



PRIVACY FIRST

your choice in a free society

ANNUAL REPORT 2019

**Privacy First Foundation
Amsterdam**

15 October 2020

Table of contents

1.	Vision and policy	1
2.	Projects and events	2
2.1	Dutch Privacy Awards and National Privacy Conference	2
2.2	External projects	4
2.3	Privacy First as a daily information desk	5
2.4	Other activities	5
3.	Political lobbying and campaigns	6
3.1	Financial privacy & PSD2	6
3.2	EU Passenger Name Records (PNR)	7
3.3	UN Human Rights Committee	8
3.4	Medical privacy	8
4.	Court cases	9
4.1	System Risk Indication (SyRI)	9
4.2	ANPR (Automatic Number Plate Recognition)	10
4.3	License plate parking & right to cash/anonymous payment	11
4.4	Citizens versus Plasterk case	12
4.5	Route monitoring	13
4.6	Individual court cases of Michiel Jonker	13
5.	Communication	14
5.1	Mass media	14
5.2	Internet	15
6.	Organization	15
7.	Finances	16

1. Vision and policy

Privacy First was founded in 2008 as an independent foundation to preserve and promote everyone's right to privacy. Privacy is a universal human right and the cornerstone of our democratic constitutional State. In addition to the right to a personal life, the right to privacy also includes the protection of personal data, confidential communication and physical integrity. Of all human rights, the right to privacy is currently under most pressure in this day and age. Privacy First is therefore committed to protecting and promoting this right as much as possible. As a Dutch Institution of Public Benefit (ANBI), Privacy First does this in the public interest, either for the population as a whole or for vulnerable subgroups. In doing so, Privacy First maintains a broad and principled orientation to privacy, both in relation to our free, open society as well as to other relevant human rights. Our field of vision and activities extend to both the digital and the analogue domains. However, these worlds are becoming increasingly integrated and the classic "analogue space" is shrinking. Developments in the digital domain are taking place at lightning speed. In order to steer these developments in the right direction, Privacy First has been advocating *privacy by design* for years: incorporating privacy into services and technology from the very first design phase. The arrival of the new European privacy law GDPR has been a welcome support in pursuing this ambition. At the same time, Privacy First operates in a force field through which privacy is constantly threatened. Moreover, the current Corona crisis threatens to become a profound crisis for all human rights (including the right privacy). The work of Privacy First is therefore more urgent and relevant than ever.

Long-standing policy of Privacy First is to focus our attention primarily on (imminent) privacy violations that can affect large groups of people at once. In our selection of topics, we are guided by 1) the scale, 2) the severity and 3) the impact and consequences of a given violation. Massive, serious privacy violations are first investigated by Privacy First and publicly named. After this, Privacy First seeks to end the violation in question through quiet diplomacy and political lobbying, followed by a public campaign, legal action or – as last resort – a lawsuit.

In line with these criteria, Privacy First's focus in recent years has been primarily on biometrics, camera surveillance, medical privacy, mobility and anonymity in public spaces. In addition, Privacy First has been increasingly active in the field of financial privacy (including PSD2), police, justice and secret services, Big Data and *profiling*.

Our core mission is to protect the population from mass surveillance and to develop the Netherlands into an international Pioneer Nation in Privacy. We are happy to describe our main activities from 2019 below. For Privacy First's recent activities during the Corona crisis, we recommend checking our website.

2. Projects and events

2.1 Dutch Privacy Awards and National Privacy Conference

On January 28, 2020, ECP and Privacy First jointly organized our annual National Privacy Conference. This is now the main annual Dutch privacy event around the European Data Protection Day. Our goal for this event is to work together with the business community, the government and science and civil society in order to build a privacy-friendly information society and to help develop the Netherlands into an international Pioneer Nation in Privacy. The conference location was Nieuwspoort in The Hague and the interest was once again enormous: 220 professionals had registered for free, with a room capacity of 160 people. In other words: a crowded room in which some people even had to stand. Keynote speakers during the conference were Monique Verrier (deputy chair of the Dutch Data Protection Authority), Richard van Hooijdonk (trendwatcher/futurist), Bas Filippini (founder and chairman of Privacy First), Tom Vreeburg (IT auditor), Coen Steenhuisen (privacy advisor at Privacy Company), Peter Fleischer (global privacy counsel at Google) and Sander Klous (professor Big Data Ecosystems, University of Amsterdam). The chairman of the day was presenter Tom Jessen (RTL television, BNR radio).



National Privacy Conference, Nieuwspoort January 28, 2020.

Photo: Tamara Heck

As the concluding part of the conference, Privacy First presented our annual Dutch Privacy Awards. In the summer of 2019, Privacy First received several high-quality entries for these Awards. Evaluation of all entries as well as company visits by our independent Awards Jury then took place throughout the fall and winter of 2019. Nominated in the Consumer Solutions category were *Publicroam* (safe public WiFi), *Candle* (privacy friendly smart home solution) and *Skotty* (secure digital communication). Nominations in the Business Solutions category were *NUTS* (decentralised healthcare communication) and *Rabobank/Deloitte* (Zero Knowledge

Proof on residential rental). During the conference, all nominees presented their projects to the audience through Award pitches. Publicroam and NUTS were then

declared winners by the jury. In addition, the Encouragement Award went to Candle. The Awards were presented by Member of Dutch Parliament Kees Verhoeven (D66).



Winners of the Dutch Privacy Awards 2020.

Photo: Tamara Heck

The jury of the Dutch Privacy Awards in 2019 consisted of the following people:

- Bas Filippini, founder and chairman of Privacy First
- Paul Korremans, partner Comfort-IA, data protection officer and board member of Privacy First
- Marie-José Bonthuis, owner IT's Privacy
- Esther Janssen, lawyer in Information law and fundamental rights, Bureau Brandeis
- Marc van Lieshout, managing director iHub, Radboud University Nijmegen
- Melanie Rieback, CEO and cofounder of Radically Open Security
- Nico Mookhoek, privacy lawyer and owner of NMLA
- Wilmar Hendriks, founder of Control Privacy and board member of Privacy First
- Alex Commandeur, senior advisor of BMC Advice.

You can find a detailed report of the congress and the Awards on <https://privacyawards.nl>.



The National Privacy Conference and the Dutch Privacy Awards were made possible in 2019 with the help of the Democracy & Media Foundation. At the beginning of 2021, Privacy First and ECP will again organize this inspiring event. Would your organization like to become a partner or sponsor? Please do not hesitate to contact Privacy First!

2.2 External projects

Privacy First is regularly asked for advice by companies and governments. If the intentions of the organization in question are in line with the mission of Privacy First, we are happy to make a contribution. Privacy First has done this in recent years under the banner of our umbrella project Privacy First Solutions. An example of such a project was the development of a possible quality mark around the new European payment directive PSD2 in collaboration with de Volksbank and the Dutch Payments Association. The Payments Association referred this project to the National Forum on Payments (MOB) in 2019, which resulted in a number of good practices for better information about account information services in May 2020.

On the initiative of the Dutch Tax Authority, Privacy First was critically involved in a High Pressure Privacy Impact Assessment within the Tax Authority (Data Fundamentals & Analytics department) in the period from October 2018 to June 2019, executed externally by Privacy Management Partners (PMP). Another project in collaboration with Privacy First ran at KVAN-BRAIN (Dutch archive sector) during 2019 and involved a Data Protection Impact Assessment (DPIA) on the family cards of the Dutch population register 1920-1939. In addition, Privacy First has been involved in a large-scale coalition project of Tilburg University since the end of 2019

on behalf of privacy-friendly Blockchain applications for the Dutch government. Partners in this project include various ministries, companies and authorities.

Through our critical involvement in such projects, Privacy First tries - in the public interest - to positively influence certain social developments and to ensure that privacy is safeguarded as much as possible not only “from the outside” but also “from the inside”. Privacy First is already involved in various projects with new partners in 2020.

2.3 Privacy First as a daily information desk

In 2019 Privacy First was approached almost daily through telephone and email by



citizens, journalists and students with a wide range of questions and requests in the field of privacy. Privacy First always tried to answer these questions as quickly as possible, but this now requires too much from our small foundation. For this reason, Privacy First nowadays mostly refers people to

other relevant organizations, including in particular the Data Protection Authority.

2.4 Other activities

Privacy First has been structurally involved (as a speaker and to recruit participants) in the UvA Academy Masterclass: Privacy - The Next Step (University of Amsterdam) since the beginning of 2019. This collaboration will be continued in 2020.

On January 8, 2020, Privacy First organized a successful public debate and New Year's drink with the theme Blockchain & privacy. The location and partial sponsor of this event was our former office location: the Volkshotel in Amsterdam.

In 2019, Privacy First was active at various relevant conferences, seminars and meetings, including at ECP, Free University of Amsterdam, Ministry of Justice and Security / WODC (speaker twice), De Balie (as speaker), Platform for the Protection of Civil Rights, National Police, SIDN Fund, Netherlands Digital, WKPA, Dutch Tax Authority, Data Protection Authority, PI.lab, National Ombudsman, University of Leiden, Amnesty International, Rathenau Institute, De Brauw Blackstone Westbroek Attorneys, HVG Law, Dutch national Parliament (commission for Infrastructure and Water Management, speaker at hearing on public transport data), CMS Attorneys, PILP (NJCM), University of Tilburg, Ministry of Finance (as speaker), Royal Military Police, National Privacy Congress (as speaker), Ministry of Health, Welfare and Sports, Digital Freedom Fund, Boekx Attorneys, University of Amsterdam (as speaker) and Bureau Brandeis, etc.

Privacy First's board members and employees are regularly invited as speakers at public events in government, business and science. In that context, Privacy First has been working with the Athenas speaker agency for several years. Furthermore, Privacy First continuously conducts silent diplomacy in our broad field of work; in this regard, Privacy First had numerous meetings with governments, companies and other organizations in 2019.

3. Political lobbying and campaigns

3.1 Financial privacy & PSD2

Throughout 2019, Privacy First has structurally conducted quiet diplomacy and critical political lobbying against the massive privacy breaches that may accompany the introduction of the new European banking law *Revised Payment Services Directive* (PSD2). In this, we focus on the "account information services" and the possibility of using transaction data by other parties and for other, non-financial purposes. Due to PSD2, financial (banking) transaction data can now be exchanged with third parties "with permission" (but sometimes also unintentionally with a "silent third party"). This practice is however accompanied by increasing privacy risks. We especially consider the fact that a consumer has no possibility of control and is dependent on the quality and manner of legal compliance by providers as a major shortcoming of PSD2. In this regard, Privacy First was critically active in 2019 towards Dutch Parliament and towards relevant Dutch bodies such as the Dutch Payments Association, the Dutch Central Bank and the National Forum on Payments (MOB), often through direct consultation and sometimes through participation in relevant projects. **Partly due to the work of Privacy First, the National Forum on Payments published 'best practices in transparency of account information services' in 2020.**

In line with this, Privacy First (with support from the SIDN Fund) has also been conducting a critical campaign on PSD2 since September 2019: PSD2meniet.nl. The aim of this campaign is to inform the general public and relevant organizations about the privacy risks of PSD2 and to work on solutions, including a "don't-PSD2-me register" (comparable to the existing don't-call-me register). With the support of the SIDN Fund, this campaign will be continued by Privacy First at European level in 2020.



In the wider context of financial privacy, Privacy First also sent an extensive critical letter (partly drafted by our external experts) to Dutch Minister Hoekstra (Finance) in May 2019 regarding the looming international regulation of virtual assets and Bitcoin. In addition, Privacy First was also active in this area in 2019 through critical input in the internet consultations of the national government regarding the bill on transparency of civil society organizations, the smart energy meter, and new legislation against money laundering and terrorist financing (Wwft). In 2020, Privacy

First will remain active on these topics and will also critically address the privacy concerns surrounding the new UBO register, including through a lawsuit to test the UBO register against European privacy law.



Interview with Martijn van der Veen (Privacy First) on PSD2, AVROTROS Radar 7 Jan. 2019.
© AVROTROS

3.2 EU Passenger Name Records (PNR)

Despite critical lobbying by Privacy First in March and June 2019, Dutch Parliament adopted the Dutch implementation Act to introduce Passenger Name Records (PNR) virtually unchanged. Under this law, all kinds of data from air passengers will be stored for years to combat crime and terrorism. Sensitive personal data (including name and address details, telephone numbers, email addresses, dates of birth, travel dates, ID document numbers, destinations, fellow passengers and payment details) of many millions of passengers will therefore be available for years for the purpose of data mining and profiling. In essence, this treats every airline passenger as a potential criminal or terrorist. In 99.99% of all cases, however, they are completely innocent citizens, mainly vacationers and business travellers. This constitutes a blatant violation of their right to privacy and freedom of movement. Large-scale lawsuits have been filed by other NGOs in Belgium, Germany and Austria in 2019, seeking to have the European PNR directive declared unlawful by the European Court of Justice for violating the right to privacy. As soon as the European Court declares the PNR directive unlawful in these cases, Privacy First will have the Dutch PNR law declared invalid in summary proceedings.



Schiphol Airport.

Photo: Archangel12 / CC BY, Wikimedia Commons

3.3 UN Human Rights Committee

In July 2019, the Netherlands was critically scrutinized in Geneva by the United Nations Human Rights Committee. In this regard, Privacy First had submitted two



critical reports about the Netherlands to the UN Human Rights Committee at the end of 2016 and in June 2019, addressing numerous current issues. **In July 2019, the Human Rights Committee subsequently issued a number of critical recommendations to the Dutch government, including**

recommendations to revise the so-called Dutch Dragnet Act (Wiv) and to stop health insurers from inspecting medical files. Privacy First will continue to monitor the Dutch implementation of these recommendations.

3.4 Medical privacy

At the end of 2019, our multi-year campaign Specifieketoestemming.nl (about specific permission for the exchange of medical data) entered a new phase: on the recommendation of Dutch Minister Bruins (VWS), following a motion from Parliament, Privacy First registered as a participant in the Information Council for Healthcare. This Information Council is an administrative collaboration between participants from the healthcare field and the Ministry of Healthcare, Welfare and Sports (VWS). In this way, Privacy First wants to ensure the right to medical privacy not only "from the outside" but also "from the inside" and promote *privacy by design* within the Dutch healthcare sector. In February 2020, however, the Information Council (contrary to the aforementioned Parliamentary motion) decided not to admit Privacy First as a participant because Privacy First "does not come from the

healthcare field”. Nevertheless, Privacy First was admitted by the Ministry as a member of the Working Group on Information Security and Privacy (IV&P) at the end of 2019. Since then, Privacy First has played a (pro)active, critical-constructive role in this working group.



4. Court cases

As a social organization, Privacy First aims to operate as effectively as possible with the limited resources that we have. Therefore, If silent diplomacy, political lobbying and campaigns prove fruitless, Privacy First conducts fundamental lawsuits against legislation and policy that lead to large-scale privacy violations. **In recent years Privacy First has successfully done this against the central storage of everyone's fingerprints under the Passport Act, the storage of everyone's telecommunications**



data under the Telecommunications Data Retention Act and mass-scale risk profiling of citizens by the Dutch System Risk Indication (SyRI). Privacy First prefers to conduct such litigation in coalition, and through pro bono support by suitable law firms.

© Lisa S. / Shutterstock.com

4.1 System Risk Indication (SyRI)

At the end of March 2018, a broad coalition of civil society organizations subpoenaed the Dutch government to decommission the System Risk Indication (Systeem Risico Indicatie: SyRI). SyRI uses secret algorithms to screen large groups of people (and even entire residential areas) to secretly profile citizens on their risk of fraud with social services. In addition to the massive violation of the right to privacy, this system also violates the right to a fair trial and has a discriminatory and stigmatizing effect. According to the coalition of plaintiffs, SyRI therefore poses a threat to the rule of law and the legislation on which SyRI was based must be declared unlawful.

Fearing this lawsuit, several Dutch municipalities (including Rotterdam) have already stopped using SyRI in 2019. On 5 February 2020 the district court of The Hague made a groundbreaking judgement: the judge declared SyRI unlawful and decided that the government should immediately stop profiling citizens through

large-scale data analysis. The court also declared the Dutch law on which SyRI was based inoperative due to its conflict with European privacy law.

This verdict constitutes an important precedent and has received considerable media attention both nationally and internationally. The Dutch government has not appealed against the judgement. This judgment is therefore final.

The group of plaintiffs consists of the Civil Rights Platform Foundation, the Dutch section of the International Commission of Jurists (NJCM), Privacy First, KDVP Foundation, the National Client Council and FNV. Authors Tommy Wieringa and Maxim Februari, who previously expressed their very critical opinions about SyRI, were involved in the proceedings as co-claimants. The coalition is represented by

Anton Ekker (Ekker Legal) and Douwe Linders (SOLV Attorneys). This case is also coordinated by the Public Interest Litigation Project (PILP) of the NJCM. The case was actively supported by the United Nations through an *amicus curiae* letter.



Bij voorbaat verdacht

Should the Dutch government wish to continue the previous SyRI practices through the current bill on data processing partnerships (WGS or “Super SyRI”), the aforementioned coalition will launch another large-scale lawsuit against it.

For more information about the case against SyRI, Privacy First kindly refers you to the special campaign website of the Dutch Platform for the Protection of Civil Rights: Bijvoorbeeldverdacht.nl.

4.2 ANPR (Automatic Number Plate Recognition)

Pursuant to the new Dutch ANPR Act, in effect since January 1st 2019, the travel movements data of millions of drivers in the Netherlands are stored in a central police database. This takes place on a daily basis for a period of four weeks. The



database is also accessible for the General Intelligence and Security Service and the Military Intelligence and Security Service

(in Dutch: AIVD and MIVD) and possibly for more parties involved in a later stage. Privacy First considers this Act to be a flagrant violation of European privacy law and has therefore since 2019 been preparing large-scale civil summary proceedings and

substantive proceedings against the Dutch government, together with law firm CMS (pro bono, via Pro Bono Connect). In order to factually strengthen this case, CMS has submitted a large-scale government information request (WOB-request) to several ministries this year. The launch of this case has been delayed due to the Corona crisis, but the summary proceedings are expected to take place very soon.

4.3 License plate parking & right to cash/anonymous payment

Since 2014, Privacy First has been conducting legal proceedings against (mandatory) number plate parking. In the beginning of 2015, Privacy First chairman Bas Filippini won an administrative case against the municipality of Amsterdam. Since then, motorists throughout the Netherlands are no longer obliged to enter their registration number when parking. At the beginning of 2016, this ruling was confirmed by the Supreme Court. A new fiscal case by the chairman of Privacy First for the total abolition of number plate parking and to preserve the right to cash (anonymous) payment was unfortunately rejected by the Amsterdam court of appeals in early 2019. On 10 April 2020 the Supreme Court confirmed this verdict. This case centered on a number of new principled legal questions regarding license plate parking and the right to cash payment, most of which the Supreme Court unfortunately left unanswered. Privacy First will soon submit a promising complaint about the Supreme Court's ruling to the European Court of Human Rights in Strasbourg.

The new rulings of the Amsterdam court of appeals and the Supreme Court do leave the earlier rulings, confirmed by the Supreme Court, unchanged. Thus, the decision that entering the registration number for parking is not mandatory, remains unaffected. **License plate parking is and will therefore remain voluntary: any parking fine for not entering the license plate number must be set aside in objections and appeals, provided that a parker can prove that parking has been paid for.**

Privacy First conducts these lawsuits to preserve and strengthen the right to anonymity in public spaces. This right has been under increasing pressure in recent years and is now in danger of becoming illusory. If necessary, Privacy First will therefore continue this case up to the European Court of Human Rights in Strasbourg.

This case is conducted at a reduced rate by Alt Kam Boer Attorneys in The Hague.

4.4 Citizens versus Plasterk case

Since the end of 2013, Privacy First has been conducting the "Citizens versus (Minister) Plasterk" case together with other organizations and citizens. The reasons for this civil case against the Dutch government were the revelations of Edward Snowden about the practices of (foreign) intelligence services, including the American NSA and British GCHQ. Our coalition demands the Netherlands to stop using foreign intelligence that has not been obtained in accordance with Dutch law. Our lawyers at Bureau Brandeis conduct this case from their own pro bono fund for social litigation. The affiliated organizations are: Privacy First, the Dutch Association of Criminal Lawyers (NVSA), the Dutch Association of Journalists (NVJ) and Internet Society Netherlands. However, after negative judgments from both the district court and the appeals court of The Hague, the Supreme Court also rejected our final appeal in this case on 7 September 2018. The Supreme Court has thus provided a free pass for Dutch secret services to continue collecting large amounts of data from Dutch citizens through foreign intelligence agencies without adequate legal protection.

Our lawyers continued this case at the beginning of 2019 at the European Court of Human Rights (ECHR) in Strasbourg. At the same time, similar cases against the British and Swedish governments are pending at the ECHR. Privacy First hopes, despite the delays caused by the Corona crisis, that the ECHR will soon reach a critical verdict in both cases.



European Court of Human Rights .

*Photo: Adrian Gryczuk / CC BY-SA 3.0 PL,
Wikimedia Commons*

4.5 Route monitoring

A current court case of the chairman of Privacy First relates to route monitoring at highways: without a specific legal basis and privacy guarantees, route monitoring constitutes a massive, continuous privacy violation. However, at the beginning of 2018, the Haarlem district court rejected this criminal case, followed by the Leeuwarden



court of appeals in July 2019. The Leeuwarden court refused to review the route monitoring system as such against the right to privacy. During this case, however, it was shown that all route monitoring data (of innocent drivers) are saved for at least 72 hours and can be used for purposes other than traffic enforcement. Nevertheless, the Dutch Data Protection Authority has not intervened to date and Privacy First was forced to continue this case at the European Court of Human Rights in Strasbourg. However, at the end of August 2020, the ECHR declared this case inadmissible with hardly any arguments. Remarkable in this respect was the bizarre statement of the ECHR that in the case there would have been no exhaustion of national remedies, while the Leeuwarden court of appeal is the highest Dutch court in these types of cases and no further appeal was possible. Privacy First is currently investigating the possibilities of submitting a further complaint to the ECHR on this matter.

This case is conducted at a reduced rate by Alt Kam Boer Attorneys in The Hague.

4.6 Individual court cases of Michiel Jonker

In exceptional cases, Privacy First supports court cases of individual citizens, provided that these cases are of such a nature that our support is indispensable, in the interest of positive precedent-setting, social impact, awareness and influencing legislation and policy. A good example are the lawsuits of Arnhem privacy activist Michiel Jonker for maintaining and promoting anonymous travel by public transport, the right to cash payment in public transport and in public places (including at the cinema), and to introduce a municipal anonymous waste card, taking into account the principle of *privacy by design*. For several years, Jonker has been conducting various enforcement cases on these issues at the Dutch Data Protection Authority, the Arnhem district court and the Dutch Council of State. And with success: under pressure from Jonker's cases, the Data Protection Authority was forced by the court to investigate the "anonymous" public transport chip card and the personal waste card was declared illegal. In addition, Jonker's lawsuits often lead to inspiring media publications and critical questions at municipal and national level. Jonker conducts these cases largely on his own, without a lawyer.



Michiel Jonker at an expert meeting on public transport data, Dutch Parliament 10 September 2019.
© Tweede Kamer

5. Communication

5.1 Mass media

In 2019 the media reach of Privacy First was almost as large as in 2018: on average there was one media publication almost every day in 2019 in which Privacy First was mentioned or quoted, often in the press or on the internet and sometimes on radio or television. In addition to requests for interviews, Privacy First is also often approached by journalists for background information and research tips, sometimes by foreign media.



Interview with Bas Filippini (Privacy First chairman) on license plate parking, Nieuwsuur 22 September 2019.
© Nieuwsuur

5.2 Internet

Privacy First's websites are our primary news and opinion channels. In addition to our Dutch website www.privacyfirst.nl, there is also the English version www.privacyfirst.eu. Both sites are partly sponsored by the privacy-friendly provider Greenhost. In addition, Privacy First manages our campaign websites <https://specifieketoestemming.nl> (medical privacy), <https://psd2meniet.nl> (PSD2) and <https://privacyawards.nl> (Dutch Privacy Awards).

The number of visitors to our websites in 2019 was an average of 54,000 a month. Privacy First is also active on Twitter and has its own LinkedIn group for privacy professionals. The number of followers on both Twitter and LinkedIn has been growing steadily for years. In addition, Privacy First is active on Facebook and will continue to offer space for (possibly anonymous) guest columns and submitted articles on our website(s). Would you like to stay informed of all developments regarding Privacy First? Then subscribe through info@privacyfirst.nl!

6. Organization

Privacy First is an independent ANBI (Institution for General Benefit) certified foundation that largely consists of professional volunteers. In 2019, the core of our organization consisted of the following persons:

- Vincent Böhre (director and legal advisor)
- Martijn van der Veen (project leader)
- Robbie van Herwerden (legal researcher)
- Simone van Dijk (theme specialist children & privacy).

The board of Privacy First in 2019 consisted of the following people:

- Bas Filippini (founder and chairman)
- Paul Korremans (treasurer)
- Marc Smits (secretary)
- Ancilla van de Leest (general board member).

The Privacy First Advisory Board consists of the following individuals, in their personal capacity:

- Professor Hans Franken (emeritus professor of Information Law, Leiden University)
- Quirine Eijkman (vice-chairman of the Netherlands Institute for Human Rights & Lector Access to Law, Hogeschool Utrecht)
- Wilmar Hendriks (privacy professional & executive coach, Control Privacy)
- Eva de Leede (senior policy officer Energy, Ministry of Economic Affairs and Climate)
- Joris Sprakel (socio-economic human rights lawyer, Fischer Group; Lecturer Human Rights Law, The Hague University of Applied Sciences).

The group of Privacy First volunteers consists largely of students and professionals who support Privacy First structurally, both in content (various privacy themes and translation work) and in organisation (IT, fundraising, PR, photography) and legal (research). In addition, Privacy First has an extensive network of experts from all corners of society, ranging from scientists, lawyers and IT specialists to journalists, politicians and civil servants.

At the beginning of 2019, the statutes of Privacy First were almost completely revised and updated. Privacy First has also adopted **new regulations for our Advisory Board**. This happened with pro bono support from the law firm NautaDutilh, through Pro Bono Connect.



Privacy First office location at Keizersgracht, Amsterdam.

7. Finances

To carry out its activities, the Privacy First Foundation largely depends on individual donations and sponsorships by funds and law firms. Since 2015, Privacy First receives financial support from the Democracy and Media Foundation, since 2017 this constitutes multiannual institutional support. Our “don’t-PSD2-me” campaign has been supported by the SIDN Fund since May 2019. In addition, Privacy First’s share in the SyRI coalition case in 2019-2020 was supported by the Digital Freedom Fund. **Privacy First’s donor base has grown rapidly in recent years, and Privacy First’s**

income from donations increased again in 2019 (29% compared to 2018). However, due to the lack of government subsidy (such as for the Dutch 'Dragnet Act referendum' in 2018), the total income of Privacy First decreased in 2019. This was offset by smaller expenses for campaigns and lower staff costs (due to temporary leave and reduced staffing). Privacy First hopes to be able to attract other domestic and foreign funds in the near future to strengthen and make our organization and activities more sustainable.

In addition to financial support from individual donors and funds, Privacy First welcomes corporate donations, provided that Privacy First can continue to operate completely freely and independently. For example, since the end of 2016, Privacy First is materially supported by Dutch IT company Detron, which provides us with computers and printers for our office. Both our salary administration and our financial administration are carried out by an external administration office; the office in question offers its services as a corporate sponsorship. Privacy First's websites are partly sponsored by internet services provider Greenhost and through TechSoup Netherlands our foundation can purchase inexpensive software. Kaspersky has been sponsoring our anti-virus software since 2017. Since the end of 2017, Privacy First is also supported by Voys Telecom. Our annual National Privacy Conference is sponsored by ECP. Privacy First is still looking for sponsors for the Dutch Privacy Awards 2021. Would your organisation like to sponsor Privacy First or the Dutch Privacy Awards? Please get in touch with us!

It is Privacy First's standing policy to spend as much of its income as possible on substantively related matters and to keep the operational costs as low as possible. To this end, our communication (also by telephone) is largely via the internet. Expensive parties and other luxuries are out of the question. Our campaigns and support activities are partly carried out by professional volunteers. Events by Privacy First are organized preferably at our own office location, or at sponsored external locations. Procedural documents in our lawsuits are partly self-written or supported through our own factual and legal research. Moreover, it is Privacy First's established policy to conduct large-scale litigation in principle only in coalitions through the Public Interest Litigation Project (PILP) and Pro Bono Connect of the Dutch section of the International Commission of Jurists (*Nederlands Juristen Comité voor de Mensenrechten*, NJCM). This is in order to spread the costs and financial risks and to increase our chances in court. In this way, each donated euro is spent as effectively as possible for the benefit of each citizen's privacy.

Below is our financial overview for 2019. Sponsorship of lawsuits by law firms is not included.

Annual overview	2019	2018
Income:		
Donations and subsidies	€ 103,827	€ 118,741
Expenses:		
Staff costs	€ 71,558	€ 90,021
Legal costs	-	-
Campaign costs	€ 4,643	€ 22,696
Events	€ 3,012	€ 7,874
Housing	€ 8,136	€ 5,675
Banking and insurance costs	€ 2,443	€ 2,068
Travel costs	€ 1,191	€ 1,813
Websites	€ 1,170	€ 1,182
Communication costs	€ 787	€ 601
PO Box and postage costs	€ 315	€ 472
Office costs	€ 509	€ 440
Representation costs	€ 136	€ 440
Work expenses scheme	€ 126	€ 397
Subscriptions	€ 216	€ 266
Other costs	€ 634	€ 294

Would you like to support Privacy First? Then please make a donation to IBAN: NL95ABNA0495527521 (BIC: ABNANL2A), account holder Stichting Privacy First in Amsterdam, the Netherlands. Or support us anonymously through the donation page on our website. The Privacy First Foundation is recognized by the Dutch Tax and Customs Administration as an Institution for General Benefit (ANBI). Therefore, your donations are tax-deductible.





Privacy First Foundation
PO BOX 16799
1001 RG Amsterdam, The Netherlands
Telephone: +31-(0)20-8100279
Email: info@privacyfirst.nl
Website: www.privacyfirst.eu

Privacy First is registered in the Register of Foundations of the Amsterdam Chamber of Commerce under No. 34298157. RSIN/fiscal number: 819211710.