

ANNUAL REPORT 2021-2022

WEAVING RESILIENCE

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ICNL ANNUAL REPORT 2021-2022

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STRONGER TOGETHER: WEAVING RESILIENCE

For thirty years, the International Center for Not-for-Profit Law has worked with partners across the globe to build more just, inclusive, and sustainable societies. We focus on creating an enabling environment for civil society to join together, speak out, and take action to make the world a better place.

Our Annual Report offers a few highlights from 2021-2022. Whether helping our partners address restrictive laws in El Salvador and Nigeria, fostering women's activism in Lebanon and the Philippines, or protecting fundamental freedoms in the United States, ICNL and our partners have strengthened the threads of resilience in civil societies worldwide. We invite you to learn more about ICNL's work by visiting www.icnl.org.

“
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We express our gratitude to ICNL's staff, partners, board, advisory council, and donors. The impact described in this report is due to their skill, dedication, and support.

Thank You!

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STRENGTHENING RESILIENCE THROUGH COOPERATION

In 2022, El Salvador proposed a restrictive new law that threatened to decimate civil society. The draft law would require civil society organizations (CSOs) to register as foreign agents if they received funding and philanthropic giving from abroad, criminalize many of their normal activities, and impose a 40 percent tax on their financial transactions. Aware that a similar law in a neighboring country had shut down hundreds of organizations, Salvadoran CSOs concluded the region's civil societies needed to come together and organize a joint defense.

To facilitate cooperation, ICNL helped partners in El Salvador, Guatemala, and Honduras form a regional network. Meeting virtually, members discussed trends, exchanged information, and shared best practices. Drawing on their advocacy experiences, members helped each other identify solutions and develop contingency plans.

The network quickly proposed a strategy to push back against the draft law in El Salvador. Salvadoran CSOs conducted a successful advocacy campaign among media and donors, and the government shelved the draft law.

The network also helped Guatemalan members navigate stringent new re-registration requirements threatening to close down most organizations. With

Our Role

ICNL helped partners in El Salvador, Guatemala, and Honduras form a regional network and successfully push back against restrictive laws in the region.



technical support from ICNL, Guatemalan CSOs met with government officials to share their concerns. The two sides reached an understanding and developed an approach to re-registration that made it easier for organizations to comply with the new rules and continue their activities.

Members agree that the network, which continues to meet monthly, is strengthening the resilience of the region's CSOs. "The network is fostering solidarity in Central American civil society," a member from the organization El Pulso in Honduras commented. "By giving us a more holistic view of what's happening elsewhere in the region, we're much better equipped to surmount difficult environments."



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- Civil society partner from Honduras

The Women in Civil Society Lab

ICNL helped create the Women in Civil Society Lab in April 2021 to support women in the Middle East and North Africa exercising their rights and engaging in public life.

The online lab brings together feminists and women-led organizations to strengthen their advocacy at national and regional levels. The lab also funds projects that promote women's civic engagement and supports women-led organizations that safeguard civil society.

With this funding, a partner in Jordan is documenting the challenges facing women-led organizations in conflict zones, while a Lebanese partner is developing an advocacy guide for feminists. In 2022, the lab helped a women-led organization in Tunisia mobilize resistance to a proposed law that would increase government control over civil society. As a result of the campaign, the law remains in draft form.

ADVANCING WOMEN'S RIGHTS FROM THE GROUND UP

Women civil society advocates have long struggled against gender-specific barriers to their work. Today, a new threat is online gender-based violence (OGBV), which can deter advocates from engaging publicly and exercising their right to free expression online. In partnership with ICNL, a Lebanese feminist collective, Fe-Male, has fostered effective responses to OGBV by documenting cases when they occur and training feminists and women's rights defenders in cyber-security. A valuable outgrowth of the project is an informal support group for women's rights defenders targeted by OGBV.

ICNL protects and promotes women's advocacy not only digitally, but also locally and globally. Locally, we are helping build the capacity of women's rights advocates worldwide. We contributed to a toolkit for women and girls published by the United Nations Special Rapporteur on the rights to freedom of peaceful assembly and association. We then supported organizations in Lebanon, Pakistan, the Philippines, and Zimbabwe as they used the toolkit on the ground. Innabuyog in the Philippines is documenting threats against indigenous women human rights defenders, while Women in Struggle for Empowerment in Pakistan is researching ways to incorporate a gender perspective into protections for human rights defenders.

Our Role

We promote meaningful participation of women in policy making and help build the capacity of women's rights advocates from the local to the global level.



Globally, one of our main goals is to empower women to participate meaningfully in international policy making. We convened a side event on women and climate activism at Stockholm +50, the UN meeting on the environment in June 2022. Our event resulted in a call for women to participate in climate policy formulation that was incorporated into Stockholm +50's final recommendations. The recommendation was taken forward to COP27, the UN's 2022 Climate Change Conference, which stressed the importance of the "full, meaningful, and equal participation of women in climate action," including support to developing countries to mainstream gender-related concerns.

SAFEGUARDING ASSEMBLY RIGHTS WORLDWIDE

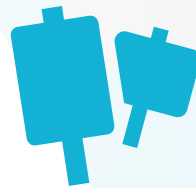
Nearly every country's constitution recognizes the right to peaceful assembly. But since 2020, more than 150 governments have restricted this right while responding to COVID-19. Some countries have militarized the policing of protests or maintained COVID-related bans as the pandemic winds down. ICNL works alongside partners to create a more enabling environment for peaceful assembly by promoting international norms, improving legal frameworks, and monitoring violations of assembly rights at protests.

Our contribution to international norms for peaceful assembly includes landmark guidance adopted by the United Nations Human Rights Committee in 2020. We recently supported a guide on digital assembly developed by the European Center for Not-for-Profit Law (ECNL), our affiliate. The guide outlines considerations for assembling online and describes creative new practices, such as a holographic protests in Spain.

We help partners assess and reform the legal environment for peaceful assembly at both the regional and national levels. Our 2022 assessment of women's right to peaceful assembly in the Middle East and North Africa discusses its importance to the feminist movement and recommends ways to protect it. Our study of peaceful assembly in India highlights threats to assembly rights in the legal framework and proposes steps to

Our Role

ICNL helps push back against restrictions on the right to peaceful protest by promoting international norms and supporting advocates on the ground to monitor violations and improve legal frameworks.



align laws and practices with international standards and the country's constitution.

Countries where we help organizations monitoring violations of assembly rights include Iraq, where in 2021 a partner created a network of civil society activists. Using ICNL's reference guide on the right to peaceful assembly, the network documents the policing of protests and shares information about protestors' treatment with international organizations and other stakeholders. A major impact has been to focus public and government attention on assembly rights and change the narrative around peaceful assemblies. We are now working with our partners to safeguard this right through reform of the legal framework.





Nigeria

JOINING TOGETHER ON LEGAL REFORM

Until recently, Nigerian civil society organizations (CSOs) were grouped with casinos, real estate agents, and gemstone dealers as institutions highly vulnerable to infusions of “dirty money” and funds intended for terrorists. To stop illicit funding flows, Nigeria implemented the recommendations of the Financial Action Task Force (FATF), the body that sets international standards to prevent funds from going to organized crime, corruption, and terrorism. But like many governments, Nigeria took an overly broad approach to implementing FATF recommendations. For Nigerian CSOs, inclusion in the high-risk category meant a host of intrusive regulatory and reporting requirements along with frequent visits from the regulatory agency.

But this changed in May 2022, when the Nigerian president signed two new laws removing CSOs from the high-risk category. The reform resulted from six years of skillful advocacy by Nigerian organizations, including Spaces for Change and the Nigeria Network of Non-Governmental Organizations (NNNGO), with technical advice and training from the Expert Hub on AML/CFT set up by ECNL, ICNL, and our partner HSC. ICNL supported local partners as they convened multi-stakeholder meetings and FATF compliance clinics. These gatherings brought CSOs face to face with regulators

Our Role

ICNL worked with local partners to convene meetings with regulators to discuss FATF compliance and counter perceptions that nonprofits were conduits for illicit funds.



so they could raise concerns about the impact of FATF-related regulations on the sector and counter perceptions that CSOs were conduits for illicit funds. Regulators listened and eventually agreed to address the challenges hampering CSOs, which led to the two new laws.

ICNL board member and NNNGO president Oyebisi B. Oluseyi praised the new laws as the positive outcome of government-civil society cooperation. “Thanks to support from ICNL,” Mr. Oluseyi noted, “CSOs were able to review the laws and engage in effective advocacy with regulators and other key stakeholders. We now have a more enabling environment for civil society to thrive.”

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- NNNGO president Oyebisi B. Oluseyi

KEEPING GUNS AWAY FROM PROTESTS

Firearms pose an urgent threat to the exercise of First Amendment rights of free expression and peaceful assembly in the United States. Armed individuals at protests can discourage people from voicing their beliefs and petitioning the government for change. They also pose lethal threats to public safety.

ICNL works with US partners to strengthen people's right to assemble peacefully, unimpeded by the presence of guns. One of our most important activities is to make regulatory recommendations to help policymakers respond effectively to emerging threats. After the Supreme Court ruled in *New York State Rifle & Pistol Assoc. v. Bruen* in 2022 that there was a right to carry firearms publicly, we quickly published an [article](#) proposing regulatory measures that governments could still adopt to protect peaceful protests from the dangers posed by firearms.

We also alert local partners and provide rapid analysis when undesirable legislation is underway. Our [online tracker](#) of state initiatives identifies steps states are taking that dilute the right to peaceful assembly, including loosening restrictions on the use of guns during protests. In 2021 and 2022, partners used our information to defeat bills in Missouri, South Carolina, and elsewhere that would have strengthened stand-your-ground laws and allowed persons to use

Our Role

ICNL works alongside US partners to strengthen the right to peaceful protest unimpeded by the presence of guns.



deadly force to prevent trespassing or if “confronted by a mob” during protests.

Additionally, we bring together experts to strategize about legislation to keep guns away from protests. At a meeting in September 2022, representatives of leading civil liberties, gun safety, and democracy groups discussed how to shape laws to ensure rights to peaceful assembly and free expression are exercised safely. Meeting participants continue to work together to strengthen protestors' protections from guns in bills being drafted in the aftermath of the Supreme Court's decision in *Bruen*.



ICNL BY THE NUMBERS

We partner with civil society organizations, governments, and members of the international community to promote an enabling environment for civil society, civic participation, and philanthropy around the world. Together, we protect the freedoms of association, assembly, and expression, and the right to public participation, whether exercised online or offline. Here is a snapshot of our work from the past year:



RESEARCH SPOTLIGHT

ICNL undertakes innovative research and analysis, exploring current trends shaping the legal environment for civil society, philanthropy, and public participation. Below are some examples of our work in 2021-2022. You can find our full collection of resources on our website: www.icnl.org/resources

Renewable Energy & Civic Space

CIVIL SOCIETY'S ROLE IN A JUST TRANSITION

The immediacy of the climate crisis makes clear that a transition to renewable energy is critical and overdue. But renewable technologies have their own environmental and social impacts, which civil society can help to identify. [Our report](#) examines the challenges and opportunities presented by the energy transition from the perspective of civil society.

Localization and Civic Space

THE ROLE OF CIVIL SOCIETY ORGANIZATIONS IN THE LOCALIZATION AGENDA

Localization means giving local communities more control and ownership of development initiatives. To engage in localization efforts, civil society organizations must be able to operate, accept foreign funding and work with international donors. However, laws and practices in many countries restrict their ability to do so. [Our briefer](#) describes challenges facing CSOs and their donors, including barriers to foreign funding and inclusion of marginalized groups, such as LGBTQI+ organizations.

Access to Resources

TRENDS, DEVELOPMENTS, AND CHALLENGES TO CIVIL SOCIETY'S ACCESS TO FINANCIAL RESOURCES

Freedom of association protects not only people's right to form organizations, but also organizations' access to resources. With ICNL contributing research and consultations with civil society, the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association published his [thematic report](#) on civil society's access to resources, including international philanthropy.

ICNL'S 2021 INCOME, EXPENSES, AND ASSETS

	Without donor restrictions	With donors restrictions	Total
PUBLIC SUPPORT & REVENUE			
U.S. and other government grants	\$6,413,683	--	\$6,413,683
Other government grants	--	\$4,017,900	\$4,017,900
Foundation grants	--	\$7,220,675	\$7,220,675
Investment income, net	\$67,689	--	\$67,689
Contracts and other revenue	\$9,694	--	\$9,694
Net assets released from donor restrictions	\$5,611,824	(\$5,611,824)	--
Total revenue	\$12,102,890	\$5,626,751	\$17,729,641
EXPENSES			
Program services	\$9,732,951	--	\$9,732,951
General and administrative	\$2,269,002	--	\$2,269,002
Total expenses	\$12,001,953	--	\$12,001,953
Change in net assets	\$100,937	\$5,626,751	\$5,727,688
NET ASSETS			
Beginning of year	\$2,545,520	\$6,049,925	\$8,595,445
End of year	\$2,646,457	\$11,676,676	\$14,323,133

For more information on ICNL's finances, please see our 2021 IRS Form 990 [here](#).

ICNL BOARD AND ADVISORY COUNCIL

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ICNL

1126 16th Street NW, Suite 400
Washington, DC 20036 USA

 www.icnl.org

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