is generally well protected but rules on disclosure should be clearer and there are major problems in

relation to access to evidence in the Special Criminal Court. We also concluded that legal aid needs to be improved so defense lawyers have the time to properly go through evidence shared with them. This is particularly important when it comes to the volume of phone records and complex technical evidence that is increasing with time.

Ireland needs to opt into more of the common EU laws around protecting suspects' rights when evidence is being gathered. This includes, for example, protecting the right to have a lawyer present during an interview with gardaí.

We held a conference attended by over 100 lawyers and practitioners where we shared the outcome of this research.

Victims' Rights

Since the passing of the Victims Rights Act in 2017, ICCL has been working to ensure victims of crime get the support they need throughout the criminal justice process. In 2020, ICCL, together with our European partners, drafted and produced a Know Your Rights guide for victims of crime to better understand the role of the prosecutor in Ireland, (the Director of Public Prosecutions). This was designed by our partners at APAV, a Portuguese organisation which leads a victims' rights project across the EU.

Courtroom Rights

Green Garda Rule: can incompetence be an excuse for admitting illegally obtained evidence?

In October we published *A Revolution in Principle*, a report on what has become known as the Green Garda Rule. Arising from a Supreme Court ruling in 2015, judges will now accept unconstitutionally obtained evidence from gardaí if it can be shown the garda did not know they were acting unconstitutionally in obtaining this evidence. The report was written by Professor Claire Hamilton following extensive research and consultation with legal practitioners.

The Green Garda Rule is particularly worrying given that lawyers interviewed for the report said that they had seen gardaí lying when giving evidence; threatening to arrest close relatives; planting evidence; and physically assaulting people. There are also concerns that the rule allows the admission of evidence gathered in clear breach of privacy rights. The report suggests that most unconstitutionally obtained evidence now goes in at trial and highlights a rise in practitioners encouraging clients to plead guilty because of this new rule.

To launch the report, we gathered practitioners and press to discuss the implications of these changes. The Irish Times published an opinion piece by Claire Hamilton. ICCL will continue to monitor developments in this area. It is simply not acceptable that illegally obtained evidence could ever be considered admissible at trial.

Can you be sent to another EU country for a criminal trial?

The European arrest warrant was introduced in 2003 to make it easier for different justice systems across the EU to pursue suspected criminals in other countries. The European arrest warrant simplified the procedure for sending suspects to other EU countries in order to face trial.

This legislation has been highly criticised for interfering with a range of suspects' rights, including the right to private and family life. Concerns have also been raised that different fair trial standards and prison standards across EU

countries mean suspects may be treated unfairly depending on what country they're sent back to.

Recognising the overuse of the European Arrest Warrant, the EU has now legislated for alternatives to it. These alternatives include serving a sentence in another country where you may be based or having an alternative probation service intervention carried out in the country where people live. Ireland has not opted in to all of these laws but over the last couple of years we have legislated for some of these alternatives including supervision of probation interventions, and alternative custody arrangements.

In 2020, ICCL participated in an

EU project to assess the extent of the use of the European arrest warrant in Ireland and the use of alternatives to the European arrest warrant. We conducted interviews with lawyers, and we did extensive research and wrote a report on these topics.

We concluded that there is an overuse of the European arrest warrant in Ireland and there are insufficient safeguards for suspects who may be extradited for minor offenses. The lack of a requirement of proportionality is of particular concern. The lack of legal aid for legal representation in the country that issues a European arrest warrant is also of concern to practitioners. We made a number of recommendations for improving the system of using European arrest warrants and for using alternatives wherever possible to ensure suspects' rights at all stages of proceedings are upheld as far as possible.

"We concluded that there is an overuse of the European arrest warrant in Ireland and there are insufficient safeguards for suspects who may be extradited for minor offenses."

Equality

Everyone should have the same opportunities in life – no matter who they are, where they come from, or who they love. Where people face barriers to full enjoyment of their life or their rights, government is obliged to address and remove those barriers.

Equality is one of the cornerstones of ICCL’s work. In 2020, the pandemic threw into sharp relief the systemic inequality which made some groups of people more susceptible to COVID-19. People without access to adequate sanitation such as those experiencing homelessness or some in the Traveller community were at greater risk, as were people living in congregated settings such as Direct Provision centres and prisons.

From the outset of the pandemic, ICCL, called for targeted supports for those more at risk from Covid-19 and for those who experienced the restrictions in a disproportionate manner. We repeatedly called for a human rights impact assessment to help identify those most at risk and to ensure that support was provided where most needed.

We also continued our broader work to secure equality across Ireland.

Safe Zones

People who are accessing abortion services can often be going through a very difficult period. In other countries, safe zones have been established around abortion providers to protect people who may be targeted by anti-choice protesters.

In 2019 ICCL investigated how safe zones around abortion providers worked in other jurisdictions as well as the human rights impact of safe zones. We concluded that safe zones directly outside abortion providers would be compatible with human rights because of the

need to prioritise people’s right to access healthcare in private, with dignity, and without harassment. The right to protest therefore could be limited in such circumstances. We considered this particularly compelling in Ireland because of Ireland’s history of banning abortion and stigmatising those who sought abortions.

On 1 January anti-choice campaigners brandished tiny coffins and white crosses outside the National Maternity Hospital, where women not only access abortion but also give birth and sometimes suffer miscarriage. ICCL launched a public campaign

and TDs received thousands of emails in support of safe zones.

In early 2020 we submitted a policy piece to the Minister for Health calling for the creation of protest-free safe zones around clinics where abortion is available.

Protest was restricted during covid, and the political appetite to bring in safe zones seemed to wane with the change of government. We did secure a commitment to bring them in during the lifetime of the government. They are still necessary. In 2021 ICCL continues to press for safe zones so that women and girls across the country can access the healthcare they need.

Access to Abortion During Covid

We joined with the abortion working group led by the National Women’s Council of Ireland to successfully call for access to abortion services to be protected during lockdown. We also asked for and received clarification that during Covid-19 people could avail of remote consultations with their GP for abortion care. We are continuing to lobby for this service to continue after the pandemic.

Equality

Direct Provision

In 2020, it was announced that Direct Provision would come to an end – something ICCL had been calling for. Nonetheless, we kept up the pressure on our long-standing campaign for proper, human rights focused inspections of the centres. Until they are dismantled, they must be safe.

The safety of people living in Direct Provision was a particular concern during the pandemic because of overcrowding and shared accommodation. We responded quickly to reports that residents had been locked into a centre in Cahersiveen and received confirmation that residents were free to leave.

ICCL began work on a Know Your Rights guide for international protection applicants which will be published in 2021. This guide will address rights in the international protection process, as well as the range of rights that everyone in Ireland is entitled to.

LGBTQ+ rights

As part of its work with INCLO, ICCL participated in trans awareness and activist support workshops with participants from around the world. We continue to support partner organisations in their campaigns for equal treatment for all members of the LGBTQ+ community in Ireland and abroad.



Growth of the Far Right

ICCL is participating in grassroots movements that have been set up in response to the growth of the far-right. Some members of these movements have faced threats for this work, as indeed has ICCL.

In the summer of 2020, ICCL organised a series of seminars on the co-opting of human rights ideals by the far right. For example, free speech is often claimed by far-right extremists to allow them to peddle hateful and dangerous discourse. While ICCL does not support criminalising hate speech (except in the most extreme circumstances) we do believe that hateful speech hinders the free expression of minorities. It should be tackled with education, monitoring, training and facilitating counter-speech.

In late 2020 ICCL joined *Le Chéile - Diversity not Division*, a cross-sectoral alliance working together to promote diversity in Irish society and challenge the far-right.

“In the summer of 2020, ICCL organised a series of seminars on the co-opting of human rights ideals by the far right.”

Drug use should be treated as a health not a criminal problem

ICCL continues to support colleague organisations working with drug users in the call for possession of drugs to be decriminalised. Portugal has adopted a model of treating drug use as a health problem rather than a criminal one. This is best practice from a human rights perspective and ICCL continues to advocate for its adoption here.



Equality

Economic, Social and Cultural Rights

During the pandemic, we witnessed the government make huge advances on many rights such as the right to housing (by introducing a ban on evictions) and healthcare (by nationalising private hospitals). These rights are known as economic, social and cultural rights. ICCL gathered a coalition of organisations working in the areas of homelessness and healthcare to demand that government would not row back on these rights after these advances had been made. We applied the principle of non-regression, which is contained in the UN Convention on Economic, Social and Cultural Rights.

Prevention of Torture

The UN Committee Against Torture is due to examine Ireland in 2021. ICCL submitted a list of issues for consideration to the Committee. Chief among them was our call for Ireland to ratify the Optional Protocol to the UN Convention Against Torture (OPCAT) and put in place a torture prevention mechanism for all places of detention in Ireland.

ICCL has been calling on the government for 13 years now to create a National Preventive Mechanism (NPM) against torture. This would require human rights focused inspections of all places of detention. Government signed up to the UN treaty which demands this but has never ratified it. This means that people who are deprived of their liberty for whatever reason lack the robust safeguards required by the treaty

and are therefore potentially more vulnerable to ill-treatment and even torture.

During 2020, we continued our engagement with the Irish Human Rights and Equality Commission and the Department of Justice on the need for an NPM and what it might look like. We also launched a public campaign – read more in the Communications Report.

Hate Crime

Hate crimes are crimes which are motivated by bias or prejudice towards particular groups of people. They are message crimes, as they affect not only the individual victims, but also their communities and society as a whole. ICCL has been calling for legislation to deal with crimes motivated by hatred for many years.

In 2020, we stood in solidarity with many targeted minority groups. We engaged with the Department of Justice on many occasions pressing for hate crime legislation. When the Department of Justice announced its plans to legislate for hate crime, we spoke to RTE radio to welcome the news while sounding a note of caution about criminalising speech.

Right to Die

A Bill came before the Oireachtas in 2020 proposing that terminally ill people would have a right to assisted dying. ICCL drafted a background paper on the legal issues. We convened a number of experts and published a policy paper which we released to press. In it we voiced our support for the right in principle but highlighted the need for much further research on the issue. There is a need to prioritise implementing existing legislation that would provide support to people with disabilities, particularly around assisted decision making.

Mother and Baby Homes

ICCL wrote an op-ed for the Examiner when legislation that would have done nothing to stop the sealing of records of the Mother and Baby Homes Commission was rushed through the Dáil in October 2020 calling for a survivor centred approach, transparency and a human rights based approach in all government responses on this issue. This continues to be a central issue for ICCL in 2021.

Technology and Human Rights

There has never been so much information about us. ICCL works at the intersection of technology and human rights to ensure that this information is not abused.

ICCL blocks use of FRT against children

Early in 2020, ICCL was alerted to the mooted installation of FRT at CBS Kilkenny. We, in turn, alerted the media and the ensuing outcry meant the school was forced to row back on the decision. ICCL also investigated whether the company who approached CBS Kilkenny had also approached other schools, and found they had.

As an attempt to deal with truancy, the installation of FRT was an amazingly disproportionate

response and signalled to us that many people simply do not understand the knock-on impact this kind of surveillance has on human rights.

We also ran a media campaign highlighting our concerns with the proposal to install FRT cameras in the New Children's Hospital. The public responded, clearly against the idea. It is now unclear whether this will go ahead, but the Department of Health confirmed to ICCL that it would at least produce a Data Protection Impact Assessment (DPIA) before going ahead.

Public Services Card

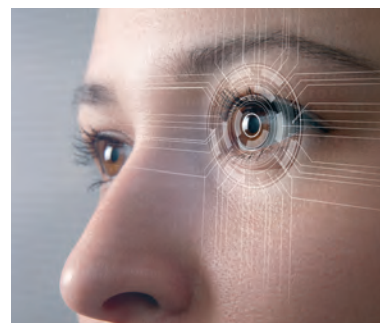
ICCL has been fighting the Public Services Card for years. Put simply, it is dangerous to gather and keep data about people.

In 2019, we brought our concerns to the UN. In 2020, the UN Special Rapporteur on Poverty Philip Alston, who has a special focus on how tech solutions affect people in poverty, delivered a 40-page letter to the Irish government excoriating the PSC's discriminatory effects and illegal basis. Prof Alston's letter was a comprehensive and very welcome assessment of the scheme.

The government responded that the letter had errors, without clarifying what they were. Prof

Alston responded that the Irish government had abused process in order to delay publication of the letter. The letter and fallout received wide coverage both at home and abroad. TDs began to refer to the PSC "fiasco" in the Dáil. We continue to await the outcome of a Data Protection Commission investigation into the biometric nature of the card.

In July, we submitted a Parliamentary Question on whether the Department of Social Protection should have been inviting tenders on a Public Services Card advisory scheme while the Data Protection Commission investigation is not yet completed.



Facial Recognition Technology

Facial Recognition Technology (FRT) is a form of mass surveillance which includes the use of data collected illegally from social media and other sources. Its continued roll-out in public places means that anyone exercising their rights to protest, worship or meeting others in public is subject to surveillance. This may make them think twice about exercising their fundamental rights.

ICCL is opposed to the unquestioned roll-out of FRT.

In September ICCL moderated a side-event at the UN Human Rights Council 45th session on the harm FRT causes. With our INCLO colleagues, we prepared a major report on the rights harms associated with FRT based on case studies from 13 countries for publication in 2021.

Technology and Human Rights

The Covid Tracker App

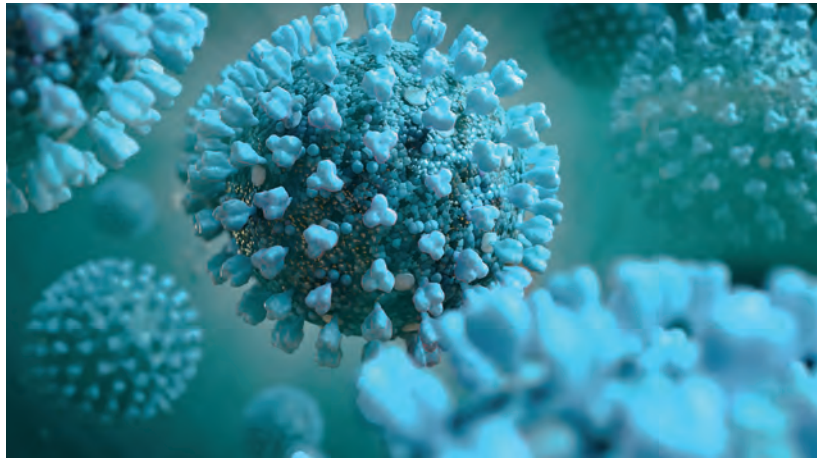
The possibility of a contact-tracing app raised huge concern from a privacy rights perspective.

Would a Data Protection Impact Assessment (DPIA), the source code, and the design spec be published for expert examination before roll-out? At first it didn't seem likely, but our advocacy on these points meant they were published six days in advance of the launch!

We warned against any links to big tech companies and spoke to media about surveillance choices. Our call for transparency was widely covered in April. We joined an expert letter to the HSE calling for greater openness in late April and provided an op-ed to The Irish Times on the efficacy and the privacy implications of the app.

In June, along with partners, we published 9 Principles for legislators deploying this type of tech. We made a submission to the Joint Oireachtas Committee on Covid. We met the Health Minister who confirmed he would like to be closely aligned with us on the issue, as the app would not work without public buy-in.

Following publication of key



documents on 26 June, ICCL and our partners published a pre-launch report card. We gave the app a C+, scoring it well for transparency but noting our ongoing concerns over privacy and whether it would be effective. The app was launched on 7 July and ICCL did significant media work highlighting our concerns.

We launched 14 Shared Principles in response to the rollout of surveillance tech against Covid-19. The principles were based on case studies in 14 INCLC countries, including Ireland.

On 21 July we released a statement highlighting privacy and data harvesting concerns about the Google/Apple technology underlying the HSE app. The concerns were based on a study

by Professor Douglas Leith and Dr Stephen Farrell, of Trinity College Dublin. They found that Google Play Services (which must be running on Android phones for Android users to use the Covid Tracker app) sends highly sensitive personal data to Google servers every 20 minutes and this potentially allows for IP address-based location tracking of the phone user.

On November 6, ICCL wrote to the Department of Health asking specific questions about the app's efficacy - and how the Department was measuring efficacy. We also requested minutes of the App Advisory Committee.

We continue to await these documents in 2021. Concerns about the app remain a high priority for us.

Smart Technology

Throughout the year, ICCL provided media comment about the threat posed by the growing use of smart technology in initiatives such as Smart Dublin and products such as Amazon Ring. How is this data stored? Who sees it? These and many other questions are not being given due consideration in the roll-out of this tech.

Technology and Human Rights

Encryption

Not only is encryption essential for online business and our privacy, but it protects human rights activists across the globe.

ICCL has been working with WhatsApp on a shared aim: the protection of encrypted messaging. Together we have challenged government attempts to compel companies to provide a back-door to encrypted messaging apps.

With our partners at INCLO we wrote to the European Commissioner for Financial Stability, Financial Services and the Capital Markets Union Mairead McGuinness to explain why encryption is essential. We are also working with European Digital Rights (EDRI) against weakening encryption across the continent.

We applied on behalf of INCLO to become a third party intervenor in the case of Telegram V Russia at the European Court of Human Rights. The case addresses a fine and ban imposed by the Russian government on Telegram after the company refused to give the government decryption keys in order to access users' confidential messages. This is the first case concerning end to end encryption to go before the ECtHR.



Police surveillance

The gardaí are still using The Communications (Retention of Data) Act 2011, which allows access to meta-data (data about data) relating to Irish people's telephone calls, texts, emails, and internet access for up to two years. This is taking place, even though the EU directive which underpinned Ireland's law was ruled invalid by the EU Court of Justice in 2014 and this fact has been used by convicted criminals to challenge their convictions. ICCL provided media comment on this issue throughout the year.

"Surveillance is taking place, even though the EU directive which underpinned Ireland's law was ruled invalid by the EU Court of Justice in 2014. This fact has been used by convicted criminals to challenge their convictions."

Online Safety or Online Censorship?

It's important to be able to access and share information online in the same way as we can offline. There is a growing tendency for initiatives intended to curb criminal activity online to over-reach and damage the normal sharing of information.

In December, ICCL sent a letter to Minister for Justice Helen McEntee and MEPS regarding an EU proposal to prevent dissemination of terrorist content online. The proposal is too broad and we raised concerns around freedom of expression and opinion, rights to access information, privacy rights and the rule of law.

Technology and Human Rights

Justice for Dara Quigley

ICCL made a submission to the Oireachtas Justice Committee on image-based sexual abuse in 2019 in memory of Dara Quigley.

When a vault of sexually explicit images was exposed in November 2020, we reiterated our call for legislation preventing image-based sexual abuse. We wrote to the Oireachtas on 24 November. We worked with Dara's family on a media strategy.

Impact: IBSA was made illegal in Ireland shortly afterwards.

At last people who have been violated by sharing of intimate images of them will have recourse to legal action against the perpetrators. (see also *Communications Report*)



Dara Quigley

Real Time Bidding – the biggest data breach ever recorded

The online advertising industry relies on a dangerous system called "Real Time Bidding" (RTB). RTB operates behind the scenes on virtually every website and app, leaks all Internet users' private browsing, and their location in the physical world, to thousands of firms. This happens constantly. It's the reason why online advertisers

seem to know your most intimate secrets.

On 21 September we ran a media campaign to mark over two years of inaction by the Data Protection Commissioner since it first received Dr Johnny Ryan's complaint about Real Time Bidding.

Later in the year, the Belgian Data Protection Authority issued preliminary findings in the "Real Time Bidding" case first raised by Dr Ryan. There now are 22 complainants involved, including many NGOs across the EU. ICCL

will lead the legal and technical work in the proceedings before the Belgian Data Protection Authority over the coming months.

In December, as the EU unveiled plans for the Digital Services Act, the DPC issued Twitter with a meagre €450k fine for a data breach. They could have fined up to €60m for such a breach, its first ever against Big Tech. ICCL spoke to media to express disappointment that the DPC did not take the opportunity to bring Big Tech to heel.

Brexit and Data

On 12 October, we wrote to the leaders of the European Commission and of EU team negotiating Brexit. Our letter warned them that data transferred to the UK after Brexit would not be protected by GDPR. We alerted them to their obligation to withhold an "adequacy agreement" for frictionless transfer of data between EU and the UK after Brexit. Such an agreement would be impossible because the UK's data protection enforcer is not up to the job of protecting Europeans' data. This letter was widely covered.

"Our letter warned that data transferred to the UK after Brexit would not be protected by GDPR."



Dr Johnny Ryan spoke to RTÉ News about the meagre fine issued by the Data Protection Commission when Twitter violated privacy rights

Activism and Civil Society

Ireland knows the importance of a strong, vibrant civil society. Recent wins for equality in the Marriage Equality and Repeal the Eighth campaigns showcase how change can happen from the ground up when there is a strong channel for the people's voice.

But although activism is a strong vein running through Irish life, it is hampered in many ways. ICCL works to ensure that civil society and individual activists and organisers do not face obstacles as they work to bring about positive change.

The Electoral Act keeps activists away from politicians

The Electoral Act is one of the biggest challenges facing Irish civil society. While the Act is intended to regulate donations to parties and candidates, it has also been applied to civil society and community organisations. While unintended, the effect of this poorly drafted law has been to see residents' associations and voluntary groups threatened with prosecution for raising funds to speak out on important local and national issues.

ICCL, leading the Coalition for Civil Society Freedom (CCSF), has been campaigning for this law to change and we are making progress in resolving this obstacle to freedom of association.

UN advocacy

The CCSF brought this issue to the attention of the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association. We also made a statement highlighting the incongruity when Ireland rang out its support for civil society at the UN Human Rights Council. In December, thanks to our advocacy, two UN Special Rapporteurs issued



"The Electoral Act is one of the biggest challenges facing Irish civil society. While the Act is intended to regulate donations to parties and candidates, it has also been applied to civil society and community organisations."

a formal communication to the Irish Government regarding the ongoing interference with Irish civil society presented by the Electoral Act. The State response promised reform.

Presenting alternative legislation

In 2019, ICCL worked closely with Senator Lynn Ruane on developing a Private Member Bill to amend the Electoral Act. Through 2020, we surveyed recipients and donors of funding, as well as the former Minister who brought through the Bill, to build support for the Bill.

We published an opinion piece and contacted politicians to alert them to the importance of this Bill for Irish society. The Electoral (Civil Society Freedom) (Amendment) Bill was debated at Second Stage in the Seanad in October and we will continue to push for enactment of this Bill in 2021.

Activism and Civil Society

Defamation law is bad for free press

Another area of Irish law which has been consistently identified as problematic by journalists and by numerous UN committees is the impact of Defamation Act on freedom of expression. In April we submitted a paper to the Department of Justice calling for

a review of the Act in line with freedom of expression principles. We were particularly concerned about the defendant having to prove an allegation is false, rather than a plaintiff proving it is true. The potential size of awards in defamation actions has been shown to be a barrier to a free press here, as has the lack of legal aid in defamation cases.

In Ireland, human rights organisations cannot register to be charities

In contrast to the legal position in the United Kingdom and in most other comparable countries, protecting human rights is not listed as a “charitable purpose” under the Charities Act. This is a big problem for organisations working on any kind of rights, including women’s rights, LGBTI rights, workers’ rights. When organisations cannot register as charities, it is hard to fundraise, as the Charities Regulator frequently tells people to look for the charity number before they donate.

ICCL, together with Front Line Defenders, Amnesty and The Wheel, made a submission to the Minister calling for reform of the Charities Act, and we will campaign for this omission to be addressed in upcoming reviews of charities legislation.

“In contrast to the legal position in the United Kingdom and in most other comparable countries, protecting human rights is not listed as a “charitable purpose” under the Charities Act.”



An Electoral Commission

Ireland has long needed an Electoral Commission to manage the voting register and ensure transparency in elections. We collaborated with other organisations and academics to advocate for this as part of the development of the Electoral Reform Bill (2020). The Bill came before the Dáil in the autumn.

As part of the pre-legislative scrutiny process ICCL, alongside our partners in the Coalition for Civil Society Freedom, made several substantive written submissions to the Oireachtas Housing Committee on the

Draft Heads of Bill. We also met committee members in order to outline and explain our support for most of the provisions in the draft Bill and to outline areas that we believed that improvements could be made. In November, along with colleagues at Digital Action and academics in the electoral integrity/political science field, we finalised an advocacy paper on considerations we believe should be considered.

We also campaigned for an Electoral Commission during the General Election – read more about that campaign in the communications section of this report.

International Human Rights

International Work

ICCL is nationally focused but internationally informed. Trends across the globe have an impact in Ireland and trends in Ireland can be felt far afield.

We work in coalition with organisations like ours around the world in the International Network of Civil Liberties Organisations (INCLO).

We also use the international human rights system to gain traction on problems where our domestic advocacy is not bearing fruit.

Solidarity

ICCL was vocal in our support of our friends at the Egyptian Initiative for Personal Rights (EIPR) who were arrested in 2020. We also engaged in behind-the-scenes advocacy for their release, including with the Irish embassy in Cairo.

ICCL sends messages of solidarity to sister movements across the globe – including Palestine, Colombia, Hungary – via our social media.

Brexit

ICCL continues to work in coalition with our sister organisations and academics in Northern Ireland on the human rights implications of Brexit. We've engaged with the Department of Foreign Affairs, Irish civil society, and independent experts on this ongoing issue.

International Protest Rights

Together with our partners at INCLO we made a submission to the UN Human Rights Committee on the right to protest.



COMMUNICATIONS

IRISH COUNCIL FOR CIVIL LIBERTIES



Communications Report

Media

In 2020, ICCL significantly increased our media presence and confirmed our role as the main “go-to” commentator across all our main strategic areas. That includes on policing, protest, equality, and digital rights.

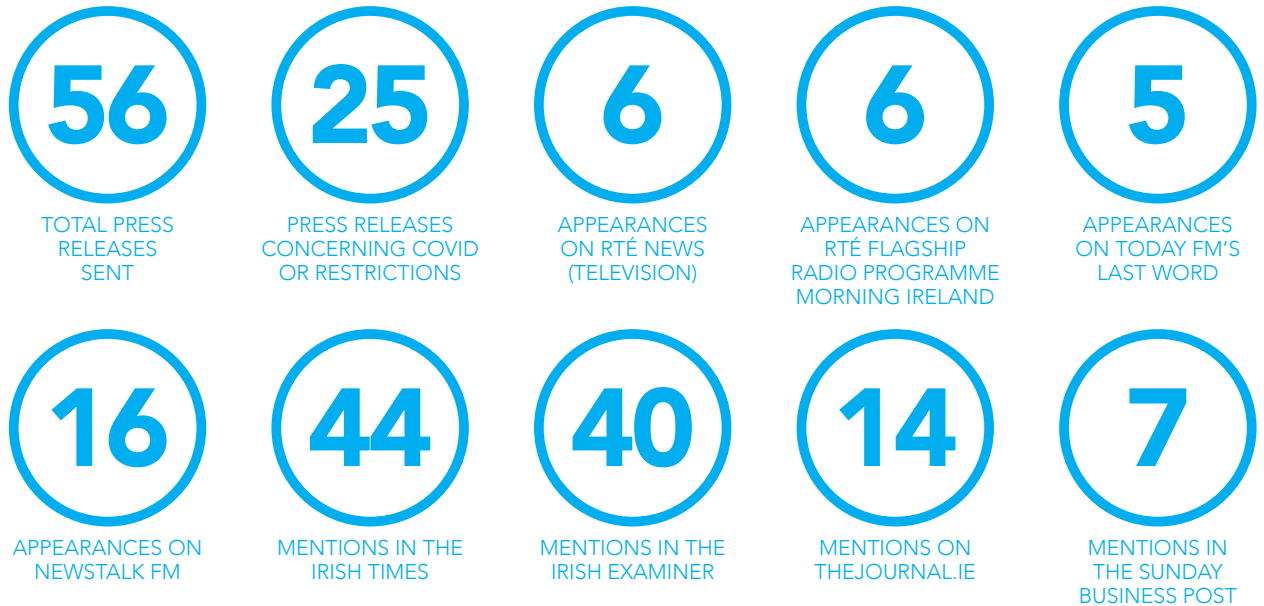
Our media work is an important way for ICCL to reach new audiences, to shape public debate on human rights and civil liberties

issues, and to persuade policy makers of the need to respect human rights standards.

Our high public profile and standing with media outlets is based on our commitment to informed and impartial analysis of issues impacting on human rights. ICCL’s standing and reputation has meant that journalists have turned to us to articulate the case for

human rights on the many complex issues presented by the pandemic. ICCL has been able to set the agenda on some crucial aspects of the national pandemic response – including our successful call for a sunset clause on the emergency legislation, and our opposition to some of the more draconian restrictions such as those relating to private homes.

Press Appearances



Media Reach (Calculated using estimated viewer and readership figures)

FEBRUARY : 5902K

MAY : 7826K

JULY : 9025K

OCTOBER : 4773K

DECEMBER : 6620K



ICCL spoke to RTÉ News 6 times in 2020.

Communications Report

Events

MARCH

The 9th Annual ICCL Human Rights on Film Awards!

We were extremely lucky to have been able to host our annual film awards night on 6 March. Game of Thrones actor Liam Cunningham received the first-ever ICCL Lifetime Contribution to Human Rights Award. The new award honours a person in the film industry who uses their platform to passionately advocate for a better world. It was presented to Liam by his friend Husam Alhraki, a Syrian refugee now living in Germany, in acknowledgement of the actor's campaigning work on the rights of



Liam and Husam later appeared on the Late Late Show, where elbow-bumping had replaced handshakes!



Clare Emma Dunne accepted the Human Rights Film Award for *Herself* from ICCL member Ailbhe Smyth.

migrants and refugees. Liam and Husam met when Liam was visiting refugees in Jordan. ICCL staff had the pleasure of showing Husam around Dublin when he got here, exchanging observations on the systems for international protection in Ireland and Germany.

The 9th ICCL Human Rights Film Award was presented to Clare Emma Dunne, writer and star of Irish film, *Herself*, with a special commendation going to *Street Leagues*, another Irish film. Both films deal with the issue of homelessness. The award was presented by lifelong human rights campaigner and ICCL member Ailbhe Smyth. Ailbhe chaired a jury with Andrea Horan, Bulelani Mfaco, Aoife Kelleher and Brendan Courtney. Huge thanks to our wonderful jury!

MAY

How to ensure real and lasting positive change: online members meeting

On 21 May, ICCL hosted a meeting for members moderated by Ailbhe Smyth. As well as addressing the positive changes which had come about because of the pandemic, members also raised several covid-related concerns with us. These included data harvesting; the process of making covid regulations; older people's rights; Direct Provision; mental health; universal basic income; protest rights and the right to associate with others. This meeting informed our thinking throughout the year across a number of areas.

Communications Report

Events

SEPTEMBER

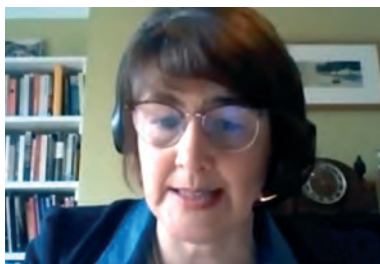
Free Speech Seminars

We hosted the first in a series of three online seminars on the rise of the far right and the concept of free speech in Ireland on 29 September. Aimed at activists and ICCL members, the first seminar concentrated on freedom of expression, the second on 6 October looked at the far right and how they are swelling their ranks, and the third on 13 October examined practical solutions.

OCTOBER

A Revolution in Principle

On 15 October, we hosted an online event for legal practitioners. Lead by Claire Hamilton, the seminar focused on the exclusionary rule for evidence. Professor Hamilton presented ICCL's recently published report, which she researched and wrote, on the so-called Green Garda Rule (see more in the chapter on courtroom rights). This was followed by presentations from practitioners such as Tony Magillicuddy and Shalom Binchy. The event was attended by over 100 people and received excellent feedback.



UN Special Rapporteur Siobhán Mullally on Human Rights Day at the ICCL webinar

Protest Training Session

On 22 October, ICCL led a training workshop for protesters as part of the Dublin Arts and Human Rights Festival. Following the format we established in January, we focused on protesters whose rights had been threatened in the intervening period, including the Black Lives Matter protest, the students' climate strike, and anti-mask protesters.

NOVEMBER

ICCL AGM

We hosted our online AGM on 12 November. The AGM was delayed to this late date in the hope we might be able to host it in person but it was not to be. Staff presented their work to a crowd of approximately 30 members and members gave us their thoughts on our programme of work. Next year we hope to build on this level of interaction and feedback.

DECEMBER

Rights in a Pandemic

On 10 December ICCL held an event to celebrate International Human Rights Day. The event, *Rights in a Pandemic*, focused on a human rights based approach to the covid 19 pandemic: what has been learned thus far and how human rights can guide the response to the pandemic going forward. UN Special Rapporteur Siobhán Mullally gave the keynote address, followed by a panel on the need to prioritise and how best



Dr. Margaret Harris speaking at ICCL event to mark Human Rights Day

to protect at risk groups, including those who are at risk because of circumstance. Margaret Harris (WHO), Dr Austin O'Carroll and Bulelani Mfaco (MASI) all spoke on this panel. Panel Two focused on efforts to ensure compliance with health guidelines, and the need to respect human rights and rule of law standards. We were delighted to have Katerina Hadzi Miceva Evans (European Centre for Not for Profit Law), Professor Brian Hughes (NUIG Psychology) and Dr David Kenny (TCD Law) speak on this panel.

Over 100 people attended the seminar and we received very positive feedback from both speakers and attendees. Information shared on the day has informed our approach to responding to the pandemic, particularly Professor Brian Hughes' information on how behavioral science clearly shows that compliance is enhanced when policy focuses on helping people rather than sanctions. The need for positive messaging rather than an over-reliance on punitive measures has been one of our main calls around covid.

Communications Report

Campaigns

GE2020: ICCL's 8 asks

In advance of the February general election, ICCL ran a campaign to get election candidates to commit to 8 straightforward but crucial human rights advances. Our supporters sent almost four thousand emails to their candidates. Four of the major parties committed to ICCL's 8 asks.

Sinn Féin, the Green Party, the Social Democrats and People Before Profit/Solidarity all committed to bringing in safe zones; outlawing hate crime and image-based sexual abuse; abolishing the Public Services Card; creating an independent inspection system for places of detention; establishing an Independent Police Ombudsman and an Ombudsman for Victims of Crime; and reforming the Electoral Act if elected.

Labour committed to six of the reforms and Fianna Fáil and Fine Gael committed to five apiece.

"Our supporters sent almost four thousand emails to their candidates. Four of the major parties committed to ICCL's 8 asks."

ICCL with representatives from Sinn Féin, the Soc Dems and Green Party at the launch of our General Election campaign

10 ICCL calls included in programme for government

During negotiations to form government, ICCL submitted a more detailed set of 18 calls for human rights reform to the three negotiating parties for government. We were very pleased to see strong commitments to ten of those calls in the Programme for Government, including:

- a commitment to end Direct Provision
- the establishment of an Electoral Commission
- Garda reform
- an independent inspection system for all places of detention
- a referendum on the Right to Housing

- safe zones for access to abortion
- the decriminalisation of drugs for personal use
- Laws against image-based sexual abuse (commonly known as revenge porn)
- strong protections against facial recognition technology

Already by the end of 2020, we had legislation to outlaw hate crime and image-based sexual abuse; a proper plan for garda reform; and a roadmap to ending Direct Provision. We also had a commitment to hold a referendum on the right to housing.

"Already by the end of 2020, we had legislation to outlaw hate crime and image-based sexual abuse; a proper plan for garda reform; and a roadmap to ending Direct Provision."



Communications Report

Campaigns

Where Everyone is Safe: the ICCL campaign for inspections of institutions

ICCL received a grant to learn about values-based messaging with Liberties. Values-based messaging is based on the idea that many of us have shared values which underpins why we do what we do. It's important to set out those values sometimes, particularly when they are being undermined.

We chose our long-standing call for the ratification of the UN Optional Protocol to the Convention Against Torture (OPCAT) as our campaign, as it needed an injection of life. Ratification of this treaty would mean government would have to create a mechanism to inspect all places of detention. We argue this should include places like nursing homes and Direct Provision centres.

The values underpinning this campaign are safety and security. We know everyone wants to feel safe and free from harm. Most people want this for other people too. We came up with the *Where Everyone is Safe* campaign with support from Liberties.

We launched a first, beta, phase of the *Where Everyone is Safe* campaign on 2 October, to mark 13 years since OPCAT was signed but not ratified. A media strategy supported a dissemination strategy across social media, along with our partner PILA. The beta version



Dara Quigley

will inform the second and third phases of the campaign, which will be driven by the human stories in Direct Provision and nursing homes. These phases will be launched in 2021.

“The values underpinning this campaign are safety and security. We know everyone wants to feel safe and free from harm. Most people want this for other people too. We came up with the Where Everyone is Safe campaign with support from Liberties.”

Justice for Dara

In late November, we sent our petition calling for Justice for Dara Quigley to the Minister for Justice. We also released a statement with Aileen Malone, Dara's mother. This was in advance of an Oireachtas Committee hearing on the issue, which had been brought to the fore with reports that a vault containing thousands of images of Irish women and girls was being circulated online. Shortly after this, the Minister brought forward legislation to deal with the issue which has now been enacted.

IMPACT: ICCL's campaign for Justice for Dara Quigley, which included a call for the type of abuse she endured to be illegal, bore fruit in 2020 when the Justice Minister outlawed image-based sexual abuse

Communications Report

Members and Supporters

ICCL’s members and supporters are the lifeblood of the organisation. During 2020 we increased our engagement across all platforms.

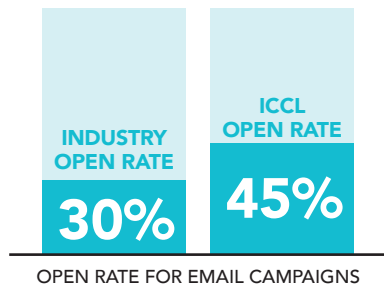
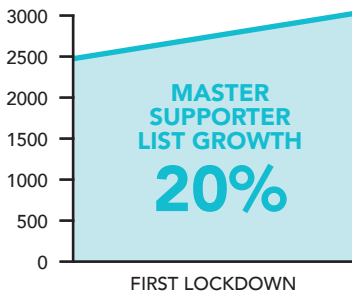
During the first lockdown, our master supporter list grew by 20% to almost 3,000 people and our website visitor numbers spiked. Our open rate for email campaigns averaged 45%, well ahead of

industry open rates of 30%. Our click-through rate, which indicates real engagement, was also well ahead of industry average at 5.8%.

In 2020, we increased our email contact with members and supporters from once a month to once a week. We are keen for members and supporters to be up

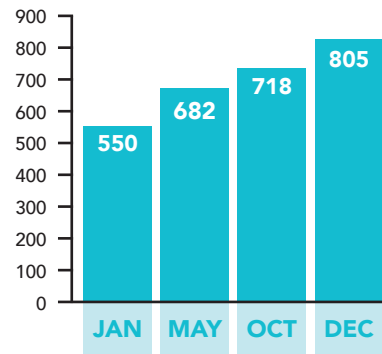
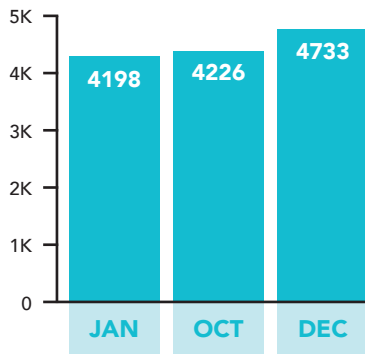
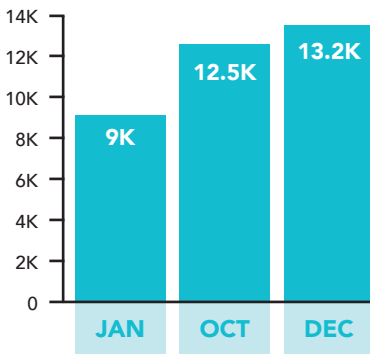
to date with our work, and that they feel part of it.

We are also calling on our members and supporters to take action much more often. In November for example we ran a campaign against the renewal of the emergency legislation which saw a lot of engagement.



Social Media

Our aim is to communicate our work effectively to our followers, but also to provide them with content that is useful to them in some way. This year we particularly concentrated on establishing a presence on Instagram. In May we ran video campaigns with Liam Cunningham, Ailbhe Smyth and Mary Favier. We saw increased reach and engagement continue across all social media platforms.



OUR SUPPORT

IRISH COUNCIL FOR CIVIL LIBERTIES



Thanks to Funders

The resources to support ICCL's work come from a number of sources including grants received for specific projects, support from a variety of charitable trusts and foundations, and gifts and donations from individual supporters. Since our foundation, ICCL has also had an informed membership base who feed into our work.

The majority of our funding comes from trusts and foundations. ICCL relies on a diverse funding base thanks to the generous support of several organisations committed to supporting human rights and civil liberties around the world. We are grateful to them for their continued support. ICCL would like to thank Sigrid Rausing Trust, Open Society Foundations, The Community Foundation for Ireland, and the International Network of Civil Liberties Organizations for their ongoing support of our work.

In 2020 ICCL also gained new foundation support from Rethink Ireland's Equality Fund and Reset, an initiative run by Luminate Foundation in partnership with the Sandler Foundation. We would like to thank them for their support, it has meant that ICCL was able to grow considerably in 2020, allowing us to be more ambitious and for our team to double in size!

We also applied successfully for competitive grant rounds from the European Commission, the Irish Research Council and the European Commission for a number of research projects in 2020.

We would like to again extend a special thanks to the Friends of ICCL, a key network of supporters who provide substantial financial

support to ICCL on an ongoing basis. It is the generosity of committed supporters that allows ICCL to build a sustainable funding base and to continue to champion human rights and civil liberties in Ireland. Over the past four years the support of the Friends has been crucial to the growth of ICCL and they provide critical funding for the core campaigning work of ICCL.

ICCL is committed to building a movement for progressive action for human rights and civil liberties and our members and supporters have never been more important to us. In 2020, we are very proud to have welcomed more members and supporters than ever before. This growing ICCL family not only generously supported our work through donations and membership fees, but also made ICCL a stronger voice championing human rights and civil liberties in Ireland by emailing elected officials, signing petitions, and backing our work.

To our members and supporters – you are the heart of ICCL, and we are so grateful to campaign alongside you, particularly during such a difficult year.

We would like to again extend a special thanks to the Friends of ICCL, a key network of supporters who provide substantial financial support to ICCL on an ongoing basis.



OUR FINANCES

IRISH COUNCIL FOR CIVIL LIBERTIES

IRISH COUNCIL FOR CIVIL LIBERTIES MEMBERS ASSOCIATION
INCOME & EXPENDITURE ACCOUNT
(FOR THE YEAR ENDED 31 DECEMBER 2020)

	2020	2019
	€	€
Income		
Membership fees	13,656	7,508
Other Income	0	0
Total Income	<u>13,656</u>	<u>7,508</u>
Expenditure on Activities		
Bank Charges	324	113
Research and Policy Development	17,135	35,000
Campaigning and Communications	0	1,175
Total Expenditure	<u>17,459</u>	<u>36,288</u>
Surplus/Deficit of Income over Expenditure	<u>(3,803)</u>	<u>(28,780)</u>

IRISH COUNCIL FOR CIVIL LIBERTIES MEMBERS ASSOCIATION

BALANCE SHEET

(AS AT 31 DECEMBER 2020)

	2020	2019
	€	€
Current Assets		
Cash and Cash Equivalents	6,357	26,336
Payables: Amounts Falling Due Within One Year		
Accruals	0	(16,176)
Total Assets Less Current Liabilities	<u>6,357</u>	<u>10,160</u>
Reserves		
Funds brought forward	10,160	38,940
Income Statement	(3,803)	(28,780)
Members' Funds	<u>6,357</u>	<u>10,160</u>

IRISH COUNCIL FOR CIVIL LIBERTIES COMPANY LIMITED
BY GUARANTEE

INCOME & EXPENDITURE ACCOUNT
(FOR THE YEAR ENDED 31 DECEMBER 2020)

	2020	2019
	€	€
Income		
Total Income*	609,414	460,131
Expenditure		
Costs of Campaigns, Publications, Awareness and Fundraising Activities	(548,534)	(402,295)
Support Costs (Governance, Administration and Capacity Building Costs)	(68,413)	(98,860)
Total Expenditure	<u>(616,947)</u>	<u>(501,155)</u>
Deficit/Surplus Before Tax	(7,533)	(41,024)
Tax on (Deficit/Surplus)	0	0
Total Comprehensive Income	<u>(7,533)</u>	<u>(41,024)</u>

* For full breakdown of income please see page 48

IRISH COUNCIL FOR CIVIL LIBERTIES COMPANY LIMITED
BY GUARANTEE

INCOME BREAKDOWN
(FOR THE YEAR ENDED 31 DECEMBER 2020)

	2020
	€
Luminate Group	€130,397
International Network for Civil Liberties Organisations	€120,830
Sigrid Rausing Trust	€116,446
Open Society Foundations	€102,717
European Commission	€34,781
Trust for Civil Liberties, Human Rights and Fundamental Freedoms	€21,389
Community Foundation for Ireland	€17,985
Irish Human Rights and Equality Commission	€17,898
Membership Fees	€17,135
Bar of Ireland	€10,000
Donations	€9,140
Other (Training, Consultancy, Seminar Expense Reimbursement)	€5,695
Civil Liberties Union for Europe	€5,000
Total	<u>€609,414</u>

IRISH COUNCIL FOR CIVIL LIBERTIES COMPANY LIMITED
BY GUARANTEE

BALANCE SHEET
(AS AT 31 DECEMBER 2020)

	2020	2019
	€	€
Fixed Assets		
Property, Plant & Equipment	125	250
Current Assets		
Receivables	48,951	84,414
Cash and Cash Equivalents	361,550	337,059
	<u>410,501</u>	<u>421,473</u>
Payables: Amounts Falling Due Within One Year	(343,685)	(347,249)
Net Current Assets	66,816	74,224
Total Assets Less Current Liabilities	66,941	74,224
Reserves		
Retained Surplus	<u>66,941</u>	<u>74,474</u>

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Civil Liberties

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