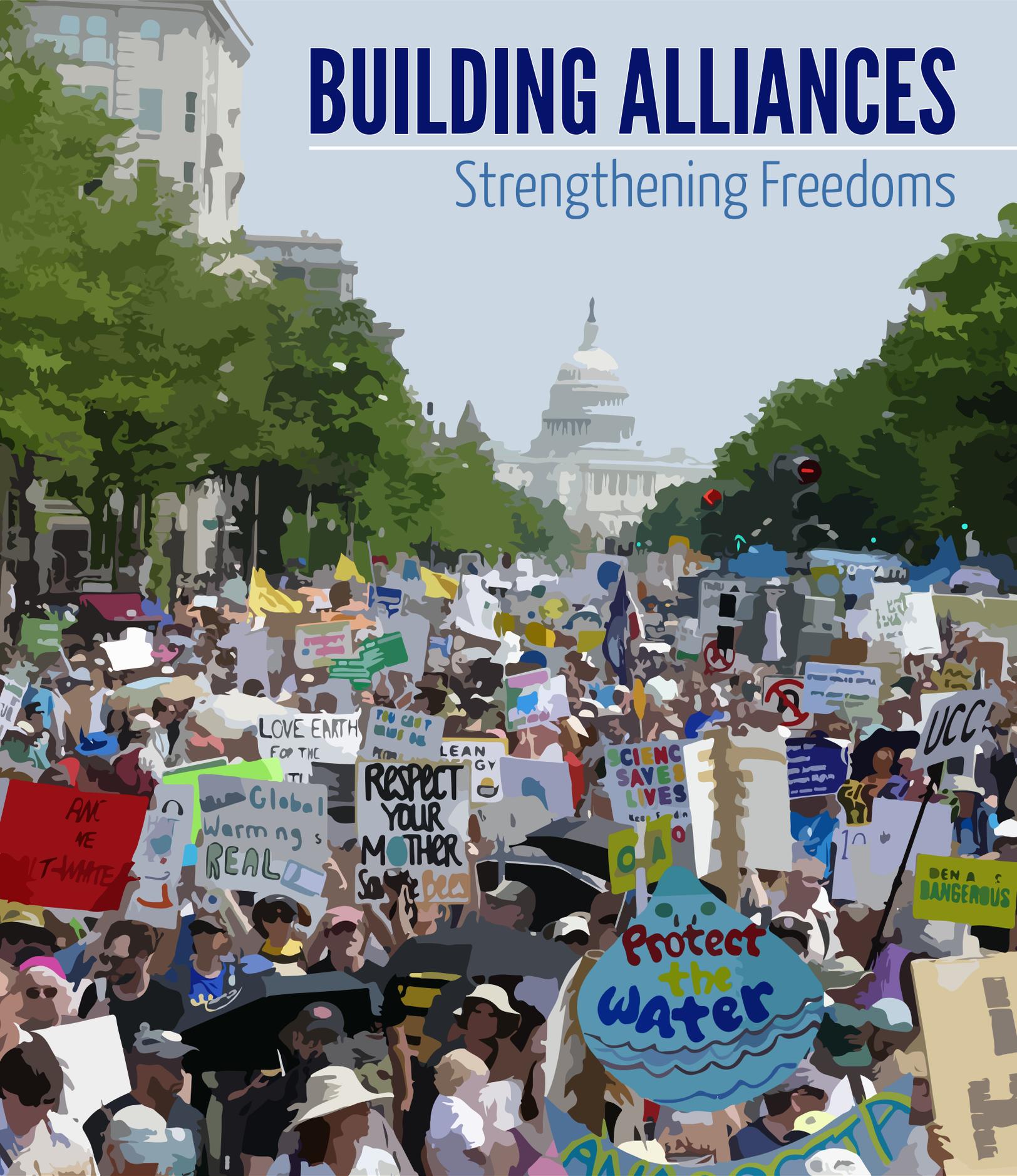


# BUILDING ALLIANCES

Strengthening Freedoms



2016-17 Annual Report

The International Center for Not-for-Profit Law





# OUR MISSION

“We share a vision in which people are empowered to work together to improve their lives.”



ICNL works to strengthen the legal environment for civil society, philanthropy and public participation around the world.

<http://icnl.org/> • <https://facebook.com/ICNLDC/> • <https://twitter.com/ICNLAlliance>

Cover photo: Justice & Witness Ministries, UCC/Flickr • Photo above: Stephine Ogutu, Global Communities/for USAID • Report design: Jeff Vize

# GEOGRAPHIC SCOPE

Empowering people throughout the world

Afghanistan	Ecuador	Italy	Namibia	Sri Lanka
Albania	Egypt	Jamaica	Nepal	Sudan
Angola	El Salvador	Japan	Nicaragua	Swaziland
Argentina	Estonia	Jordan	Nigeria	Taiwan
Armenia	Ethiopia	Kazakhstan	Pakistan	Tajikistan
Australia	France	Kenya	Palestine	Tanzania
Bangladesh	Gabon	Kosovo	Panama	Tunisia
Belarus	Gambia	Kuwait	Peru	Turkey
Bolivia	Georgia	Kyrgyzstan	Philippines	Turkmenistan
Bosnia-Herzegovina	Germany	Lebanon	Poland	Uganda
Botswana	Ghana	Liberia	Qatar	Ukraine
Brazil	Guatemala	Lithuania	Romania	United Arab Emirates
Bulgaria	Guinea	Macedonia	Russia	United Kingdom
Burundi	Haiti	Malawi	Rwanda	United States
Cambodia	Honduras	Malaysia	Saudi Arabia	Uzbekistan
Canada	Hungary	Mali	Senegal	Vietnam
China	Croatia	Mexico	Serbia	Yemen
Chile	India	Moldova	Sierra Leone	Zambia
Colombia	Indonesia	Montenegro	Slovakia	Zimbabwe
Czech Republic	Iraq	Morocco	Somalia	
Dominican Republic	Ireland	Mozambique	South Africa	
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# MESSAGE

## from ICNL's Chair & President

### A YEAR OF IMPACT

in numbers



Countries

**106**

where ICNL has partners



Documents

**3,881**

in our online library



webpage views

**92,880**

for ICNL's Civic Freedom Monitor  
(Nov. 1, 2016 to Oct. 31, 2017)



Increase

**37.8%**

In Twitter followers (from Nov. 1,  
2016 to Oct. 31, 2017)

In the past year, ICNL partnered with colleagues in 106 countries to promote an enabling environment for civil society, philanthropy, and public participation. Our work extended to countries as diverse as Uganda, Cambodia, Pakistan, Honduras, and the United States.

At the regional level, we had the honor of working with the African Commission on Human and Peoples' Rights, which launched progressive Guidelines on freedom of association and assembly (see story on page 3). At the global level, we engaged with the 2030 Agenda for Sustainable Development, UN Special Rapporteurs, and the Financial Action Task Force (see story on page 3).

ICNL empowers colleagues and alliances working to improve the legal framework for civil society, philanthropy, and public participation. Partners also drive our strategy. Over the past year, we surveyed over 5,000 partners to inform our work at the global, national, and community levels.

Recognizing the need for accurate and timely information, we launched our US Protest Law Tracker (see story on page 7) and Philanthropy Law Reports (see story on page 8). We also produced over 200 country reports and enhanced our Civic Freedom Monitor (see story on page 9).

We close by expressing our appreciation to ICNL's staff, partners, and donors. The impact described in this report is the result of your dedication, skill, and support. We live in a complex era, but working together, we can influence the future of civic freedom around the world.



**OONAGH BREEN**

ICNL Chair



**DOUG RUTZEN**

ICNL President

# SHAPING

## the International Framework: Africa & beyond

### ICNL facilitates landmark Guidelines on assembly & association rights

In November 2017, the [African Commission on Human and Peoples' Rights](#) (ACHPR) launched progressive [Guidelines](#) on freedom of association and assembly – the first of their kind in Africa.

The Guidelines provide policy makers and civil society organizations with practical advice - based on international law and best practices - on how the freedoms of association and assembly should be protected. They were created with help of a Study Group comprised of civil society organizations from across the continent and chaired by the former ACHPR Special Rapporteur on Human Rights Defenders, Reine Alapini Gansou. ICNL has helped [facilitate](#) the work of the Study Group since 2014.

Though the official work of the Study Group has been completed, ICNL's work on this issue is not over. Next steps include working to ensure that governments integrate the Guidelines into their laws and working with our partners to increase grassroots awareness of the Guidelines.

“At least 10 African countries are currently preparing laws related to association and assembly,” said Gansou, who was recently elected as a judge on the International Criminal Court. “They should use these Guidelines to ensure the new laws do not create problems for civil society.”



ICNL Africa staff Emerson Sykes and Irene Petras with ICNL partner Albaqir Al-Affif at the ACHPR in Banjul, The Gambia

## FATF ENGAGEMENT

### Building on past success

Since 2013, ICNL and the European Center for Not-for-Profit Law (ECNL) have been working with an advocacy coalition to improve to the Financial Action Task Force (FATF) policy framework, which many countries use to guide their financial crimes and anti-terrorism legislation.



The coalition won a victory in 2016, when FATF agreed to remove language singling out civil society groups as being “particularly vulnerable” to terrorist abuse. In 2017, we built on that victory with the [invitation](#) for the Coalition to take four seats on FATF's Private Consultative Forum, an annual meeting on policy implementation. As a result, civil society now has a permanent voice on FATF issues impacting the sector.

## RESOURCES

### Coalition on FATF

Stay up to date on FATF issues affecting civil society via the Global NPO Coalition on FATF's website: <http://fatfplatform.org/>

# CRAFTING

## a new narrative for civil society



Countries studied

5

in the MENA region



Civil society surveys

563

exploring specific issues



Public surveys

3,323

to gauge perception of CSOs

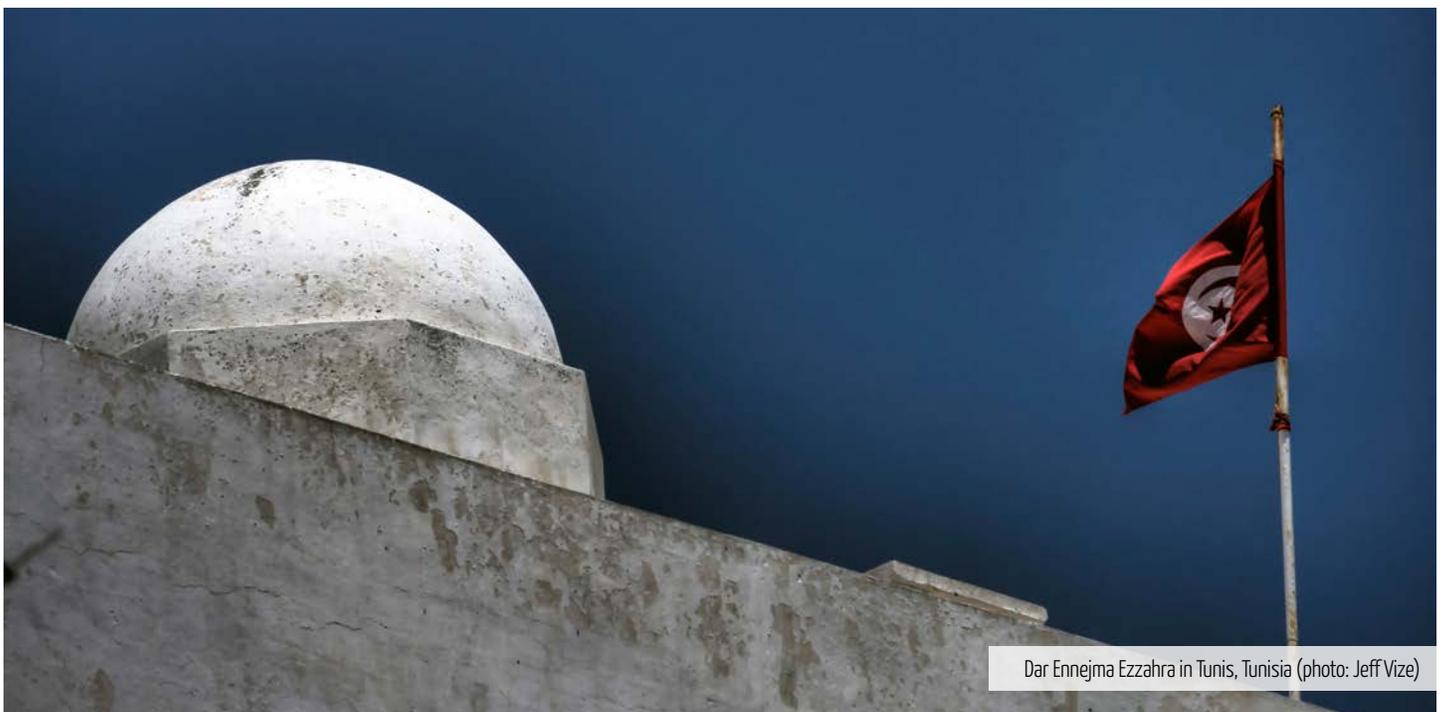
### Digging deep: MENA research uncovers full impact of civic space restrictions

When it comes to legislation affecting civic freedoms, there is more than meets the eye.

In the Middle East and North African (MENA) region, civil society faces a number of laws that constrain civic space. While much is known about the laws' generally repressive effects, their specific impact is less understood. Little information exists as to how MENA civil society actually experiences restrictive laws in their day-to-day operations. In response to this gap, ICNL and three local partners - [Beyond Reform & Development](#), [Menapolis](#), and [Université Mundiapolis](#) - developed Research On Associational Restrictions project, or ROAR.

With our partners, ICNL designed a research methodology to go beyond the text of laws, to collect data on laws' ground-level effects on civil society organizations (CSOs) and individuals in Morocco, Tunisia, Jordan, Lebanon, and Kuwait. The partners conducted over 500 surveys of CSOs, 3,300 surveys of members of the public and dozens of interviews and focus groups.

ICNL and our partners developed a report and toolkit based on this data, designed to help devise compelling, data-driven arguments against restrictive laws. By uncovering the lesser known impacts of restrictive laws, ICNL will continue to protect and promote endangered civic space in the MENA region.



Dar Ennejma Ezzahra in Tunis, Tunisia (photo: Jeff Vize)



A scene from Macedonia's so-called "colorful revolution" in 2016 (photo: Vanco Dzambaski/Flickr)

## How ECNL helped Balkan partners scrutinize assembly laws – and reform one

In recent years, political turmoil in the Western Balkan region has led to a new era of mass protest – from the so-called “colorful revolution” in Macedonia to Serbia’s election demonstrations in 2017.

At the same time, the region has experienced a significant increase in restrictions on peaceful assembly. ICNL’s affiliate, the European Center for Not-for-Profit Law ([ECNL](#)), sensed that there was little awareness of this trend, largely due to a lack of systematic monitoring. To fill this gap, ECNL and its local partners produced the first [comprehensive country reports](#) on assembly rights in five Western Balkan countries: Macedonia, Bosnia and Herzegovina, Croatia, Montenegro and Serbia. The reports, launched in 2016, compare local laws with international standards.

The findings show that all five countries have work to do in meeting international standards, but this research was only the first step. ECNL next brought together CSOs to share experiences and enhance their knowledge of assembly rights – creating a network to monitor and advocate for necessary changes.

These efforts have paid off: as an immediate result, ECNL’s partner in Montenegro, [Institute Alternative](#), was able to positively influence the reform of the law on public assemblies together with other local CSOs and remains active in calling for further reforms.

For more on ECNL’s work see their website: <http://ecnl.org/>

## CAMBODIA

### Tracking freedoms

ICNL’s Fundamental Freedoms Monitoring Project examines the exercise of assembly, association and expression rights in Cambodia. The project released its first annual report in 2017, which contained some concerning statistics, summarized below. For the full report, see: <http://www.icnl.org/research/library/files/Cambodia/ffmp.pdf>

**391**

Number of unique restrictions or violations of fundamental freedoms tracked

**81.6%**

Percentage of civil society leaders who “sometimes, regularly or always” self-censor when speaking in public

**11.5%**

Percentage of Cambodians that feel “very free” to exercise their fundamental freedoms

# STANDING

in the face of adversity: Uganda

## QUOTABLE

“ICNL’s legal analyses and strategic advice have saved us valuable time and energy in critical moments.”

- Nicholas Opiyo, Chapter Four Uganda founder & executive director

## RESOURCES

### Uganda rights

Following human rights in Uganda? Check out Chapter Four Uganda’s [Rights Violations Tracker](#), which plots rights abuses on an interactive map

**#RightsTrackerUg**

Monitoring Human Rights Violations in Uganda



LAUNCHES  
OCT. 06



PROTECTING CIVIL SOCIETY & PROMOTING HUMAN RIGHTS FOR ALL



Chapter Four Uganda executive director Nicholas Opiyo (left), pictured in 2017 (photo: Chapter Four Uganda)

### ICNL partner Chapter Four exemplifies courage amidst grave risk

In Uganda, CSOs and human rights activists find themselves at grave risk if they challenge the political or cultural status quo.

In recent years, peaceful political rallies have been violently dispersed, LGBTQ organizations have been prohibited, and CSOs who challenge government policies have had their offices raided and property confiscated. There have also been 29 break-ins of NGO offices [reported](#) in 2017 alone.

ICNL partner [Chapter Four Uganda](#) was formed in response to this difficult environment, with the goal of supporting activists to promote open government, defend human rights and facilitate the free flow of information and ideas. Since its inception, Chapter Four Uganda has provided *pro bono* legal counsel to victims of human rights abuses and expert legal analysis and advocacy. One of their most important accomplishments in 2017 was the launch of Uganda’s first [Rights Violations Tracker](#), which maps human rights abuses across the country.

ICNL is proud to have partnered with Chapter Four since 2015, helping them provide technical assistance to Ugandan CSOs and government officials on civil society legal issues.

“ICNL’s legal analyses and strategic advice have saved us valuable time and energy in critical moments,” said Chapter Four Uganda founder and executive director Nicholas Opiyo.

# EXPANDING

Our reach: The United States of America



Protesters in the United States face increasing restrictions on their assembly rights (photo: Mobilus In Mobili/Flickr)

## US Protest Law Tracker: Keep tabs on developments in assembly law

The United States has seen a surge in protests in recent years, with people taking to the streets to speak out against issues ranging from police brutality to the use of ancestral Native American land for an oil pipeline.

At the same time, US state legislatures have been proposing an array of laws that would restrict the freedom of assembly. Building on ICNL's global work, in 2017 we began monitoring this trend through a new online tool, [US Protest Law Tracker](#). The initiative is part of ICNL's recently-expanded [US program](#) (see sidebar at right).

The Tracker currently assesses more than 50 legal initiatives and has been cited by journalists, [researchers](#) and others - including former [UN Special Rapporteur](#) on assembly and association rights Maina Kiai, who called the Tracker his "go-to resource for information on initiatives restricting assembly rights in the United States."

Check out the US Protest Law Tracker at: <http://www.icnl.org/usprotestlawtracker/>

## US PROGRAM

### Other initiatives

- **Foreign Agent Registration Act (FARA):** ICNL believes that FARA, enacted in 1938, is antiquated and over-broad. ICNL launched an initiative to inform discussions about revisions to FARA to help safeguard civil society and cross-border philanthropy.
- **Navigating US law:** In 2017, ICNL launched a new [US resource page](#) packed with materials designed to help US nonprofits comply with federal and state laws governing the nonprofit sector.
- **US issues hub page:** You can find all of our US-related resources on our new US program hub page, [available here](#).

## QUOTABLE

"ICNL's US Protest Law Tracker is my go-to resource for information on initiatives restricting assembly rights in the United States."

- Maina Kiai, former UN Special Rapporteur

# SHARING

our knowledge: research on philanthropy law & more

## READ THE REPORTS



### China

[http://www.icnl.org/news/China Philanthropy Law Report.pdf](http://www.icnl.org/news/China%20Philanthropy%20Law%20Report.pdf)



### Ethiopia

[http://www.icnl.org/news/Ethiopia Philanthropy Law Report.pdf](http://www.icnl.org/news/Ethiopia%20Philanthropy%20Law%20Report.pdf)



### India

[http://www.icnl.org/news/India Philanthropy Law Report.pdf](http://www.icnl.org/news/India%20Philanthropy%20Law%20Report.pdf)



### Kuwait

[http://www.icnl.org/news/Kuwait Philanthropy Law Report.pdf](http://www.icnl.org/news/Kuwait%20Philanthropy%20Law%20Report.pdf)



### Nigeria

[http://www.icnl.org/news/Nigeria Philanthropy Law Report.pdf](http://www.icnl.org/news/Nigeria%20Philanthropy%20Law%20Report.pdf)



### Qatar

[http://www.icnl.org/news/Qatar Philanthropy Law Report.pdf](http://www.icnl.org/news/Qatar%20Philanthropy%20Law%20Report.pdf)



### Saudi Arabia

[http://www.icnl.org/news/Saudi Arabia Philanthropy Law Report.pdf](http://www.icnl.org/news/Saudi%20Arabia%20Philanthropy%20Law%20Report.pdf)



### South Africa

[http://www.icnl.org/news/South Africa Philanthropy Law Report.pdf](http://www.icnl.org/news/South%20Africa%20Philanthropy%20Law%20Report.pdf)



### UAE

[http://www.icnl.org/news/UAE Philanthropy Law Report.pdf](http://www.icnl.org/news/UAE%20Philanthropy%20Law%20Report.pdf)

## ICNL debuts in-depth reports on philanthropy law in nine countries

The past decade has seen a rapid evolution in how the philanthropic sector is regulated worldwide – from China’s new law on overseas NGOs to India’s restrictions on foreign donors to an array of new bills under consideration in Nigeria.

In this fast-changing environment, it can be hard to find reliable, up-to-date information on national laws and regulations affecting philanthropy.

In an effort to fill this gap, ICNL launched its new [Philanthropy Law Reports](#) in 2017 – a series of country-specific guides for philanthropists and nonprofits. The reports cover nine countries and were written by local experts in partnership with ICNL (see sidebar for links to the reports).

“In our work, we often hear that there is a lack of clear, concise information available to help philanthropists understand the legal environment for giving in particular countries,” said Catherine Shea, ICNL’s Vice President - Programs. “Our aim was to make these reports useful to a broad spectrum of users – from organizations just starting up in a particular country to those who may have deeper experience.”



Collecting water at a rehabilitated distribution point during the 2012 drought in Ethiopia (photo: Pablo Tosco/Oxfam)

## EXPLORE

### Our other resources

Looking for cutting-edge research on legal issues affecting civil society? Searching for a hard-to-find law in its original language? Or perhaps you just want to catch up on the latest trends in civic space. Whatever your goal, ICNL has just the resource you need.

Check out our extensive collection of online research tools to find what you're looking for:

# CIVIC FREEDOM MONITOR

<http://www.icnl.org/research/monitor/>

## Trends

Global Trends in NGO Law:  
Periodic reports on legal trends  
affecting civil society around  
the world  
([www.icnl.org/research/trends](http://www.icnl.org/research/trends))



## Journal

International Journal for  
Not-for-Profit Law: Pioneering  
research by legal experts on  
cutting edge civil society topics  
([www.icnl.org/research/journal](http://www.icnl.org/research/journal))



## Resources

Civic Freedom Resources:  
access to materials on 12  
leading topics in  
civil society law  
([www.icnl.org/research/resources](http://www.icnl.org/research/resources))



## Library

Online Library: Database with  
over 3,400 civil society legal  
materials in 60-plus languages  
from every UN Member state  
([www.icnl.org/research/library](http://www.icnl.org/research/library))



## ICNL's Civic Freedom Monitor: get the big picture on civic space issues

ICNL's [Civic Freedom Monitor](#) is recognized as one of the best sources of information on legal issues affecting civil society globally, providing current, concise and detailed information on 51 countries and eight multilateral organizations.

In 2016-17, we strived to make the Monitor even better with regular updates and additions. Notable issues covered by recent updates included:

- [China](#), where new legislation affecting civil society – the Overseas NGO Management Law – came into effect in January 2017.
- [Egypt](#), where the President recently approved an extremely restrictive new law to govern civil society – one of the most draconian in the Middle East, if not worldwide.
- [Kenya](#), where a disputed election has led to a crackdown on NGOs, including the attempted de-registration of the [Kenya Human Rights Commission](#) and [Africa Centre for Open Governance](#).
- [Nigeria](#), where CSOs are campaigning against the proposed Act to Regulate Non-Governmental Organizations and Civil Society Organizations.
- [Venezuela](#), where the government annulled the current Constitution by convening a so-called National Constituent Assembly without prior approval of the Venezuelan people.

Check out the full Monitor to learn more: <http://www.icnl.org/research/monitor/>

# CREATING

spaces for exchange - and change

## BULGARIA

### A new place for civic space

How can civil society solve the problem of shrinking civic space? Our affiliate the Bulgarian Center for Not-for-Profit Law (BCNL) took a novel approach in 2017: they expanded it – literally.

Since 2015, BCNL has operated the NGO House, a unique co-working and event space in Sofia that allows civil society groups to come together, collaborate, brainstorm and share their civic energy.

In 2017, the NGO House expanded in partnership with Ability Hub (A Hub), adding additional space for events and social entrepreneurship.

Since its founding two years ago, the NGO House has hosted more than 80 events, welcomed more than 2,500 visitors and evolved into a living community. It was nominated in 2016 as the best co-working space in Bulgaria.



A 2017 consultation on Pakistan's draft Policy on the Protection of Human Rights Defenders (photo: Blue Veins)

### Linking civil society and parliament to foster dialogue in Pakistan

Even in societies marked by division, distrust and closing civic space, there is a role for civil society to engage with political leaders.

When the Government of Pakistan first proposed the Prevention of Electronic Crimes Bill (PECB), civil society leaders feared that its enactment would restrict freedom of expression on the Internet. With ICNL's support, our local partner [Blue Veins](#) held a series of workshops with lawmakers to explain how the PECB would likely result in the criminalization of criticism and dissent - one of the country's first attempts at meaningful dialogue between civil society and parliament. One [commentator called](#) the consultations "unprecedented in the annals of law-making in this country."

Despite these efforts, the PECB was ultimately enacted, and the concerns raised by Blue Veins and others proved valid. But the bridges built during the consultations have remained - and there are signs that the culture of engagement is growing: Civil society and parliamentarians have since continued their dialogue, including on ways to improve the PECB. Exchanges have also extended to Pakistan's draft Policy on the Protection of Human Rights Defenders, which was formulated with input from civil society and is expected to be adopted in late 2017.



Events

80

held at BCNL's  
NGO House since 2015



Visitors

2,500

hosted by the  
NGO House since 2015



View of Tegucigalpa, Honduras (Photo: Nan Palmero/Flickr)

## Cooperating to improve the legal environment for NGOs in Honduras

In this era of rapidly closing civic space, new regressive laws tend to grab the attention, but sometimes the problem is less about restrictive laws and more about how good laws are implemented.

That has been the case in Honduras, where flawed implementation of the country's Special Law for Non-Governmental Development Organizations (NGO-D Law) has been a serious barrier to association rights. Government officials often lack training on civil society issues, which can result in restrictive practices when implementing laws regulating the sector.

To help address this problem, ICNL worked in collaboration with local partner [Federación de Organizaciones No Gubernamentales para el Desarrollo de Honduras](#) to design and conduct a four-month-long “training of trainers” program aimed at improving the government's knowledge base about the law.

The premise of the program was to prepare government officials to train their peers and NGOs on the NGO-D law, but the overall goal was deeper: to inspire a better understanding of the right to freely association, and how this right can bring broader benefits for society.

The initial success of the program can be seen in the numbers: The training was initially planned for 35 officials from three government entities, but later expanded to 56 officials from six agencies, including the Supreme Court.

“Thanks to the exercises, we realized that our administrative practices are negatively affecting NGOs' work,” said Chief of the Legal Unit of Exemptions of the Secretariat of Finance, Juan Jose Vides.

## CONTEXT

### Honduras' NGO-D Law

• Approved on June 27, 2011, and officially known as the Special Law for Non-Governmental Development Organizations.

• Regulations for implementing the law were not published until June 4, 2013.

• The law conforms closely to international standards of freedom of association, but more work is needed to improve the legal environment for civil society - e.g., better regulations for the exercise of rights such as freedom of expression and access to public information.

• For more, see the ICNL's Civic Freedom Monitor Honduras report: <http://www.icnl.org/research/monitor/honduras.html>



# OUR FINANCES

## 2016: An overview

	Unrestricted	Temp. Restricted	Total
<b>PUBLIC SUPPORT &amp; REVENUE</b>			
US & other government grants	-	\$6,391,139	\$6,391,139
Foundation & corporate grants	-	\$908,439	\$908,439
Contributions	-	-	-
Contracts	\$297,013	-	\$297,013
Interest & dividend income	\$17,024	-	\$17,024
Net depreciation of investments	\$32,905	-	\$32,905
Other revenue	\$1,569	-	\$1,569
Net assets released from restrictions	\$9,368,796	(\$9,368,796)	-
<b>Total revenue</b>	<b>\$9,717,307</b>	<b>(\$2,069,218)</b>	<b>\$7,648,089</b>
<b>EXPENSES</b>			
Program services	\$7,869,889	-	\$7,869,889
General & administrative	\$1,704,245	-	\$1,704,245
<b>Total expenses</b>	<b>\$9,574,134</b>	<b>-</b>	<b>\$9,574,134</b>
Changes in net assets	\$143,173	(\$2,069,218)	(\$1,926,045)
<b>NET ASSETS</b>			
Net assets at beginning of year	\$1,856,332	\$10,604,251	\$12,460,583
Net assets at end of year	\$1,999,505	\$8,535,033	\$10,534,538

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