



IMPACT REPORT

2021



(A Charitable Incorporated Organisation)
Charity No 1167733

INTRODUCTION

The Global Legal Action Network (GLAN) pursues innovative legal actions across borders, challenging states and other powerful actors involved with human rights violations and systemic injustice.

Our vision is to challenge injustice through legal action and improve the lives of the disempowered. We believe that more can be done to challenge serious human rights violations by transcending borders and working transnationally.

We work with communities and individuals to unlock the potential of foreign courts and other legal forums.

A MESSAGE FROM THE CHAIR



I am pleased to be introducing GLAN's fifth annual report highlighting some of teams' major successes. The year 2020-21 has posed unprecedented challenges and I'm proud to say that the GLAN family have risen above and achieved more than ever in fighting injustice around the world.

I am proud of how far GLAN has come since its establishment in 2016. This past year has seen substantial growth in the number and scale of legal cases we have taken on. In September 2020 the team filed their biggest case to date, supporting 6 youths from Portugal to challenge 33 European countries for not taking urgent measures to mitigate against climate change. The work needed to develop this case has seen us increase the GLAN team two-fold.

The GLAN team achieve their goals by using innovative legal strategies to challenge major actors including governments and corporations. This year we challenged Irish Governments' aggressive approach to profit-shifting from poorer countries arguing it violates the rights of children in places like Ghana.. Thanks to this work the UN Committee on the Rights of the Child agreed to examine the impacts of Ireland's tax policies on the rights of children abroad, shining much needed light on the human rights impact tax avoidance has on future generations. There are so many more achievements throughout the year which have positively impacted a range of human rights issues, this report outlines GLAN's focus in the past 12 months.

Our network of support is growing in strength, I am extremely grateful to those supporting our projects. We have built strong relationships with loyal and supportive donors, without whom none of this would be possible; we work closely with some incredible strategic civil society partners to help achieve our goals; our Legal Action Committee and law school partnerships continue to strengthen; all of which contribute to the GLAN family and support our dedicated team in achieving GLAN's vision. May I also thank my fellow Trustees for their generosity, both of their time and of their talents and wish Gearóid and all those working with him continued success.

I look forward to another year supporting GLAN in my capacity as Chair and am excited to see what legal strategies are developed in the year ahead.

Mark Beer, OBE

Chair, GLAN Board of Trustees

A MESSAGE FROM GLAN'S DIRECTOR



This year our team continued to aim high with innovative legal actions addressing the greatest human rights challenges of our time; climate change, border violence, the arms trade, and destructive supply chains. Of course, all of this occurred during the onset of COVID-19 which impacted every layer of our operations and the issues we dedicate ourselves to. Despite these circumstances our staff, volunteers and advisors continued their efforts to connect and listen to the affected communities, many of whom are disproportionately affected by the pandemic.

A particular highlight of the last 12 months has been the European Court of Human Rights decision to communicate and fast-track our climate case against the 33 countries for failing to adopt a system to ensure deep and urgent greenhouse gas emissions cuts. It is abundantly clear that climate change is the greatest threat to the enjoyment of human rights globally and this unprecedented case, brought by six young people from Portugal already living through severe heat extremes, suitably demonstrates our team's willingness to seek meaningful change.

Another strategically important complaint was filed with the European Court of Auditors calling into question the EU's misuse & mismanagement of funds directed to the Libyan Coast Guard for the interception & return of migrants, exposing them to torture and slavery.

Many other actions, some of which are detailed in this report all speak to our attempt to tackle the systems that enable or perpetuate serious human rights harms such as Ireland's aggressive profit shifting from developing nations like Ghana and the free flow of goods into European economies despite their production involving serious human rights violations such as with imports of forced labour cotton or coal from the notorious Cerrejón mine in Colombia.

It is our hope that these actions assist broader efforts to secure the positive legal and economic change that address a transnational problem centred around the lack of accountability and responsibility for human rights violations and environmental harms. To meet these challenges GLAN has evolved our internal systems and regularly engaged with our Board of Trustees through-out this intensive period. We look forward to the coming year where we aim to stay true to our mandate while expanding our operations.

Dr Gearóid Ó Cuinn

Founding Director, GLAN

GLAN ACHIEVEMENTS

ACCOUNTABILITY & SUPPLY CHAINS

Submission of evidence to UK and US customs authority on imports of forced labour cotton from China

Our team has been at the forefront of developing innovative legal actions that tackle severe and systemic human rights abuses with a special focus on forced labour. The Chinese authorities have systematically detained over one million Uyghur muslims since 2017 using a network of high-security indoctrination and prison camps. The mass incarceration of Uyghurs is the latest instalment in Xinjiang's history of forced prison labour – its “regular” prisons, which contain up to 800,000 Han Chinese and ethnic minority inmates, have long been home to conglomerate prison enterprises. Not only is prison and forced labour widespread and systematic in Xinjiang Uyghur Autonomous Region (East Turkistan), it is intimately linked with the region's cotton industry, which accounts for 84% of the cotton produced by China. GLAN and the World Uyghur Congress submitted extensive evidence (April 23rd 2020) to the UK's customs authorities requesting a suspension of imports of cotton products produced by forced labourers in the Xinjiang region of China.

Our submission cited numerous sources demonstrating the widespread use of forced labour involving China's Uyghur people in its cotton industry and names a number of companies who have sourced cotton in East Turkistan (Xinjiang) including Muji, Uniqlo, Ikea and H&M. We argued that current imports involve forced labour on such a scale that they violate UK principles prohibiting the importation of prison-made goods, and

should be halted by the UK's customs authorities. The UK's Foreign Prison-Made Goods Act 1897, for example, prohibits the importation of goods produced in foreign prisons. The importation of such cotton might put the authorities at risk of falling foul of criminal legislation, notably the Proceeds of Crime Act and the Serious Crime Act.

During August 2020 GLAN and the World Uyghur Congress formally submitted a “1307 petition” to the United States' Customs and Border Protection (CBP) requesting the suspension of imports of cotton goods produced with forced Uyghur labour. CBP subsequently issued “withhold release orders” targeting apparel, cotton and other goods produced in Xinjiang following allegations of widespread human rights abuses and forced labour in the region.

Our work is attempting to address the pressing humanitarian situation endured by the Uyghur people while also seeking change in how the borders and economies of third states related to this situation. Visit our case page and read coverage by the Independent and Reuters.

Legal Opinion concludes that treatment of Uyghurs amounts to crimes against humanity and genocide

GLAN, the World Uyghur Congress and the Uyghur Human Rights Project together instructed barristers at Essex Court Chambers to produce an authoritative, independent and objective legal opinion on the treatment of Uyghurs by Chinese authorities in the XUAR. The Opinion, published in February 2021 concluded that the available evidence credibly establishes that crimes against humanity and the crime of genocide have been committed against the Uyghurs.

The findings bolstered GLAN and WUC’s ongoing [petition](#) to the UK customs authorities to ban imports of cotton from the region given the likelihood that they are tainted by forced labour. [Click here](#) for a podcast episode of ‘Asymmetrical Haircuts’ discussing the Opinion or visit our [case page](#) to access the document.



MIGRATION & BORDER VIOLENCE

EU Financial Complicity in Libyan migrant abuses

The Libyan Coast Guard intercepts and return migrants to a failed state where they are at the mercy of militias and human traffickers. Migrants face indefinite detention in facilities where they are deprived of food, and water. Many become victims of sexual exploitation, assault, forced labour and torture. Many lose their lives. The EU has allocated €90 million to reduce migration by expanding the Libyan Coast Guard’s ability to stop migrant boats, providing training and equipment. This funding pours into Libya with no human rights conditions and no system for monitoring human rights impacts. Through this arrangement, largely implemented by Italy, the EU is facilitating and perpetuating the abuse of refugees and migrants trapped in Libya.

On 27 April 2020 GLAN and partners [filed a complaint to the European Court of Auditors](#) over the EU’s misuse & mismanagement of funds directed to the Libyan Coast Guard for the



interception & return of migrants, exposing them to torture and slavery. Our complaint argued for the suspension of funding for EU’s program and broke new ground by framing the ‘financial complicity’ of the EU in Libyan abuses under the law governing the EU budget. By focusing on this emblematic case, it brings to light the extent and severity of the consequences that result from the unaccountable nature of the framework for the allocation and use of EU funds by the EU’s ‘emergency’ trust funds. [View our case page here.](#)

Enforced Disappearance & Expulsion by Greece at Border with Turkey

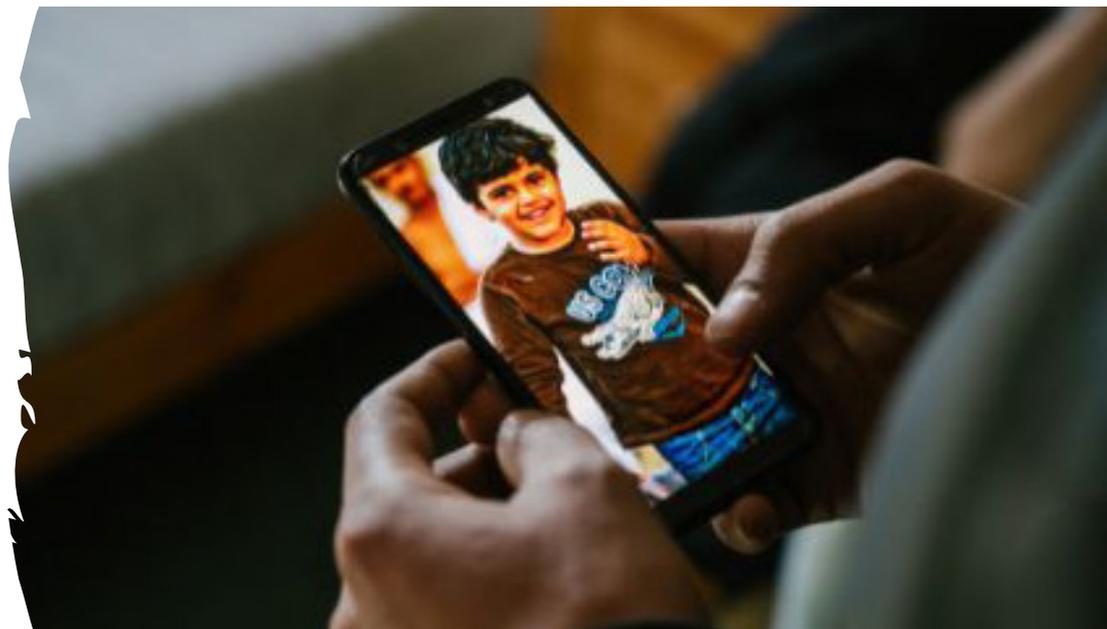
Fady, 25, arrived in Germany in 2015 from Deir az-Zour, Syria. After ISIS took over the area, he fled to Germany, where he was recognised as a refugee in 2015. In November of 2016, he travelled with valid refugee documentation from Germany to Greece. The sole purpose of his trip was to find his unaccompanied 11-year-old brother, who was fleeing ISIS recruitment. He was last seen after crossing the Evros River into Greece as part of his journey to seek asylum. On 30 November 2016, while looking for his brother at a Greek bus station, arrested by the Greek police who confiscated his German documentation. Greek authorities arbitrarily detained him incommunicado, without access to legal representation, and proceeded to violently and summarily expel him, in a group of 50 others, to Turkey.

Stranded in Turkey without his documentation, Fady reattempted entry into Greece 14 times over the course of the following year, and was subjected to further summary expulsions by Greek authorities. In December 2017, he finally made it back into Greece without being pushed back. But he was stranded -- undocumented, homeless, and with severe impacts on his health -- for a further two years. His German travel document was eventually reissued on 30 October 2019. Over the

three years of living in precarity and destitution Fady experienced life-threatening physical and mental health consequences of his pushbacks, including the onset of cardiac distress that required emergency hospitalization and heart surgery. He continues to live with toxic stress and anxiety about the fate of his child brother who would now be 15, and remains missing.

On 17 November 2020 GLAN and HumanRights360 filed a [complaint](#) with the UN Human Rights Committee on behalf of Fady, arguing that the systematic pushbacks Fady was exposed to violate a number of Greece's human rights obligations, including among others the right to life; the prohibition of torture and inhuman and degrading treatment; and the right to dignity. The case breaks new grounds by arguing that Fady's abduction amounts to an enforced disappearance, and that Greece has violated its obligations under the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED). The complaint drew from a reconstruction of Fady's initial expulsion from Greece reconstructed in the form of a '[situated testimony](#)' by the UK-based investigative group Forensic Architecture. Our [case page](#) can be viewed here.

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Greek ‘pushbacks’ brought to European court after child refugees ‘towed out to sea and abandoned in raft’

Our case challenges Greece’s systematic policy of “driftbacks” in the Aegean Sea



Two unaccompanied child asylum seekers arrived on Samos, Greece from Turkey on September 2020 and made their way to a refugee camp to apply for asylum. Despite having met representatives of international organisations at the camp, the two minors were denied the opportunity to register, and instead were abducted from the camp by Greek police officers. The officers confiscated their phones and money then forced them aboard a Hellenic Coast Guard vessel, handcuffed. Coast Guard officers drove the ship into the middle of the Aegean sea, forced the two teenagers into an inflatable, motorless raft and left them to drift. The children paddled with their hands until they were rescued by the Turkish Coast Guard. They were detained in Turkey for about 9 days, before being released, destitute and without support. Their case marks the growing number of asylum seekers who

have come ashore in search of sanctuary only to be allegedly placed back into boats and left adrift in the sea.

GLAN and the human rights law firm Prakken d’Oliveira filed an application with the European Court of Human Rights on behalf of R, one of the unaccompanied children. Our case challenges Greece’s systematic policy of “driftbacks” in the Aegean Sea, and the pattern of abandoning asylum-seekers adrift in non-navigable rafts which, we argue, amounts to torture. R’s case is symptomatic of a broader system of pushbacks, which amount to serious violations of international refugee law and European regional human rights. View our case page here.

WAR & OCCUPATION

New report: Business and Human Rights in Occupied Territory: Guidance for Upholding Human Rights

On April 30th 2020 Al-Haq and GLAN published a [report](#) that closely examined the economies of three situations of occupation - in Russian-annexed Crimea, Moroccan-controlled Western Sahara, and Israeli-occupied Palestinian territory. The report sought to contribute to the development of a more precise understanding of the types of business activities that take place in occupied territories, how such activities may contribute to human rights abuses and other violations of international law, and what steps businesses should take in their

due diligence processes to mitigate and prevent such abuses. Researched and authored by Marya Farah it was based on consultations with experts and international and local human rights groups working on these situations of occupation.

The report was submitted to the UN Working Group on Business and Human Rights under its [consultation](#) on the challenges of business in conflict and post-conflict contexts. The report can be accessed [here](#).

Tainted Tourism: International Tourism and Israel's illicit Settlement Economy in Palestinian and Syrian Territories

Package holidays make up about a third of incoming tourism to Israel, according to the Israeli Ministry of Tourism — a booming industry that brought 4.55 million visitors in 2019 alone. The vast majority of package tours include locations beyond Israel's internationally recognised borders, such as Jerusalem's Old City, as well as archaeological sites in the occupied Palestinian territory (OPT). Many tours also include stops at sites that are part of Israel's illegal settlements in the OPT and occupied Golan. While Israel's incoming tour operators and the international tour groups they lead move freely and support settlements, Palestinians in the OPT are confined to enclaves, with restricted access to their land, natural resources, and basic services such as healthcare and education.

A report by GLAN and the Centre for Research on Multinational Corporations ([SOMO](#)) reveals how industry leaders in the tourism sector are misleadingly marketing OPT sites as being in Israel. The result is that these companies are unwittingly benefiting from Israel's illicit settlement economy in occupied Palestinian and Syrian territories and the serious violations of international humanitarian and human rights law they perpetrate.



In misrepresenting the status of these locations, the tour operators are opening themselves up to legal and reputational risk. In misrepresenting the status of these locations, the tour operators are opening themselves up to legal and reputational risk. The report explains the ways in which package tourism companies are implicated in the settlement economy, calls on tour operators to remove settlement sites from their itineraries and to halt deceptive marketing practices. It also urges the home states of tour operators to prohibit business dealings that benefit from Israel's illicit settlement economy, and to prevent the false advertisement of illegal settlement sites. Read the full story and download the report [here](#).

Complaint submitted to UN experts over the role of medical facilities in Bahraini repression and human rights abuses

GLAN and partners filed a complaint to UN Special Rapporteurs detailing allegations of ongoing human rights abuses relating to medical facilities in Bahrain. In Bahrain's ongoing crackdown against the pro-reform movement, the facilities have been linked with torture, serious breaches of medical ethics and neutrality, and the targeting of

injured protesters and the medics that treat them. A number of international certification bodies currently evaluate and monitor these facilities, including the Irish Medical Council, but none have addressed these serious violations. Read more [here](#).

Scrutinising EU arms exports

THE PERCEPTION: *Once a weapons system is shipped, the relationship between the arms company and the buyer-state ends.*

THE REALITY: *When you buy a weapons system, like a fighter jet or a howitzer, you are not just paying for a complex piece of hardware, you also pay for future updates, structural training and a scheme for maintenance.*

European arms-suppliers routinely provide 'post-sale services', such as maintenance, training and other aftersales servicing, to abusive regimes fuelling conflict & facilitating serious violations of international law. GLAN and Lighthouse Reports collaborated in preparing a methodology for investigations into these arrangements through a project entitled 'The invisible link -- post sale services linked with arms transfers'.



The project sheds new light on the shadow world of arms dealings through in-depth investigations of specific cases of post-sales services. Its [legal methodology](#) is based on the first comprehensive review of the governing laws and legal practices. This collaboration is part of a broader effort to secure accountability through investigation, advocacy and litigation. Led by Dr Valentina Azarova this project was assisted by The University of Amsterdam's Business and Human Rights Clinic. The project materials, including the methodology turned into a legal guide, and initial legal assessments of the three investigated cases are available at www.euarms.com

ENVIRONMENTAL & ECONOMIC INJUSTICE

First climate case filed with the European Court of Human Rights

Despite the efforts governments have already made to reduce their emissions, scientists believe we are still on a path that will most likely bring us to 3°C of global warming by 2100 leading to weather-extremes, worse than anything we've experienced so far. On 3 September 2020 GLAN supported six young people from Portugal in taking thirty-three countries to the European Court of Human Rights for failing to do their part to avert a climate catastrophe.

In their application, the youth-applicants contend that climate change interferes with their right to life, their right to respect for their private and family lives and their right not to be discriminated against. Climate change affects their right to life simply because it creates a risk to their lives, as demonstrated by the 2017 forest fires in Portugal which killed over one hundred people. Their concern is this risk will increase significantly over the course of their lifetimes if not addressed by governments.

Climate change also affects the youth-applicants' right to privacy, a right which covers their physical and mental wellbeing. In recent years Portugal has experienced more intense and prolonged

heatwaves as a result of climate change such as the 2018 heatwave in Lisbon which saw record high temperatures of 44°C. These heatwaves have interfered with the applicants' ability to exercise, to spend time outdoors and to sleep properly. Again, these extreme events will only worsen dramatically over time if we remain on our current path. Towards the end of the youth-applicants' lifetimes, Portugal could face heatwaves, with temperatures exceeding 40°C, which last for over a month.

On the 30 November 2020, the European Court of Human Rights announced it would fast-track our climate case and also required all states to respond to the application. On 4 February 2021, the European Court of Human Rights dismissed a coordinated effort by the 33 defendant governments in the case to overturn its decision to fast-track the case. In another important victory the Court further denied the governments' application to have the proceedings "bifurcated" into admissibility and merits. Government defences are due in August 2021 and our team, led by Gerry Liston, will immediately begin building a counter response. GLAN launched a crowdfund to support this case, for more information visit our case page: www.youth4climatejustice.org



Multi-jurisdictional complaints filed against entities linked to the infamous Colombian coal mine

The Cerrejón mine in Colombia, one of the largest open-pit mines in the world, is linked to the forced displacement of indigenous Wayúu and Afro-Colombian communities as well as widespread, persistent, extreme pollution of air and water. High concentrations of harmful, cancer causing metals have been found by Colombia's Constitutional Court to exist in the blood of those living near to the mine. Studies have shown that air pollution is driving elevated levels of cellular damage, in turn raising the risk of cancer, DNA damage, and chromosomal instability for those living in the region.

The mine is owned by Anglo America, BHP, and Glencore. All OECD member countries must implement the Guidelines for Multinational Enterprises which set certain minimum standards including respecting internationally recognised human rights, avoiding adverse environmental impacts, and disclosing certain information about business conduct. Companies' compliance with the Guidelines is subject to government-backed oversight by National Contact Points (NCPs) in every OECD country. In January 2021, GLAN, with the support of Colombian and international partners, submitted complaints to the Australian, Swiss, and UK NCPs about Anglo America, BHP, and Glencore the parent companies of the Cerrejón mine. The NCP will begin the process of investigating these international mining giants.



This filing attracted significant international media attention.

Parallel complaints were filed in Ireland about CMC and ESB. Dublin based CMC (Coal Marketing Company) is the company that sells and markets all of Cerrejón's coal while ESB is an Irish state-owned energy company which has bought millions of tonnes of coal from Cerrejón. ESB is directly linked to the mine through its business relationship and has failed to mitigate abuses in its supply chain. GLAN is leading this case with the support of Christian Aid Ireland as well as Colombian and international human rights and environmental NGOs - CINEP, CAJAR, AIDA, ABColombia and ASK. Visit our case page.

Complaint challenging destruction of Barbuda wetland for luxury development



For more than 100 years, the people of Barbuda have shared communal rights to their land through a unique tenure system developed after slavery was abolished, one that protected the island's rich environment. Since 2017 these ecologically rich lands are being seized and rapidly destroyed by billionaire developers building enclaves for the ultra-wealthy. Right now, for example, the region's last internationally significant wetland is being converted into a golf course. GLAN is leading the development of an international legal strategy to challenge this environmental destruction and the erosion of the islander's communal tenure system. We also aim to support other communities in the Caribbean who are experiencing similar threats as we believe local and indigenous environmental stewardship is one of the most effective ways to fight climate change.

In December 2020 GLAN submitted a complaint to the Ramsar Secretariat to urgently intervene to arrange an independent advisory mission to visit the Caribbean island of Barbuda and advise on ongoing and future threats to the protected wetlands. The Ramsar Secretariat, a Geneva based body overseeing the implementation of the intergovernmental Convention on Wetlands of International Importance. GLAN's complaint concerns the destruction of a listed wetland after the government of Antigua and Barbuda allowed the development of luxury residences and a golf course by the US partnership 'Peace Love Happiness' (PLH) and Discovery Land Company. In the process the unique collective tenure system of the island is being undermined and the developments render the island vulnerable to climate impacts. Read the full story [here](#).

Committee on the Rights of the Child puts spotlight on overseas effects of Ireland's tax policies

Developing countries now lose at least \$170 billion every year to tax avoidance. For example, an estimate for 2013 puts foregone tax revenue for Ghana due to corporate tax abuse at US\$340m. According to [researchers](#) at the University of St Andrews, a US\$340m increase in Ghanaian government revenue in 2013 could have prevented 170 child deaths. Ireland is a major facilitator of corporate tax avoidance, and Ghana's largest source of foreign direct investment. In 2018, Ireland negotiated a double tax treaty which dramatically undermined Ghana's ability to raise tax revenues.

In June 2020 GLAN and a coalition of other NGOs made a submission asking the UN Committee on the Rights of the Child (the CRC) to consider tax policy as part of its upcoming review of Ireland. In November of that year the Committee agreed to examine the impacts of Irish tax policy on the rights of children abroad. This is a major development: the CRC has never investigated a state's tax policy before nor have the overseas impacts of Ireland's tax policies been scrutinised by a human rights treaty-monitoring body. The news was covered by the [Irish Times](#), and was also discussed in an [opinion piece](#) and an [editorial](#). The Irish Minister for Finance has already [responded](#) to the news by seeking to defend Irish policies, but the Government must send a full response to the CRC by October 2021. Read our full submission [here](#).



LOOKING AHEAD!

Building off of experiences and lessons learned during 2021 we will maintain our thematic focus areas and work to increase our capacity for legal strategies addressing environmental injustice. Another exciting area of growth for GLAN will be in our efforts to tackle economic service providers, the enablers of so many serious human rights violations. To support our work we also hope to deepen our connections with financial investigators and investigative journalists. Watch this space.

