



Bringing International Standards Home  
**Annual Report 2012**



Irish Council for  
**Civil Liberties**



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Niall Mulligan  
Natalie McDonnell

## Message from the Co-Chairs

**We think it's fair to say that 2012 was the busiest-ever year for the Irish Council for Civil Liberties (ICCL).**

Although staff numbers remained constant, you will see from this Annual Report that a remarkable level of output and impact was achieved. At the very outset of this report, we would like to thank the ICCL's staff for their commitment to the human rights values of the organisation and for the evident quality of their work as a team during the year.

2012 will be the last full year of service on the Board by John Kennedy and Mary McIvor and we would like to thank them for their commitment and dedication to the organisation. One of us (Natalie) also stepped down as Co-Chair at the end of 2012, so you will certainly be seeing some new faces in the Annual Report next year.

At Board level, we have been actively involved in the governance of the organisation throughout the year, with some of our newer colleagues playing an increasingly important role in shaping the organisation's research and policy goals, in line with our founding principles.

The main concern that we need to share with you again in this year's Annual Report is the need to secure the long-term sustainability of the ICCL. Last year, we reported that we would be turning to you more frequently to ask for financial support, as income from other sources (such as the Atlantic Philanthropies) begins to dry up. During 2012, you rose to that challenge in a number of ways, including by responding very generously to our appeal to help us fund our annual Human Rights Film Awards. For the first time, the costs of that flagship event were entirely funded by "crowd sourced" contributions from ICCL members, supporters and friends.

This is just the beginning of a re-structuring of the ICCL's funding base so that we can be sure that Ireland will have a fully-independent human rights watchdog far into the future. In order to safeguard its complete independence, the ICCL does not accept funding from the State, so there is no prospect that taxpayers' funds will replace a shrinking pool of philanthropic investment in the civil society sector. Much more significant investments from private donors and new trusts and foundations will be required to support our work.

After decades spent in temporary accommodation, before moving to our present rented offices, the time is ripe for the ICCL to acquire a permanent headquarters, and we are working hard to secure funds to realise that vision. Good governance also requires that we build and nurture the organisation's financial reserves, so that it will be better equipped to withstand future financial storms.

From its foundation by Mary Robinson and others back in 1976, the ICCL has built a well-merited reputation for speaking truth to power. This Annual Report once again demonstrates that we have acquired the capacity to do so in a professional manner that is capable of having true systemic impact. If you share our goal that the ICCL will conserve and consolidate its evident strengths, then please consider making an additional financial contribution to support our current work or to endow our future effectiveness.

The ICCL remains deeply-rooted in its founding values of promoting dignity, tolerance and inclusiveness. We would welcome the opportunity to tell you more about any of the excellent work described in this Annual Report and to talk to you about our future plans.

*Niall Mulligan* — CO-CHAIR, OPERATIONS

*Natalie McDonnell* — CO-CHAIR, POLICY



“This is just the beginning of a re-structuring of the ICCL’s funding base so that we can be sure that Ireland will have a fully-independent human rights watchdog far into the future”



Mark Kelly

## Director's Foreword

**The ICCL's members, supporters and friends already know that, in 2010 and 2011, much of the organisation's energy was focused on copper-fastening at international level the commitments that Ireland has made to respect international human rights standards.**

United Nations processes in which the ICCL actively participated included Ireland's first Universal Periodic Review (UPR) and the detailed scrutiny of the State by the UN's Committee Against Torture (UNCAT). At regional (European) level, the ICCL concentrated on ensuring that Ireland's legally-binding obligations under the European Convention on Human Rights (ECHR) were fully understood. The impact of that work included dozens of recommendations, concluding observations and judgments in which the UN and the Council of Europe charted a corrective course that Ireland must follow if it is fully to respect its international commitments.

As this year's Annual Report documents, 2012 was a year in which the ICCL worked to bring those international standards home.

All too often, States (and civil society groups) have treated international monitoring processes as discrete occurrences with life cycles that end with a final report or judgment. A far more dynamic and interactive approach is required to ensure that international attention actually results in positive changes at national level. So, in 2012, the ICCL switched its focus to monitoring the implementation in Ireland of UPR recommendations secured in 2011. It hosted the Vice-President of the UN Committee Against Torture in Dublin, together with the Justice for Magdalenes organisation, providing a platform for her to reiterate the need for a fully-independent inquiry into this form of institutional abuse, and swift redress for its victims. And it engaged directly with the Committee of Ministers of the Council of Europe, to ensure that it had a full picture of the religious extremism and political intransigence impeding the implementation of a judgment against Ireland on reproductive rights by the European Court of Human Rights.

The results are already apparent. Although the Government initially rejected UPR recommendations on reproductive rights, it has now committed to a legislative course that will see it implement in full the recommendation on this issue set out in the ICCL's highly-regarded Your Rights Right Now UPR civil society stakeholder report. For the remaining survivors of the Magdalene Laundries, the truth about the forced labour, ill-treatment and slavery inflicted upon them by religious congregations with the complicity of the State is finally emerging and redress will follow. By pushing relentlessly for the full observance in Ireland of our international human rights obligations, the ICCL has assisted our legislators and policy-makers to take these steps to acknowledge past culpability and to modernise our laws.

In future, European Union law will be another core source of legally-enforceable human rights standards and, in 2012, the ICCL formalised its leadership of *JUSTICIA*, a pan-European consortium working across the continent to protect fair trial rights and the human rights of victims of crime. My second year as Co-Chair of the emerging International Network of Civil Liberties Organisations (INCLO) is also paying dividends, ensuring that the ICCL becomes aware of, and is responsive to, the very latest global trends in human rights and civil liberties.

The 2012 Annual Report documents many other significant elements of the ICCL's very busy year, including our sector-leading Know Your Rights work and our innovative Hear Our Voices initiative. I hope that you will share my view that it amply demonstrates that the Council is now firmly established as an indispensable element of Ireland's human rights and equality infrastructure.

Thank you for your interest in our work and for your ongoing support.

*Mark Kelly*, DIRECTOR



“I hope that you will share my view that the 2012 Annual Report amply demonstrates that the Council is now firmly established as an indispensable element of Ireland’s human rights and equality infrastructure”



# Our People





**The 2012 Executive Board**—The ICCL is governed by an Executive Board drawn from academia, business and the law.



— NATALIE MCDONNELL (CO-CHAIR – POLICY)



— NIALL MULLIGAN (CO-CHAIR – OPERATIONS)



— JOHN KENNEDY



— MARY MCIVOR



— SIOBHÁN CUMISKEY



— CLAIRE HAMILTON



— ELAINE DEWHURST



— FRANCES FEENEY



— ALAN D.P. BRADY



## The ICCL Staff

**The ICCL's professional staff work across three teams: Research and Policy, Communications and Campaigns and Organisational Development**

- Lorraine Curran served as the ICCL's Information Officer from February 2009 – January 2012, and was instrumental in building the ICCL's information and resource base and internal communications infrastructure during her three years in post.
- Grace Mulvey joined the ICCL as Research & Policy Officer (maternity cover) and as *JUSTICIA* European Rights Network Project Manager in April 2012.
- Aoife Murphy joined the ICCL team in March 2011 as Film Awards intern and joined the staff as Administrator (maternity cover) until September 2012.
- Sinéad Skelly joined the ICCL team in November 2011 as an EU Criminal Justice intern, and subsequently joined the staff as Research and Policy Administrative Assistant until December 2012.
- Eglė Miliūtė joined the ICCL team from April to July 2012 as Film Awards intern.



— Aoife Murphy



— Sinéad Skelly



— Eglė Miliūtė



— Lorraine Curran



ICCL Staff 2012 (*Clockwise from Top-Left*): Walter Jayawardene, Mark Kelly, Grace Mulvey, Stephen O'Hare, Karen Ciesielski, Joanne Garvey, Suzanne Handley and Deirdre Duffy



# Our Work





## Bringing International Standards Home—Maintaining Pressure on Ireland to Meet its Obligations under the UN Convention against Torture

**In May 2012, the ICCL joined forces with the IPRT and Justice for Magdalenes to ensure the Magdalene Laundries remained on the public agenda by inviting UNCAT Committee Vice-President Ms Felice Gaer here to Ireland to discuss the prevention of ill-treatment and the need for accountability at home.**

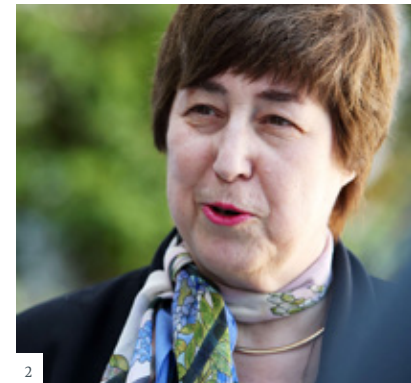
Thanks to the first ever global webcast of UN Committee against Torture proceedings in June 2011, conducted by the ICCL and the Irish Penal Reform Trust (IPRT), the Irish Government's controversial statements distancing itself from responsibility for human rights violations committed in the Magdalene Laundries were the focus of intensive media attention. Felice Gaer was the most vocally critical of the Irish Government's abdication of responsibility. Footage of Felice Gaer's specific comments about the Magdalene Laundries can be found on YouTube: [here](#)

The ICCL worked with colleagues in Justice for Magdalenes and the IPRT to invite Ms Gaer to Dublin in her personal capacity on 28 May 2012, a year after Ireland's examination, to reflect on the importance of local action and the the need to put protections in place close to home to prevent human rights violations.

During her visit here, Ms Gaer also engaged in extensive media comment along with the Justice for Magdalenes group, underlining the need for the Government to take responsibility for the serious human rights violations committed in the Magdalene Laundries over decades. Media coverage included an episode of RTE's Primetime dedicated to the matter, broadcast on 25 September 2012. [Link to clip here](#)

The visit served to ensure Ireland's obligations under UNCAT remained high on the agenda at home, particularly regarding the question of responsibility and reparation for the Magdalene Laundries. The intervening year has seen significant developments in the campaign for justice for all those incarcerated in the Laundries, demonstrating how international human rights activism and advocacy can make a difference closer to home.

“International action to combat torture and ill-treatment will never be fully effective until national protections, including strong monitoring mechanisms, are in place and operational. These not only complement the work of international treaty bodies, such as the United Nations Committee Against Torture, they can actually reduce our work.” — *Felice Gaer, Vice-President of the UN Committee against Torture*



(1). Maeve O'Rourke of Justice For Magdalenes speaking at a joint ICCL/IPRT/JFM press conference on 28 May 2012

(2). Felice Gaer speaking to Irish Media in Dublin, 28 May 2012



Deirdre Duffy, ICCL Senior Research and Policy Programme Manager, who managed the ICCL's UPR Project

## Your Rights Right Now—Continuing the ICCL's Groundbreaking Civil Society Initiative on Ireland's Universal Periodic Review

**Joint events in Geneva and Dublin in March 2012 saw the continuation of the ICCL's flagship 'Your Rights Right Now' project on international human rights monitoring, aimed at ensuring the voice of Irish civil society is heard during Ireland's examinations under the UN Human Rights Council's Universal Periodic Review.**

Your Rights Right Now returned to the UN Human Rights Council in Geneva on 15 March 2012 for the conclusion of the formal components of Ireland's first examination under the Universal Periodic Review. During a one-hour session, the Human Rights Council considered whether to officially adopt the UPR Outcome Report on Ireland. Gerard Corr, Ireland's Ambassador to the UN, commenced proceedings by speaking about issues raised and recommendations made during the interactive dialogue session which took place on 6 October 2011. Responding to a number of UPR recommendations made to Ireland by the international community, the Ambassador spoke about the situation in Irish prisons, and plans for the children's rights referendum and the Constitutional Convention. He also commended Irish civil society groups for their engagement with the UPR process. A number of other UN countries made interventions largely thanking Ireland for its positive engagement with the process and reiterating the importance of UPR implementation.

Building on our formal submission to the Nineteenth Session of the Human Rights Council in 2011, Deirdre Duffy, ICCL's UPR Project Manager, presented the Your Rights Right Now statement which welcomed Ireland's positive engagement with the UPR process and clear acceptance of 91 recommendations of the UPR Working Group. We also called upon the Irish Government to translate into deeds the commitments made during the UPR process, especially by timely ratification of all core UN human rights instruments. Ambassador Corr made a final intervention before

the UN Human Rights Council voted to adopt the Outcome Report of the UPR Working Group during which he referred to upcoming legislation on gender recognition rights.

In parallel with the activities in Geneva, the Your Rights Right Now campaign held a civil society breakfast event in Dublin's Liberty hall, as well as events in Galway, Maynooth, Limerick and Cork, at which the Geneva hearing was screened live.

Since March 2012, the Your Rights Right Now campaign has been busy documenting the numerous achievements of the coalition's work. In the main, the UPR process has been a success for Ireland: we have received strong and worthwhile recommendations from our peers; it has opened a pathway of dialogue between civil society and government; and, there is a greater awareness and knowledge of human rights among the Irish public, community groups and media.





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“Implementation of UPR recommendations is a true test of the depth of a country’s commitment to its global human rights obligations. This is all the more important when a country aspires to human rights leadership abroad.”—*Deirdre Duffy addressing the UN Human Rights Council on 15 March 2012*



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(1). The ICCL’s Sinéad Skelly with civil society representatives at Liberty Hall, 15 March 2012

(2). ICCL Director Mark Kelly with Ashleigh Shaheen of the Irish Penal Reform Trust at Liberty Hall, 15 March 2012

(3). Attendees at a civil society live streaming in Liberty Hall of Ireland’s UPR Outcome Report Session in Geneva, 15 March 2012



Constitutional law reform expert Michele Brandt speaking at the Hear Our Voices Symposium on 21 June 2012

## Hear Our Voices — Creating a Voice for Civil Society Inside and Outside the Constitutional Convention

**In June 2012, ICCL launched the ‘Hear Our Voices’ initiative, calling for the voices of civil society organisations, and the voices of those they represent, to be heard in a meaningful and effective way during the Constitutional Convention process.**

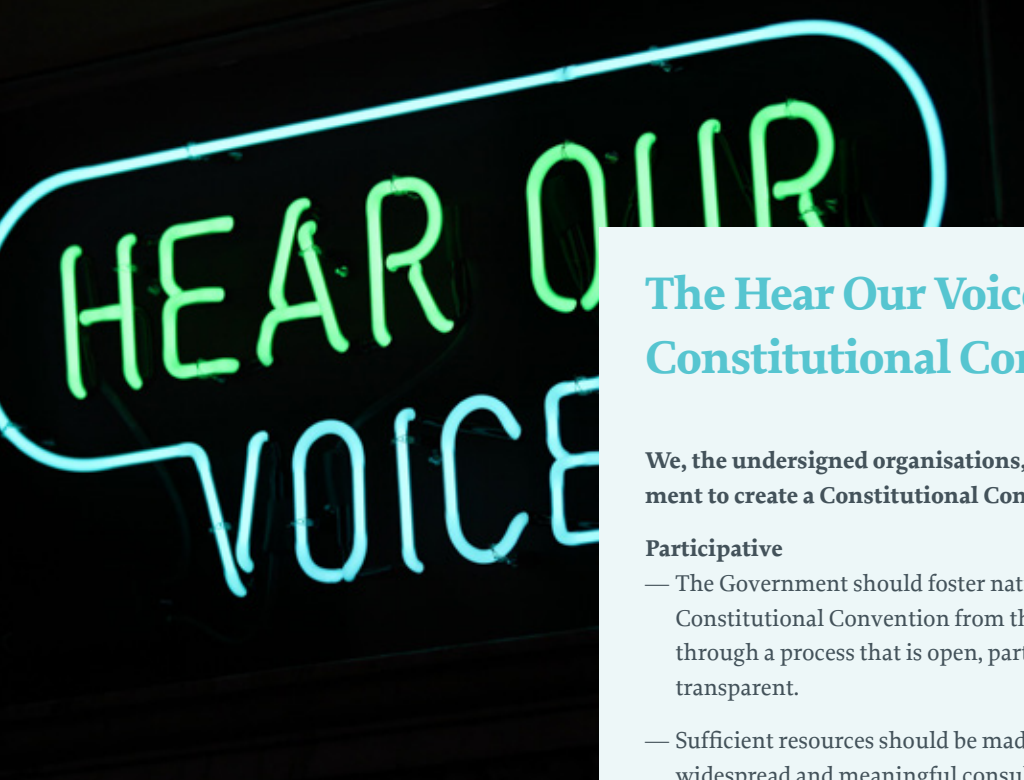
The Hear Our Voices initiative arose amid concerns among civil society organisations regarding the apparent limitations and lack of genuine transparency in the Government’s proposed plans to establish a convention on the Constitution. In particular, organisations were concerned that earlier pre-election commitments to establish a convention which would be inclusive of the breadth of knowledge and experience of civil society organisations, many of whom have campaigned for decades on a range of issues set for inclusion on the Convention’s proposed agenda, were being lost. Concern was also expressed at the narrow criteria used to select the 66 citizens who would join 33 elected representatives and an independent chairperson for the duration of the process, all of whom were drawn from the electoral register, an approach which effectively marginalised many smaller and disadvantaged groups in Irish society difficult to identify or traditionally under-represented on the register.

Throughout the establishment of the Convention, the ICCL and other civil society organisations called on the Government to establish an open and transparent process and to base the Convention on international best practice, including representation of minority groups, meaningful engagement with civil society and an appropriate level of party political representation.

On 21 June 2012, the ICCL held an international ‘Hear our Voices’ symposium, where the ICCL’s paper *Developing a Model for Best Practice for Public Participation in Constitutional Reform* was presented by ICCL Policy Officer Stephen O’Hare. The event was addressed by Michele Brandt, an international expert in constitutional law reform, who argued that:

“There is much to be learned from the recent experience of other states that have undertaken constitutional reform. From Afghanistan to South Africa, Iceland to Timor-Leste, experience demonstrates the need to promote public participation, meaningful representation and inclusion, particularly among vulnerable people on the margins of society. An open and transparent process is needed to foster genuine national ownership of the Convention. If a government does not act to generate such ownership, it can sow the seeds of public discontent.”

On 10 July 2012 the Government pushed through a resolution on the formation of a Convention on the Constitution with little opportunity for debate. Following the establishment of the Convention, the ICCL published the ‘Hear Our Voices’ Charter for a Constitutional Convention, which was signed by over 60 civil society organisations. The Charter is an outline of the key principles that should underpin a truly effective consultative constitutional reform process. The wide range of signatories to the Charter is a measure of the desire in civil society for a credible, accessible and effective forum for Constitutional reform. On 24 October 2012, Tom Arnold, CEO of Concern Worldwide, and signatory to the Charter, was named as Chair of the Convention, indicating a willingness on the part of the Convention to facilitate meaningful input by civil society groups.



(1). Michele Brandt with ICCL  
Director Mark Kelly

## The Hear Our Voices Civil Society Charter for a Constitutional Convention:

**We, the undersigned organisations, call upon the Government to create a Constitutional Convention that is:**

### **Participative**

- The Government should foster national ownership of the Constitutional Convention from the outset by setting it up through a process that is open, participative, inclusive and transparent.
- Sufficient resources should be made available to facilitate widespread and meaningful consultation with, education of, and participation by members of the public, civil society and other interested stakeholders.
- An open and transparent appointments process should ensure that membership of the Convention is balanced, representative and facilitates meaningful input by civil society organisations and those on the margins of society.

### **Inclusive**

- A range of civic education measures should be undertaken to inform members of the public about the role, scope and potential outcome of the Constitutional Convention.
- National and local media, civil society organisations, community networks and information technology should be utilised to ensure the widest possible access and participation by the public is achieved.

- Widespread and comprehensive consultation should be undertaken with members of the public, the Diaspora and civil society organisations to facilitate meaningful engagement with the process and the issues for discussion.
- Facilitating meaningful input by civil society organisations, particularly on issues of direct concern to their members, must be a priority for the Constitutional Convention throughout the process.

### **Meaningful**

- Knowledge and experience, which would benefit the Convention in its deliberations, should be drawn from as wide a pool of experts as possible including from the legal, academic, political and community sectors.
- The list of topics presented by the Government should be expanded. The opportunity afforded by the Convention to explore other potential issues for reform in relation to the Constitution should not be lost, including issues of electoral reform, equality, the family, and economic, social and cultural rights.
- Members of the public should be provided with an opportunity to consider the recommendations of the convention and to provide feedback.





(1). Steven Cras of the General Secretariat of the Council of the European Union

(2). ICCL Director Mark Kelly representing the *JUSTICIA* consortium at a working lunch with the EU Commission Vice President Viviane Reding at the Institute for European and International Affairs in Dublin, 25 September 2012

## The *JUSTICIA* European Rights Network Project—The ICCL at the Heart of EU Criminal Justice Reform

The ICCL's EU Justice Project entered a new phase in 2012, with the formalisation of the European Rights Network, *JUSTICIA*, of which ICCL is Consortium Leader.

Funded by the European Commission, the Network consists of 10 Member organisations: Bulgarian Helsinki Committee, Greek Helsinki Monitor, Helsinki Foundation for Human Rights (Poland), Human Rights Monitoring Institute (Lithuania), Hungarian Civil Liberties Union, Irish Council for Civil Liberties, Latvian Centre for Human Rights, League of Human Rights (Czech Republic), Open Society Justice Initiative (Hungary) and Statewatch (UK). Supported by our new website, [www.eujusticia.net](http://www.eujusticia.net), exchanging best practice, collaborative research and advocacy activities are central to the *JUSTICIA* Network. Our primary areas of focus are supporting the rights of victims of crime, particularly the implementation of the EU Directive on Victims' Rights, and monitoring the progress, shaping the outcome and monitoring the implementation at national level of the measures contained in the Swedish Roadmap on Procedural Rights. 2012 was a hectic year for *JUSTICIA*, with significant progress on EU legislation (victims' rights and procedural rights). Below is a selection of some of the activities conducted by the network during 2012, and its publications. A full rundown of our *JUSTICIA* activities and publications are listed in on

[pages 37–41.](#)

**Developments on Procedural Rights**—In early 2012, the *JUSTICIA* Network brought together legal practitioners from four jurisdictions—Republic of Ireland, Northern Ireland, England and Wales, and Scotland—for a seminar 'Criminal Defence Rights & Strategic Litigation', in Edinburgh, Scotland to discuss the implications of decisions of the European Court of Human Rights, and EU developments. Later in the year, the *JUSTICIA* Network hosted a major international conference in Vilnius, Lithuania entitled 'Effective Criminal Defence Europe: Challenges and Prospects'. This conference was held in partnership with a *JUSTICIA* Lithuanian Network member, the Human Rights Monitoring Institute. The event was the first of a two-part international conference series which concerned Measure C of the Swedish Roadmap on procedural rights (Measure C1, the Proposal for a Directive on the Right of Access to a Lawyer in Criminal Proceedings and the Right to Communicate upon Arrest, and Measure C2 on Legal Aid Reform). Mr. Steven Cras of the General Secretariat of the Council of the European Union, members of the Lithuanian EU Presidency team, *JUSTICIA* Network Representatives, practicing Lithuanian lawyers and academics discussed the progress and importance of Measure C, and explored the potential role that the Lithuanian EU Presidency may play in shaping and progressing the Measure.

The second part of that series took the form of a top level roundtable in Dublin where criminal law practitioners, *JUSTICIA* representatives and Irish and Lithuanian government officials exchanged views about the prospects of progressing EU criminal justice reform, in particular Measure C, during the EU Presidencies of Ireland and Lithuania. Mr. Steven Cras of the Council of the European Union very kindly joined us again, along with members of the Irish and Lithuanian EU Presidency teams, to discuss the current status of Measure C after the postponement of the trilogues

and the importance of the role that civil society can play in influencing EU criminal justice reform. Towards the end of the year, the *JUSTICIA* Network endorsed a joint NGO statement concerning the Proposal for a Directive on the Right of Access to a Lawyer in Criminal Proceedings and the Right to Communicate upon Arrest which was submitted to Parliament Rapporteurs, the Commission and Council (members involved in the trilogues), as well as those involved in the Cypriot Presidency. We hope that this method of targeted joint statements will influence the outcome of the trilogue discussions.

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#### ***JUSTICIA* Procedural Rights Publications**

- *The Guide to Minimum Standards on the Right of Access to a Lawyer and to Communicate Upon Arrest* sets out the essential elements of an effective right to access a lawyer based on ECHR standards. This document is intended to be used as a human rights-based statement of principles for the use of European institutions in the trilogues.
- The report *Compliance of Legal Aid Systems with the European Convention on Human Rights in Seven EU Jurisdictions* analyses whether seven Network Member jurisdictions (Greece, Lithuania, Bulgaria, Czech Republic, Germany, Ireland and England & Wales) are complying with ECHR criminal legal aid requirements. This report was sent to the Secretariat of the European Commission dealing with the Impact Assessment stage of Measure C2, which is currently ongoing.

## **The Right to Interpretation & Translations in Criminal Proceedings**

**In addition to its work on procedural rights at the EU level, the *JUSTICIA* network also produced a number of publications on the right to interpretation and translation in criminal proceedings in Europe. These included:**

- *A Report on the Implementation of the Directive on the Right to Interpretation and Translations in Criminal Proceedings*
- Guidelines on Standards required under the Directive on the Right to Interpretation and Translations in Criminal Proceedings, which focused on six jurisdictions (Czech Republic, Ireland, Latvia, Lithuania, Poland and England & Wales). This report was sent to the Secretariat of the European Commission dealing with the Swedish Roadmap, including those responsible for the implementation of the Directive on the Right to Interpretation and Translation in Criminal Proceedings.

The Network also published a number of practice-orientated guidelines for interpreters in criminal proceedings on the standards required under the Directive on the Right to Interpretation and Translation in Criminal Proceedings:

- *A New European Instrument on Interpretation and Translation: Guidance for Interpreters in Criminal Proceedings*
- A guide entitled *Know Your Rights to Information on Criminal Charges*, which clearly outlines the second measure of the “Swedish Roadmap” – the Directive on the right to information in criminal proceedings. It details what information an accused and suspected person is entitled to receive throughout the proceedings from the investigation stage until a final decision of whether the accused or suspected person has actually committed the crime in question. This pack also outlines the format that this information should take, includes a model of the Letter of Rights, as well as contact details of the *JUSTICIA* European Rights Network members across Europe.





Minister for Justice, Equality and Defence Alan Shatter TD addressing the ICCL conference 'The EU Directive on Victims' Rights: Opportunities and Challenges for Ireland' in Dublin Castle, 12 April 2012

## Supporting Victims of Crime

**In spring 2012, *JUSTICIA* European Rights Network hosted a major Ministerial-level conference, 'The EU Directive on Victims' Rights: Opportunities and Challenges for Ireland', on the rights of victims of crime, where numerous stakeholders: academics, legislators, victims and victims' rights groups discussed the important development of the then draft Victims' Directive.**

Minister for Justice, Equality and Defence, Alan Shatter TD kindly joined us to deliver the opening address, and made a commitment to ensure the swift progression of the then draft Directive, stating that its advancement was 'a personal major priority'. In addition we were joined by Victim Support Europe, leading academics, practising lawyers and various victim advocacy groups to discuss the progress and potential impact of the then proposal for a Directive

The Victims' Directive entered into force in November 2012 and shortly after the *JUSTICIA* Network produced a guide titled *Know Your Rights on the Victims' Directive*. This pack outlines the Victims' Directive, explaining the rights, support and protection that a victim is entitled to receive before, during and after criminal proceedings.

For more information about the Network's past activities, access to select material on Procedural Rights and the Rights of Victims' of Crime, including to downloadable versions of Network publications and information about our Network Member organisations, please see our online portal at [www.eujusticia.net](http://www.eujusticia.net). The portal has been designed as a primary resource for information on EU criminal justice and will be updated regularly. This portal will make it easier for citizens, victims of crime, accused and suspected persons, legal practitioners, researchers, policy makers and other interested parties to access a wide range of materials including EU legislation, press statements, factsheets, academic research and relevant case law.

This is an exciting time for the ICCL as we work together with our *JUSTICIA* Network partners across Europe leading the Network in EU criminal justice reform. The ICCL welcomes this chance to show leadership; looks forward to the upcoming versatile work programme; and, most importantly, relishes the opportunity to continue to instigate real change in the field of EU criminal justice both domestically and at a European level during 2013.



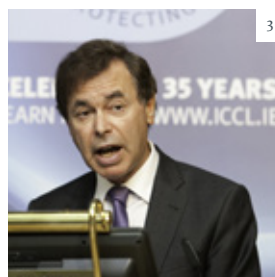
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(1). Mr. Steven Cras of the Council of the European Union with Mark Kelly and international representatives of the *JUSTICIA* network

(2). Tony Bunyan, Ann Singleton and Ben Hayes of *JUSTICIA* Network member organisation Statewatch

(3). Minister for Justice, Equality and Defence Alan Shatter TD addressing the ICCL conference 'The EU Directive on Victims' Rights: Opportunities and Challenges for Ireland' in Dublin Castle, 12 April 2012

(4). Steven Cras chatting to Grace Mulvey, ICCL *JUSTICIA* project manager



ICCL Executive Board Member Alan DP Brady addressing the Joint Oireachtas Committee on Health and Children in the Seanad chamber, 9 January 2013

## 2012 — Progress on Reproductive Rights in Ireland

**The ICCL has been vocally campaigning for the speedy implementation of the European Court of Human Rights’ Judgment in *A, B and C v Ireland* since 2010. Events in 2012 threw into sharp relief the urgent need to reform Ireland’s antediluvian abortion laws, following the death in Galway University Hospital of Savita Halappanavar.**

In November 2012, the Government published its long-awaited ‘Expert Group’ report on the implementation of the judgment in *A, B and C*. The report advised a mixture of clear legislative and regulatory measures to clarify the law in Ireland, including the repeal of sections 58 and 59 of the Offences Against the Person Act, 1861; measures to which the ICCL had previously drawn attention including in its 2011 Civil Society Stakeholder Report under the Universal Periodic Review, *Your Rights Right Now*. The Expert Group report was published in a political atmosphere that had changed utterly compared to when the Group was set up, with public outrage at the death of Ms Halappanavar in Galway creating a new urgency around the need, finally, to legislate at a bare minimum to clarify the state of the law following the 1992 Supreme Court Judgment in the X Case. The Government accepted the recommendations in the report and committed to bring forward legislation in early to mid 2013.

The ICCL heralded the report of the Expert Group as “lucid and authoritative”, and welcomed the Government’s commitment to enact legislation to give clarity to women and doctors on when a woman is legally entitled to an abortion under existing Irish law. We actively engaged in public commentary in Ireland, as well as through direct correspondence with the Council of Ministers in Strasbourg, in order to maintain press attention and to discourage political backsliding on the issue. We also worked to identify this moment as an opportunity to thoroughly overhaul Ireland’s antiquated laws on abortion, including by rendering lawful the termination of pregnancies involving fatal foetal abnormalities.

At time of printing, draft legislation has been published following months of debate, including extensive public hearings at the Oireachtas Health Committee in January 2013, to which the ICCL contributed. While the expected legislation is to be welcomed, Ireland will remain one of the most restrictive countries in the world on the question of women’s reproductive health. The ICCL will continue to work with our civil society partners for further reform allowing for access to safe and legal reproductive health services for women at home, here in Ireland.

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(1). A scene from a protest in Dublin on 12 November 2012 following the death of Savita Halappanavar. Picture credit: Cathal McNaughton/ Reuters

(2—3). March for Choice in Dublin, 29 September 2012

(4). Poster in Dublin advertising a meeting on women's reproductive rights, November 2012

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ICCL Equality Policy and Research  
Officer Stephen O'Hare

## The ICCL's Equality Law Programme—Examining the Reach and Effectiveness of Ireland's Anti-Discrimination Legislation

**The ICCL launched an Equality Law Programme towards the end of 2011, which involved comprehensive research on the Equal Status Acts, and a detailed study of the effectiveness of Irish anti-discrimination legislation. 2012 saw the first outputs of this ambitious project.**

### *Equal Status Acts 2000-2011: Discrimination in the Provision of Goods and Services*

In October 2012, the ICCL launched *Equal Status Acts 2000-2011*

– *Discrimination in the Provision of Goods and Services* by Dr Judy Walsh.

Written by one of Ireland's foremost authorities on anti-discrimination law and head of the UCD Equality Studies Centre, the book provides the first truly authoritative and comprehensive overview of the Irish Equality law in practice.

The book was launched by Senator Katherine Zappone in the Law Society of Ireland on 23 October 2012. Paying tribute to author Judy Walsh, Senator Zappone noted that not only did it provide an in-depth and thoroughly comprehensive review of the law as it currently stands in Ireland; it also displays a depth of empathy and sensitivity with its subject matter rarely seen in a legal textbook.

*Equal Status Acts 2000-2011* functions both as a narrative on the evolution of the Equal Status Acts and as a legal textbook. It will be of key interest to a broad range of audiences including legal practitioners and their clients, legislators and policy makers, academics and students, advocates, civil society organisations and advice providers. The book examines the relationship between 'inequality' and 'discrimination', terms which are often erroneously confused in the discourse on discrimination, before mapping how the Equal Status Act has operated in practice and how it has interacted with other equality law.

On launching her book, Judy Walsh described the challenges facing individuals wishing to pursue cases under the current legislation and those who would represent them, particularly in light of the reform agenda currently being pursued by the Government. She also underlined the urgent necessity of ensuring that adequate provision for hearing cases under the Equal Status Act is made following the forthcoming merger of the State's equality bodies and, in particular, the Equality Tribunal with the new Workplace Relations Commission.

*Equal Status Acts, 2000-2011 Discrimination in the Provision of Goods and Services* is available for purchase from the ICCL or at:

[www.blackhallpublishing.ie](http://www.blackhallpublishing.ie). Price: €49.95

“Judy’s book displays a depth of empathy  
and sensitivity with its subject matter  
rarely seen in a legal textbook” —  
*Senator Katherine Zappone*





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## The Future of Anti Discrimination Law in Ireland

The launch of the book took place at the ICCL conference, The Future of Anti-Discrimination Law in Ireland which was an opportunity to hear the latest from the ICCL's Anti Discrimination Law Review Project — an 18 month project reviewing the status and operation of Ireland's anti-discrimination laws. The project is being headed by Judy Walsh and undertaken by a team of researchers from the equality Studies centre in UCD. Mr Conor Power, Chair of the Project's Expert Advisory Group provided a detailed analysis of the project's first output; a paper entitled *The Discrimination Complaint*. The paper outlines an analysis of the first findings emerging from the review project in relation to the proposed reform of the Equality Tribunal, including waiving anonymity; the use of adversarial versus inquisitorial approaches to cases and the status of cases before the new Workplace Relations Commission (WRC). A second research paper, exploring the powers and functions of the State's equality body, the Equality Authority, will also be published.

*The main output of the Anti-Discrimination Law Review Project, a comprehensive research report, will be published by the ICCL in 2013.*

### The Anti Discrimination Law Review Advisory Group:

Conor Power, *Barrister*

Cliona Kimber, *Barrister*

Susan Fay, *IMI*

Michael Barron, *BeLonGTo*

Cat McIlroy, *Transgender Europe*

Patricia Conboy, *Older & Bolder*

Jim Winters, *Inclusion Ireland*

Hilkka Becker, *Immigrant Council of Ireland*

David Joyce, *ICTU*

Moya de Paor, *Northside Community Law Centre*

Fiona Crowley, *Amnesty International*

Eoin O'Mahony, *Independent Researcher*

Dil Wickremasinghe, *Broadcaster*



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(1). Dr Judy Walsh and Senator Katherine Zappone at the launch of *Equal Status Acts 2000-2011* at the Law Society, 23 October 2012

(2). Moninne Griffith of Marriage Equality, Anna McCarthy and Hilkka Becker of the Immigrant Council of Ireland



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(1). Screen 1 in the Light House Cinema as the 2012 Gala Screening begins

(2). ICCL Human Rights Film Awards Jury member Victoria Smurfit. Photo Credit: A. Rentmeester

## The 2012 ICCL Human Rights Film Awards—Casting a Spotlight on Human Rights At Home and Abroad Through the Medium of Film

**The fourth annual ICCL Human Rights Film Awards, Ireland’s only human rights themed short film competition, returned to its original home in Dublin’s Light House Cinema.**

Spanish documentary duo Roser Corella and Alfonso Moral were awarded the top prize at the Film Awards Gala, which took place on Thursday, 28 June 2012.

The winning film, *Machine Man*, exposes the working conditions of some of the poorest and most vulnerable people in our globalised world and is extremely prescient, given the widely reported events in Bangladesh in 2013. The film invites us to follow the lives and hear the voices of manual workers in Dhaka, the Bangladeshi capital, where millions of men and women carry out all manner of labour in the streets, factories, building sites and on the sea shore. These “machine men” and women are the engine that keeps this bustling metropolis running, and their work allows consumers in developed countries such as Ireland to enjoy “bargain” prices for goods produced at immense human cost.

Corella and Moral have an accomplished background in documentary making, photography and video journalism, having collaborated with NGOs and news agencies around the world in locations as diverse as Lebanon, Mozambique, Bangladesh and Senegal.

Accepting their prize, Corella and Moral said: “This Award comes at just the right time to encourage us to continue working on these important issues. The recognition that this Award gives to *Machine Man*, gives us that extra motivation to keep working in the defense of human rights, through documentary filmmaking”.

Joint second place awards went to films *Hold on Tight* by Anna Rodgers and Zlata Filipovic, and to another Spanish-made film *Padres*, Directed by Liz Lobato. A further prize, for the competition’s youth-focussed ‘Under a Minute Challenge’ was presented by RTÉ’s Sinéad Kennedy and Chief Executive of the Children’s Rights Alliance, Tanya Ward, to Laura and Robert Gaynor for their mini film *On the QT*.

“The recognition that this Award gives to *Machine Man*, gives us that extra motivation to keep working in the defense of human rights, through documentary filmmaking”—*Roser Corella & Alfonso Moral*





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(1). The Gala reception in the Light House Cinema

(2). Jury members John Kelleher and Kirsten Sheridan on the red carpet

(3). 2009 Shortlistee Aoibheann O'Sullivan (left) and Jury member Senator David Norris present joint second place prize to Anna Rodgers and Zlata Filipovic for their film *Hold On Tight*

(4). Jury members Tomm Moore and John Kelleher present Liz Lobato with joint second prize for her film *Padres*

(5). RTÉ's Sinéad Kennedy and Tanya Ward of the Children's Rights Alliance with Laura and Robert Gaynor, winners of the Human Rights in Under a Minute Challenge



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(1). *Machine Man* co-director  
Alfonso Moral

(2). *Machine Man* co-director  
Roser Corella

## The 2012 ICCL Human Rights Film Awards Shortlist

### **Machine Man** • Directors: Roser Corella & Alfonso Moral

— This documentary by Roser Corella and Alfonso Moral is an elegant exploration of the role of manual human labour in a globalised 21st century world. The film follows the lives of various workers in Dhaka, the capital of Bangladesh, where millions of men and women carry out all manner of labour in the streets, factories, building sites and on the sea shore. These “machine men” are the engine that keeps this bustling metropolis running, and this film is a glimpse at the lives they lead.

### **Hold on Tight** • Producer: Zlata Filipovic; Director: Anna Rodgers

— Holding hands and kissing in public isn’t for everyone. When it comes to same-sex relationships, showing your love outside of the home is sometimes a complicated personal choice. This short documentary moves between the public and the private spaces in which lesbian and gay couples live, and explores small gestures of human connectedness. These gentle interactions not only carry a huge personal significance, but also the potent power to create social change. Yet for most people, being affectionate beyond the hall door isn’t intended as a political statement – it’s an expression of love.

### **Chen Guangcheng (Caged Bird)** • Producer: Adam Shapiro; Director/Illustrator: Trish McAdam

— Chen Guangcheng, a blind, self-taught lawyer, began his human rights work in China by defending the economic rights of farmers and arguing for the rights of the disabled. He was also active in exposing the practice of forced abortions and sterilizations in

China’s Shangdong Province. Since 2005, Chen and his family have been subject to frequent prosecutions and periods of imprisonment and house arrest. This film, inspired by the poetry of Maya Angelou, and built around the animation of Trish McAdam, was made as part of a campaign by Front Line Defenders calling for an end to Chen Guancheng’s captivity. In May 2012, Chen and his family fled to the United States; however extended family members face continued harassment and pressure from the authorities.

### **Leave to Remain** • Director: Anna Byrne

— Since the late nineties, hundreds of unaccompanied minors have arrived in Ireland seeking refuge. These children are termed Separated Immigrant Children. Up until December 2010, these children were housed in residential hostels in the greater Dublin area. This is one man’s account of his experience in Ireland as a separated immigrant child.

### **Padres (Parents)** • Director: Liz Lobato

— In this charming short film by Spanish director Liz Lobato, we see the emotional struggle of a couple as they attempt to navigate Spain’s bureaucratic adoption process. Still wracked with doubt as to whether or not they are making the right choice, the adoption agency reveals at the last minute that their prospective adoptee is not alone, leaving the couple with an important choice to make.



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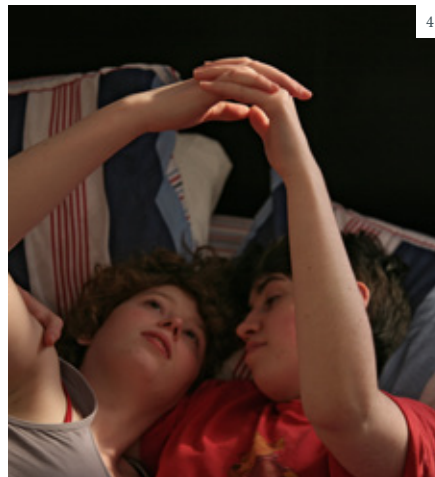
- (1). *Machine Man*
- (2). *Leave to Remain*
- (3). *Chen Guancheng (Caged Bird)*
- (4). *Hold On Tight*
- (5). *Padres*



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ICCL Communications Manager Walter Jayawardene at the launch of *Know Your Rights: Your Rights as a Prisoner*, 30 March 2012

## Know Your Rights—Expanding our Unique Public Education Project in Cooperation with Our Partners in Irish Civil Society

**2012 saw the ICCL's Know Your Rights public information project enter its second phase with the publication of two comprehensive plain-English-certified information packs on key areas of Irish law and policy, designed for maximum clarity and accessibility. The ICCL partnered with colleagues in the NGO sector, pooling knowledge and resources to produce valuable information tools for the Irish public to learn more about their rights.**

The second phase of the Know Your Rights project delivered its first output on 30 March 2012 with the formal launch of *Know Your Rights: Your Rights as a Prisoner*, the fourth booklet in the Know Your Rights series. Produced in partnership with the Irish Penal Reform Trust (IPRT) the booklet provides prisoners and their families with accessible information about their rights while in prison, whether as a convicted prisoner, a remand prisoner, a female prisoner, or a child in detention. The booklet was produced with the support of the Irish Research Council for the Humanities and Social Sciences (IRCHSS), as part of its Research Development Initiative, and is being distributed with the cooperation of the Irish Prison Service. The booklet was launched on 30 March 2012 at Dublin's Chester Beatty Library, as part of the IPRT's Strengthening Accountability Behind Bars seminar, where Northern Ireland Prison Ombudsman Pauline McCabe gave the keynote address.

We concluded 2012 with the launch by the Chief Justice, the Hon Mrs Susan Denham, of our fifth Know Your Rights pack, which we produced in partnership with the Gay and Lesbian Equality Network (GLEN). Launched at an evening event in the Four Courts on 20 December 2012, *Know Your Rights – The Rights and Obligations of Civil Partners and Same Sex Couples* was penned by academic and GLEN Board Member, Dr Fergus Ryan of the DIT School of Social Sciences and Law. The pack is a comprehensive guide for same-sex couples on their rights and obligations as cohabitants or civil partners under this new area of Irish law.

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## Future Plans—Children's Rights

Since the people approved the children's amendment on 10 November 2012, the legislative and constitutional landscape for children, and for child protection, has significantly changed in Ireland. The ICCL has been working with the Children's Rights Alliance and with the UCC School of Law on a Know Your Rights pack on the rights of children in Ireland. This remains in development, and the ICCL and CRA are currently working to update the content to reflect the new legal framework that the referendum has augured in. 2013 will see the completion and publication of this pack, the sixth instalment in the Know Your Rights series.

*Know Your Rights: Your Rights as a Prisoner* and *Know Your Rights – The Rights and Obligations of Civil Partners and Same Sex Couples* can be downloaded, along with other Know Your Rights packs on Privacy, Criminal Justice and the European Convention, free of charge at: [www.knowyourrights.ie](http://www.knowyourrights.ie)



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(1). Dr Fergus Ryan, Kieran Rose of GLEN and ICCL Director Mark Kelly with Chief Justice, the Hon Mrs Susan Denham at the launch of the Know Your Rights pack on the rights and obligations of same-sex couples in the Four Courts, 20 December 2012

(2). IPRT Director Liam Herrick at the launch of *Know Your Rights: Your Rights as a Prisoner*, 30 March 2012

(3). Dr Fergus Ryan, ICCL Communications Manager Walter Jayawardene and ICCL Director Mark Kelly with Chief Justice, the Hon Mrs Susan Denham



Sinéad Kennedy of RTÉ Two Tube with competition winner Grace Callery of Sherrard Street Youthreach

## The ICCL/ Youthreach Human Rights Competition—Developing a Unique Human Rights Education and Youth Outreach Initiative

**Sherrard Street became “Equality Street” as the North Dublin Youthreach centre once again came out as winner of the ICCL/ Youthreach Human Rights Competition, which was held in November 2012 for the second time.**

The ICCL launched the ICCL/ Youthreach Human Rights Competition in 2011 as part of the Your Rights Right Now Universal Periodic Review campaign. The inaugural competition was such a success that the ICCL decided to continue this initiative in cooperation with Youthreach to create an annual human rights-themed creative competition for young people involved in Youthreach programmes nationwide. Youthreach works with unemployed young early school leavers aged 15-20. It offers participants the opportunity to identify and pursue viable options within adult life, and provides them with opportunities to acquire certification and employment opportunities.

The ICCL/ Youthreach Human Rights Competition calls on Youthreach students nationwide to express themselves about important human rights issues affecting their lives. Entries were invited in any medium: film, poetry, prose, photography or graphic. This year, we also benefited from partnership with UNICEF Ireland.

Sherrard Street Youthreach Participant Grace Callery was awarded first place for an innovative equality-themed branding campaign for the D1 Area entitled *D1 – Equality Just Got a Home*. She was awarded a tablet computer along with a professional work placement. The Dublin centre also celebrated joint second place honours, shared between Leonda Nibbs, for her handmade ‘anti-bullying’ boardgame *Sticks and Stones* and Nicola Maher for a comic strip story board about child protection. Bethany Waters, of Kiltimagh Youthreach centre in Co. Mayo came in third place for her poem *I Matter Too*.

Entries to the competition are testament to the creativity and imagination of the young people participating in Youthreach programmes across Ireland, and the opportunity that exists to widen the understanding of and engagement with human rights via Youthreach’s extensive network. The ICCL plans to work closely with Youthreach in 2013 to build on the competition’s success and widen its appeal to centres nationwide, citing the pioneering Dublin and Mayo centres as examples of how much young people can benefit from getting interested in human rights.

To view a video featuring the 2012 ICCL/ Youthreach Human Rights Competition winners, click [HERE](#).





(1). Sinéad Kennedy of RTÉ Two Tube with competition winner Grace Callery, runners up Leonda Nibbs and Nicola Maher of Sherrard Street Youthreach, along with their classmates

(2). Bethany Waters (*second left*) pictured with colleagues from Kiltimagh Youthreach and Sinéad Kennedy

(3). UNICEF Ireland's Nikita White with Nicola Maher and Leonda Nibbs







## The International Network of Civil Liberties Organisations— Going from Strength to Strength

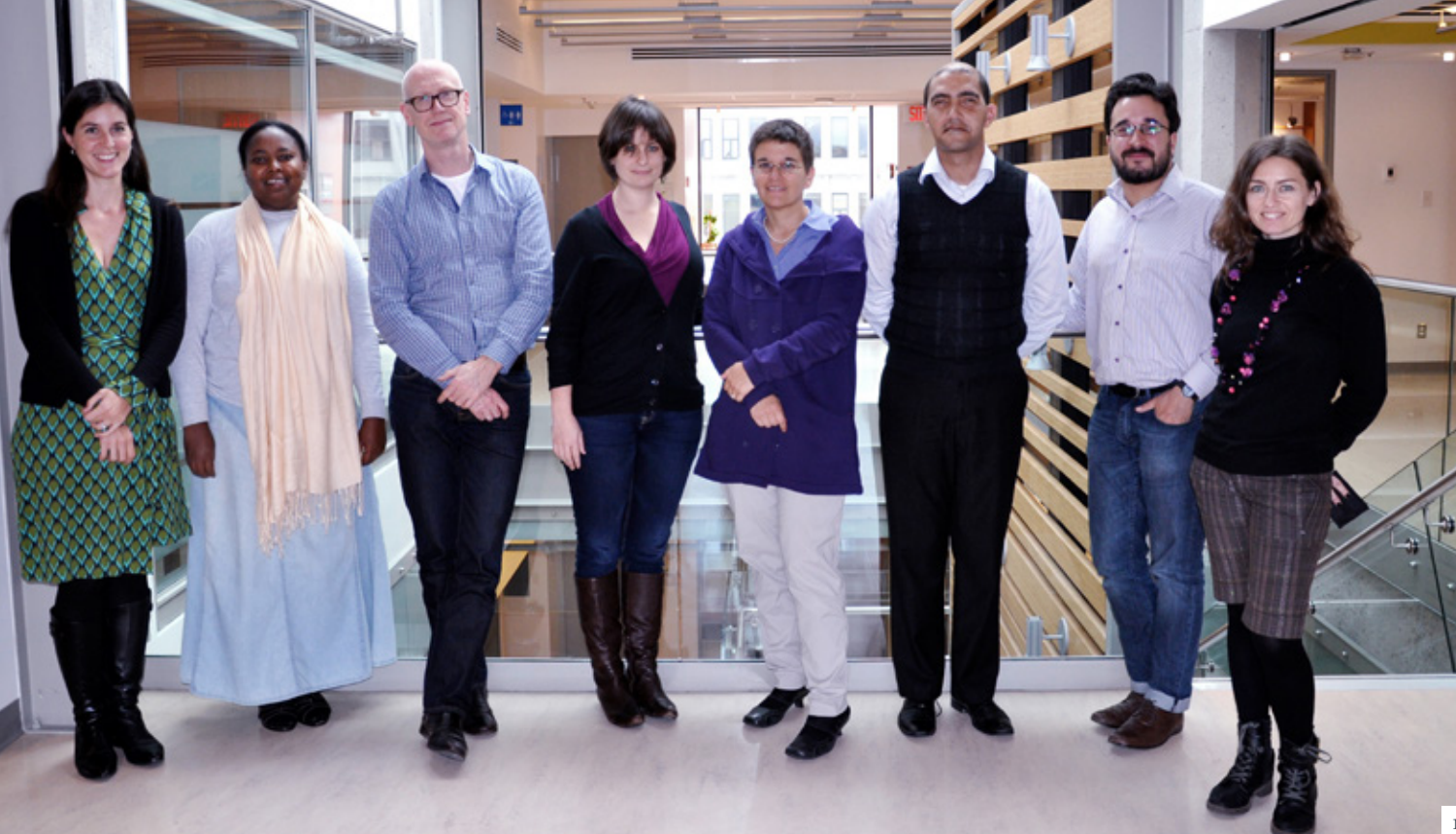
Since the ICCL hosted the formal coming together of international civil liberties organisations in Ireland in December 2011, work has been ongoing to formalise and further elaborate the joint work of the International Network of Civil Liberties Organisations (INCLO). INCLO is currently chaired by the ICCL's Director and his Argentinean counterpart Gaston Chillier in the Centre for Legal Studies, Buenos Aires.

The Network took a major step in this direction in July 2012, when the network met in Buenos Aires for four days of programming and planning around joint initiatives, information sharing and topical areas of mutual interest. Hosted by our Argentinean colleagues at the Centre for Legal and Social Studies (CELS), the ICCL and other network members worked together to develop a detailed outline of work for the Network. This outline ranged from areas of active international campaign collaboration, to information sharing, to “once-off” initiatives of benefit to the work of several of the network members. It also identified a number of thematic areas of mutual interest where comparative information sharing would be useful to all members.

The outcome of the Buenos Aires meeting has already borne fruit, with INCLO members networking and sharing information on a number of important issues of mutual interest, including reproductive justice, policing and the right to protest. In the spirit of this, our colleagues in the Canadian Civil Liberties Association invited Network members to participate in their annual conference on Civil Liberties, entitled ‘People, Power and Protest’, which took place in Montreal on 12-13 October 2012. At this, the ICCL took part in a fruitful information sharing session on policing and protest with colleagues from Israel, Kenya, the UK, Canada, Argentina, South Africa, Hungary and the US.

### The ten founder members of the INCLO are:

- American Civil Liberties Union
- Association for Civil Rights in Israel
- Canadian Civil Liberties Association
- Centre for Legal and Social Studies (Argentina)
- Egyptian Initiative for Personal Rights
- Hungarian Civil Liberties Union
- Irish Council for Civil Liberties
- Liberty (United Kingdom)
- Kenyan Human Rights Commission
- Legal Resource Centre (South Africa)



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(1). A meeting of INCLO policy and communications staff in McGill University Law Department in Montreal, 15 October 2012. L-R: Jennifer Turner (American Civil Liberties Union), Lillian Kantai (Kenyan Human Rights Commission), James Welch (Liberty, UK), Abby Deshman (Canadian Civil Liberties Association), Lila Margalit (Association for Civil Rights in Israel), Sheldon Magardie (LRC, South Africa), Walter Jayawardene (ICCL), Luciana Pol (CELS, Argentina)

(2). Louise Melling of ACLU and George Pope of Liberty at an INCLO network meeting in Buenos Aires, July 2012

(3). Anthony Romero of the American Civil Liberties Union (ACLU), Hossam Bahgat of the Egyptian Initiative for Personal Rights and Gaston Chillier of the Argentinian Centre for Legal and Social Studies at a press conference in Buenos Aires in July 2012



The ICCL Staff pause for a photo at the 2012 ICCL Human Rights Film Awards Gala

## Organisational Development—Securing a Sustainable Future for Human Rights Protection in Ireland

**Our members, supporters and friends are crucial to developing a sustainable future for the ICCL, and we would like to extend our sincere thanks to you. We are especially grateful to the Atlantic Philanthropies for their support of our work of protecting and promoting human rights in Ireland.**

2012 has been an exciting year for the ICCL in terms of building our community of supporters and, importantly, raising funds which allow us to continue our work as Ireland's independent human rights watchdog. We were delighted to be selected by the European Commission for the second consecutive year to receive an operating grant in relation to our criminal justice work, enabling us to carry out a range of activities in this crucial policy area through the ICCL-led *JUSTICIA* European Network.

The ICCL held its 4th annual ICCL Human Rights Film Awards, Ireland's only human rights short film competition. The high-profile annual project raises awareness of human rights issues which affect some of the most vulnerable individuals, families and groups in Ireland and indeed around the world. The shortlisted films in 2012 included films covering issues as diverse as political freedom, immigration, isolation among older people, manual labour and the rights of LGBT couples to show affection and love in public places. We are so grateful to the numerous individuals, organisations and companies, who continue to make the project possible each year by donating funds, equipment, services, prizes, vouchers, time and their expertise. We are particularly grateful to over 100 people, who contributed funds via our very first online fundraising campaign through Fundit.ie.

The ICCL's 4th annual evening for legal practitioners took place in the private dining room of Fallon & Byrne, Exchequer Street and featured Hans Nilsson, Head of the Division of Fundamental Rights and Criminal Justice at the Council of the European Union as our guest speaker. The Bar

Council of Ireland kindly sponsored the pre-event drinks reception, and a number of companies donated prizes for the raffle, including the Audi Club at the O2, which donated a highly sought-after VIP package for 4 to a show at the O2. The evening was an opportunity for legal practitioners to network, socialise, exchange knowledge and, crucially, raise funds to support the work of the ICCL.

### How Your Support Helps:

With the backing of our members and supporters, we are able to intervene where needed to shape public debate and can ensure that human rights are part of the discussion when developing policy and legislation in Ireland. For example, we launched the Hear Our Voices campaign as a co-ordinated civil society initiative to take part in the Constitutional Convention.

The support of our friends and members also makes it possible for us to engage in outreach and education work. For example, with the support of the Community Foundation for Ireland, we worked with the Gay and Lesbian Equality Network to publish *Know Your Rights—The Rights and Obligations of Civil Partners and Same Sex Couples*, a plain-English guide to the rights and responsibilities that are provided for under the civil partnership legislation.

The ICCL is working hard to become sustainable, with the resilience we need to withstand future economic and political difficulties so that we can continue to protect and promote rights. We would again like to thank you and all of our members, supporters and friends who donate their time, energy and financial support, helping us to get there.





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**At our annual evening for legal practitioners in November 2012:**

(1). Catherine Ghent of Gallagher Shatter Solicitors and Freda McKittrick of Barnardos

(2). Marguerite Bolger SC and Cliona Kimber BL

(3). Venetia Taylor BL, Ursula Cullen BL and Elizabeth Donovan BL

(4). Judge Mary Ellen Ring with Mark Kelly



# Publications & Events





## ICCL Publications 2012

### January

- ‘Rights Council Criticises Shatter’s Lax Home Defence Bill’, press release, 12 January 2012

### February

- ‘Constitutional Review Body should not be “cooked up behind closed doors” says ICCL’, press release, 22 February 2012

### March

- ‘Live from the UN in Geneva: Join us for a Special Hearing on Ireland’s Rights Record’, press notice for Your Rights Right Now UPR Screening event, 13 March 2012
- ‘Ireland’s Rights Record under UN Spotlight’, press release for Your Rights Right Now UPR Screening event, 15 March 2012
- *Know Your Rights: Your Rights as a Prisoner* (Published jointly with the Irish Penal Reform Trust)
- *Know Your Rights: Your Rights as a Prisoner—Arabic and Polish translations* (Published jointly with the Irish Penal Reform Trust)
- *Know Your Rights: Your Rights as a Prisoner – Audio Edition* (Published jointly with the Irish Penal Reform Trust)

### April

- ‘High Level ICCL Conference on Victims’ Rights in Dublin Castle’, press release, 11 April 2012

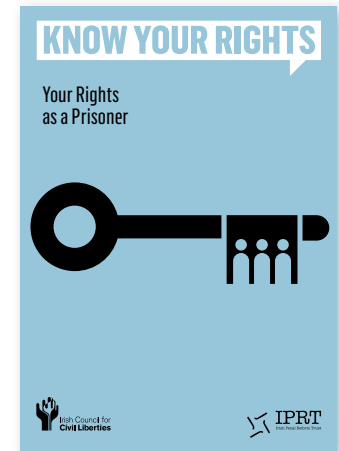
- ‘Shatter faces calls to “champion” victims’ rights’, press release, 12 April 2012
- ‘Rights Watchdog will Apply “Tough New Criteria” to assess Credibility of HREC’, press release, 20 April 2012

### May

- ICCL Submission to the Department of Foreign Affairs on Ireland’s Draft 4th Periodic Report under the ICCPR to the UN Human Rights Committee, May 2012
- ICCL Submission to the Department of Foreign Affairs on the EU Special Representative for Human Rights
- ICCL signature to joint NGO Statement on the Directive on the Right of Access to a Lawyer and to Communicate upon Arrest, 7 May 2012
- ‘Top Torture Expert Hits Town as Report Deadline Looms’, diary note, 20 May 2012
- ‘Top Torture Expert Hits Town as Report Deadline Looms’, press release, 28 May 2012
- ‘Big Hearted’ Pooch Joins Celebs on Film Awards Jury’, diary note, 29 May 2012
- ‘Fricker, Sheridan & Norris Announce Rights Film Shortlist’, press release, 30 May 2012

### June

- ‘ICCL Reacts to Publication of Shatter’s Proposals on Rights and Equality’, press release, 5 June 2012
- *Global Vision for Local Impact* – ICCL Annual Report 2011
- Jayawardene, W. ‘Call for FundIt donations for ICCL Human Rights Film Awards’, Guest Post on the Human Rights in Ireland blog [www.humanrights.ie](http://www.humanrights.ie), 8 June 2012
- “Hear our Voices” Groups Tell Government’, press release, 21 June 2012
- Brandt, M., ‘Constitutional review body must prioritise inclusivity’, Opinion Piece, *The Irish Times*, 22 June 2012
- O’Hare, S. *Developing a Model for Best Practice for Public Participation in Constitutional Reform*, ICCL Paper, June 2012
- ‘Victoria Smurfit takes to Hollywood beach for Film Awards Jury Duty’, diary note, 26 June 2012
- ‘Exposé of Exploited Workers Scoops Top Human Rights Film Award’, press release, 28 June 2012
- Submission to the Joint Committee on Justice, Defence and Equality by the Irish Council for Civil Liberties (ICCL) on the General Scheme of the Human Rights and Equality Commission Bill, 29 June 2012



(TOP) The joint ICCL/IPRT publication *Know Your Rights: Your Rights as a Prisoner*

(BOTTOM) The 2011 ICCL Annual Report



## Publications (Contd.)



Michele Brandt, Mark Kelly and Senator Katherine Zappone at the ICCL's 'Hear Our Voices' symposium, 21 June 2012

### July

- *'ICCL Welcomes Ministers' Gay Marriage Pledges'*, press release, 2 July 2012
- *'Rights Commission faces Downgrade Over Top Job Fix'*, press release, 3 July 2012
- *'Dozens of Civil Society Groups Protest Exclusion from Constitutional Convention'*, press release, 10 July 2012
- *'Hear Our Voices' Civil Society Charter for a Constitutional Convention*, July 2012
- ICCL Rights News 21, *'Hear Our Voices'*, Spring/Summer 2012

### August

- *'Expert Nominations to Constitutional Convention Revealed'*, press release, 16 August 2012
- ICCL Rights News 22, *'Film Awards Special'*, Summer 2012

### September

- *'Watchdog Queries "Exemption" of State Agencies from Child Rights Provisions'*, press release, 19 September 2012

### October

- Communication from the Irish Council for Civil Liberties regarding the case of A, B and C against Ireland. Communication submitted to the Committee of Ministers for the supervision of the execution of judgments under Rule 9.2. Council of Europe document number: DH-DD(2012)882. 2 October 2012
- Kelly, M. *'Housing Questions'*, letter to the editor, *'Daily Mail'*, 3 October 2012
- *'Watchdog Slams Creighton's Intransigence on Euro Court Judgment'*, press release, 5 October 2012
- Kelly, M., *'Children's vote won't give all kids the same voice'*, Opinion Piece, *'The Irish Sun'*, 7 October 2012
- *'Minister of State Kathleen Lynch to launch new legal textbook'*, media advisory, 21 October 2012
- Walsh, J., *Equal Status Acts 2000-2011: Discrimination in the Provision of Goods and Services*, (2012, Dublin, Blackhall/Irish Council for Civil Liberties)
- *The Discrimination Complaint*, Draft paper by the ICCL's Anti-Discrimination Law Review Project, October 2012

### (October Contd.)

- *'Equal status cases enter "uncharted waters", conference hears'*, press release, 23 October 2012
- *'Civil Society Champion to Chair Constitutional Convention'*, press release, 24 October 2012
- ICCL press statement responding to the judgment of *P & S vs. Poland* at the European Court of Human Rights, 31 October 2012

## November

- ‘ICCL Welcomes Ireland’s Election to Top UN Human Rights Body’, press release, 12 November 2012
- ‘Youthreach Students to Receive Human Rights Prize’, media advisory, 13 November 2012
- ‘Sherrard Street Becomes “Equality Street” as Youthreach student scoops rights prize’, press release, 14 November 2012
- ICCL signature to joint NGO Statement on the Directive on the Right of Access to a Lawyer and to Communicate upon Arrest, 14 November 2012
- ‘Rights watchdog backs call for Independent Inquiry into Savita Death’, press release, 20 November 2012
- ‘ICCL reacts to removal of UHG consultants from HSE’s Savita Inquiry Team’, press release, 20 November 2012
- ‘Department of Health Cannot Disregard Euro Inquiries Law, Watchdog warns’, press release, 23 November 2012
- ‘Lucid and Authoritative Report Provides ‘Baseline’ for Abortion Law Reform says ICCL’, press release, 27 November 2012

## (November Contd.)

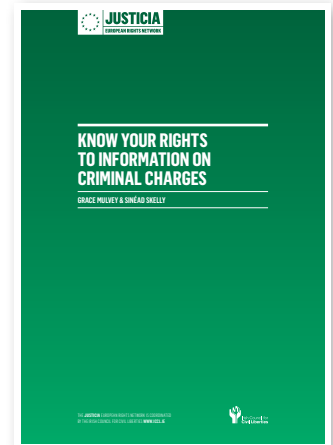
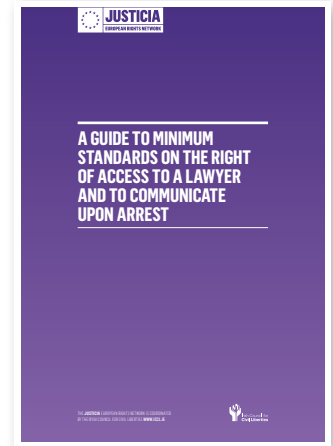
- Kelly, M., *Public letter to Mr Pat McGrath, Chair of HIQA, regarding possible HIQA inquiry in relation to the death of Ms Savita Halappanavar*, 23 November 2013
- Duffy, D., ‘Fundamental Rights for Everyone’, Seminar given in Riga, Latvia, 27 – 28 November 2012

## December

- ‘Ireland under New Abortion Law Spotlight in Strasbourg’, press release, 5 December 2012
- ‘End Chilling Effect of Abortion Law on Women and Doctors, Europe tells Government’, press release, 10 December 2012
- ‘ICCL Welcomes Cabinet Abortion Decision; Warns against ‘backsliding’’, press release, 18 December 2012
- ‘Chief Justice of Ireland launches Guides for gay couples and a legal practitioners guide to Civil Partnership and cohabitation’, press release, 20 December 2012
- *Know Your Rights: The Rights and Obligations of Civil Partners and Other Same-Sex Couples* (published jointly with the Gay and Lesbian Equality Network), December 2012
- Mulvey, G. and Skelly, S., *Know Your Rights to Information on Criminal Charges*, ICCL, JUSTICIA publication, December 2012

## (December Contd.)

- McDonald, M., *Report on Compliance of Legal Aid Systems in Seven EU Jurisdictions with the European Convention on Human Rights*, ICCL JUSTICIA publication, December 2012
- Ryan, O., *Report on the Implementation of the Right to Interpretation and Translation Services in Criminal Proceedings*, ICCL JUSTICIA publication, December 2012
- *A Guide to Minimum Standards on the Right of Access to a Lawyer and to Communicate Upon Arrest*, ICCL JUSTICIA publication, December 2012
- *A New European Instrument on Interpretation and Translation: Guidance for Interpreters in Criminal Proceedings*, ICCL JUSTICIA publication, December 2012
- *Know Your Rights on the Victims’ Directive*, ICCL JUSTICIA publication, December 2012



Two of the JUSTICIA publications on procedural rights published in 2012



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(1). 2009 Grand Prize winner Vittoria Colonna with Mark Kelly and Sophie Magennis on the red carpet at the 2012 ICCL Human Rights Film Awards Gala in the Light House Cinema, 28 June 2012

(2). A photocall on Smithfield Plaza with Senator David Norris and other Jury members in advance of the 2012 ICCL Human Rights Film Awards Gala Screening in Dublin's Light House Cinema, 28 June 2012

## ICCL Events, Speeches & Presentations 2012

- Your Rights Right Now civil society coalition public screening of Ireland's UPR follow-up hearing at the Human Rights Council in Geneva, Liberty Hall, Dublin, 15 March 2012
- Your Rights Right Now civil society coalition attendance at formal conclusion of Ireland's Universal Periodic Review at the UN Human Rights Council, Geneva, 15 March 2012
- Duffy, D., Formal Statement on Ireland's Universal Periodic Review to the UN Human Rights Council on behalf of Irish Civil Society Coalition Your Rights Right Now, Geneva, 15 March 2012
- ICCL represented by Michael Finucane at University Philosophical Society debate on human rights, Trinity College, Dublin, 15 March 2012
- Launch of *Know Your Rights: Your Rights as a Prisoner* with the Irish Penal Reform Trust at their Strengthening Accountability Behind Bars seminar, Chester Beatty Library, Dublin, 30 March 2012
- The EU Directive on Victims' Rights: Opportunities and Challenges for Ireland, Conference with Keynote address by Minister for Justice, Mr Alan Shatter TD, Dublin Castle, 12 April 2012
- Duffy, D., Seminar on the Universal Periodic Review, Irish Centre For Human Rights, Galway, 19 April 2012
- Preventing Ill-Treatment and Securing Accountability: The Impact in Ireland of the UN Convention Against Torture (UNCAT), conference with special guest Ms Felice Gaer of the UN Committee Against Torture, Radisson Blu Royal Hotel, Golden Lane, Dublin 8, 28 May 2012
- Photocall for formal announcement of shortlist for the 2012 ICCL Human Rights Film Awards, featuring Jury members Kirsten Sheridan, Brenda Fricker and David Norris, Irish Film Classification Office, Dublin, 30 May 2012
- 'Hear Our Voices' Symposium on Best Practice for Public Participation in Constitutional Reform, Tailor's Hall, Dublin, 21 June 2012
- 2012 ICCL Human Rights Film Awards Gala and Awards Ceremony, Light House Cinema, Dublin, 28 June 2012
- JUSTICIA European Rights Network meeting, Budapest, Hungary, 16 July 2012
- ICCL attendance at meeting of the International Network of Civil Liberties Organisations (INCLO) hosted by the Centre for Legal Studies (CELS), Buenos Aires, Argentina, 5-8 July 2012
- JUSTICIA attendance at working lunch with Ms. Viviane Reding, Vice-President of the European Commission and European Commissioner for Justice, Citizenship and Fundamental Rights, Dublin, 25 September 2012
- ICCL/ JUSTICIA assistance and attendance at Statewatch Civil Liberties Workshop, European Union House, Dublin, 1 October 2012
- JUSTICIA Network event on proposed Directive on Access to a Lawyer, Brussels, Belgium, 10-11 October 2012
- ICCL attendance at Canadian Civil Liberties Association's annual conference on civil liberties, entitled People, Power and Protest, Montreal, Canada, 12-13 October 2012
- Opening Lines of Communication between the Network and European Think Tanks, JUSTICIA Network event, Dublin, 16 October 2012
- The Future of Anti-Discrimination Law in Ireland, Conference incorporating the launch of Judy Walsh's textbook *Equal Status Acts 2000-2011: Discrimination in the Provision of Goods and Services*, The Law Society, Dublin, 23 October 2012



## ICCL External Representation 2012

- Effective Criminal Defence in Europe: Challenges and Prospects, *JUSTICIA* conference, Vilnius, Lithuania, 5 November 2012
- ICCL-Youthreach Human Rights Competition Awards Ceremony, Office of the Children's Ombudsman, Dublin, 14 November 2012
- *JUSTICIA* Network participation in Open Society Justice Initiative Global Campaign for Pre-Trial Justice roundtable, Budapest, Hungary, 26-27 November 2012
- The 5th Annual ICCL Dinner and Lecture for Legal Practitioners, Fallon and Byrne, Dublin, 11 December 2012
- Effective Criminal Defence in Europe: Challenges and Prospects for Future Presidencies of the European Union, *JUSTICIA* Network high-level roundtable, Dublin, 12 December 2012
- *JUSTICIA* European Rights Network meeting, Athens, Greece, 18-19 December 2012
- Launch by Chief Justice Susan Denham of *Know Your Rights: The Rights and Obligations of Civil Partners and Other Same-Sex Couples*, The Four Courts, Dublin, 20 December 2012
- Department of Foreign Affairs NGO Human Rights Standing Committee
- Equality Authority Community and Voluntary Group and Equality Authority Stereotyping Working Group
- Fair Trials International Legal Experts Advisory Panel
- FLAC Public Interest Law Alliance Advisory Board
- Garda Strategic Human Rights Advisory Committee
- International Network of Civil Liberties Organisations (INCLO)
- International Federation for Human Rights (FIDH)
- *JUSTICIA* European Rights Network
- Legacy Promotion Ireland
- Fundraising Ireland
- Women's Human Rights Alliance
- EU Fundamental Rights Agency (FRA) Fundamental Rights Platform
- FRA Associates Forum
- NLGF Galas 'International LGBT Activist Award' Nomination Committee
- UPR Cross Sectoral Steering Group
- Anti-Human Trafficking Working Group, Department of Foreign Affairs



(1). Steven Cras of the Council of the European Union addressing a *JUSTICIA* event in Vilnius in November 2012



(2). Leonda Nibbs of Sherrard Street Youthreach presenting her award-winning entry to the ICCL/Youthreach Human Rights Competition, November 2012

# Our Finances





## Our Finances

**The ICCL consists of two organisations—the ICCL Association and ICCL Ltd., a company limited by guarantee. All of our day-to-day activities are managed by ICCL Ltd., including promotional and awareness-raising initiatives, research and policy activities, fundraising campaigns, staff costs and general overhead expenditure.**

The ICCL Association is a membership organisation. The ICCL Association's financial statements reflect all income generated through membership fees and additional donations made by members.

The ICCL receives income from individual members, supporters and a small number of foundations and trusts in order to carry out the work of the organisation. The ICCL expends its income on research, campaigning and promotional costs across the four main 'pillars' of the organisation's work (monitoring human rights, promoting justice, securing equality and organisational development).

Information is provided to all donors, including individuals, trusts and foundations, on a regular basis regarding developments, activities and programmes to ensure that the ICCL operates in a manner that is transparent and accountable. The ICCL complies with all legal and regulatory requirements, in line with best practice for NGOs.

The ICCL financial statements for 2012 have been audited by Squires & Co. Chartered Accountants & Registered Auditors, 32 Merrion Street, Dublin 2.

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## Irish Council for Civil Liberties Association

	2012 (€)	2011 (€)
<b>Income &amp; Expenditure Account</b>	<b>Income</b>	
<i>For the year ended 31 December 2012</i>		
Grants	0	1,500
Membership	9,359	6,999
Donations	50	718
Other income	300	25
	<b>9,709</b>	<b>9,242</b>
Special funds	0	0
<b>Total Income</b>	<b>9,709</b>	<b>9,242</b>
<b>Expenditure on Activities of Strategic Plan</b>		
Capacity Building	23	10
Research & Policy Development	0	0
Campaigning and Communication	10	37,120*
Lobbying and Advocacy	0	0
Networking	0	0
Fundraising	0	0
<b>Total Expenditure</b>	<b>33</b>	<b>37,130</b>
<b>Surplus of Income over Expenditure</b>	<b>9,676</b>	<b>(27,888)</b>

\* Increase due to the 'No to 30' Oireachtas Inquiries  
Referendum No Campaign.

## Irish Council for Civil Liberties Association

		2012 (€)	2012 (€)	2011 (€)	2011 (€)
<b>Balance Sheet</b>					
<i>As at 31 December 2012</i>	<b>Fixed Assets</b>				
	Current Assets				
	Prepayments				
	Bank and Cash	15,868		8,189	
			15,868		8,189
	<b>Current Liabilities</b>				
	Trade Creditors	0		0	
	Accruals	0		(1,997)	
			0		(1,997)
	<b>Net Assets</b>		15,868		6,192
	Cash carry forward		6,192		34,080
	Surplus of income over expenditure		9,676		(27,888)
			15,868		6,192

## Irish Council for Civil Liberties Limited

	2012 (€)	2011 (€)
<b>Income &amp; Expenditure Account</b>		
<i>For the year ended 31 December 2012</i>		
<b>Income</b>		
Total Income	915,780	1,013,748
<b>Expenditure</b>		
Costs of campaigns, publications and awareness & fundraising activities	(746,487)	(815,669)
Support Costs (Governance, administration & capacity building costs)	(164,550)	(196,858)
<b>Total Expenditure</b>	<b>(911,037)</b>	<b>(1,012,527)</b>
Bank Interest	0	0
Surplus before taxation	4,743	1,221
Tax on surplus	0	0
<b>Retained Surplus brought forward</b>	<b>26,011</b>	<b>24,790</b>
<b>Retained Surplus at the end of the year</b>	<b>30,754</b>	<b>26,011</b>

The company had no recognised gains or losses in the financial period other than the surplus for the above two financial years. The figures above are taken from the ICCL Ltd. audited financial statements for the year end (31 December) 2012



## Irish Council for Civil Liberties Limited

		2012 (€)	2012 (€)	2011 (€)	2011 (€)
<b>Balance Sheet</b>					
<i>As at 31 December 2012</i>	<b>Fixed Assets</b>				
	Computer Equipment		1,522		154
	Furniture & Fixtures		11,580		16,155
			13,102		16,309
	<b>Current Assets</b>				
	Debtors	137,751		41,809	
	Cash at bank and in hand	36,236		71,336	
		173,987		113,145	
	Creditors: amounts falling due within one year	(156,335)		(103,443)	
	Net Current Assets/Liabilities		17,652		9,702
	<b>Total assets less current liabilities</b>		30,754		26,011
	<b>Reserves</b>				
	Retained Surplus		30,754		26,011

The above figures are taken from the ICCL Ltd. audited financial statements for the year end (31 December) 2012.

## Contact

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Mission Roll Frame Numbers

ISS027-E-17814 (Cover)

ISS009-E-23056 (pp 04.)

ISS027-E-6384 (pp 08.)

AS04-1-500 *Detail* (pp 30.)

ISS036-E-282 (pp 34.)

ISS027-E-6346 (pp 40.)

ISS007-E-10807 (Rear Cover)





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ISBN: 978-0-9568928-5-0