

**US PROGRAMS**  
**National Security and Human Rights Campaign**  
**2010 Docket 1a - Summary of Recommended Grants**  
**April 12, 2009**

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National Security and Human Rights Campaign (T1: 21095)  
 JEHT Foundation Emergency Fund (T1: 59959)

Organization	Grant Code	Recommended	Term	2010	2011
Center for Victims of Torture	T1: 21095	90,000	1 year	90,000	
Trustees of Columbia University in the City of New York	T1: 59959	150,000	20 months	110,000	40,000
Trustees of Columbia University in the City of New York	T1: 21095	60,000	20 months		60,000
<b>Total Recommended:</b>		<b>\$ 300,000</b>		<b>\$ 200,000</b>	<b>\$ 100,000</b>
<b>GRANTMAKING TOTAL THIS DOCKET:</b>		<b>\$ 300,000</b>			

*Amel N. Veit*

Approval Signature

*April 12, 2010*

Date

## MEMORANDUM

To: Aryeh Neier  
From: Ann Beeson, Nancy Chang, Sophia Conroy, and Hyon Seo Kwon  
Date: March 31, 2010  
Subject: National Security and Human Rights Campaign's April 2010 Grant Recommendations for Docket I of 2010

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The National Security and Human Rights Campaign's first docket of 2010 is scheduled for May 3, 2010. However the Campaign is recommending two time-sensitive grants on the April 12 docket. In addition, the Campaign is recommending contributions to two grants that are being recommended on the April docket, one by the Democracy and Power Fund and the other by the Transparency and Integrity Fund.

To advance the Campaign's priorities of supporting credible voices in the ongoing battle to restoring an absolute prohibition against torture and holding government officials and private actors accountable for past abuses of detainees, the NSHR Campaign recommends support for the **Center for Victims of Torture's** Regaining Momentum Against Torture Project. The project will work to engage the public and policy makers in building a national consensus against torture; eliminate Appendix M of the Army Field Manual, which authorizes potentially abusive techniques in the interrogation of detainees; end the policy as well as the practice of indefinite detention of suspected terrorists; and create an independent, nonpartisan commission to investigate the use of torture and cruel and inhuman treatment in post-9/11 counterterrorism activities.

To further the Campaign's goals of strengthening the capacity of, and connections between, litigators working on national security and human rights issues, the NSHR Campaign recommends a grant to the **Trustees of Columbia University in the City of New York** to support the Columbia University School of Law's Human Rights Institute as it convenes and provides coordinating support to litigators.

In addition, the NSHR Campaign recommends a contribution to a general support grant recommended by the Democracy and Power Fund to People for the American Way Foundation in order to support the work of the **Young Elected Officials Network**. The Campaign also recommends a contribution to a general support grant to **OpenTheGovernment.org** recommended by the Transparency and Integrity Fund. The Young Elected Officials Network offers training and access to its members to experts on a range of subjects, including national security. OpenTheGovernment.org works to reform national security secrecy policy and narrow the reach of the state secrets privilege.

The total amount for these four grants is \$350,000. Grant write ups and a financial summary are attached.

**Name of Organization:** Trustees of Columbia University in the City of New York

**Tax Status:** 501(c)(3) public charity

**Purpose of Grant:** To support a project of Columbia Law School’s Human Rights Institute to convene and provide coordinating support to litigators working on national security and human rights issues

**FPOS Grant Description:** This grant will support a project of Columbia Law School’s Human Rights Institute that will host two major annual conferences for litigators, host three or more expert panels on legal issues in Washington, D.C., and New York, and provide case materials and networking opportunities to litigators throughout the grant period. The Human Rights Institute was founded in 1998 to serve as a focal point of international human rights education, scholarship, and practice.

**Previous OSI Support:** \$10,390,951  
    \$4,678,038 US Programs (1997-2010)  
    \$1,120,795 Reproductive Rights Grants (1998-06)  
    \$ 850,000 Africa Reg. Capacity Building (2005-08)  
    \$671,000 Chairman’s Grants (2002-2005)  
    \$469,982 PDIA Grants Programs (1996-2010)  
    \$438,195 President’s Grants (1996-2009)

**Organization Budget:** Human Rights Institute: \$801,750

**Project Budget:** \$210,000

**Major Sources of Support:** Human Rights Institute: Ford Foundation \$200,000; Columbia Law School \$186,064<sup>1</sup>; U.S. Human Rights Fund \$50,000; Tides Foundation \$50,000

**Amount Requested:** \$210,000

**Amount Recommended:** \$210,000 [\$150,000 JEHT Emergency Fund, T1: 59959; \$60,000 NSHR Campaign, T1: 21095]

**Term:** 20 months (June 1, 2010 – January 31, 2012)

**Matching Requirements:** None

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<sup>1</sup> This figure does not include salaries paid by Columbia Law School for the Human Rights Institute’s Faculty Co-Directors.

### **Description of Organization:**

Columbia Law School's Human Rights Institute (HRI) was established in 1998 to serve as a focal point of international human rights education, scholarship, and practice, and to build bridges between theory and practice, law and other disciplines, and constitutional rights and human rights education. HRI has five staff members, a director, a deputy director, two fellows, and a program coordinator, in addition to two faculty co-directors.

### **Description of Program for Which Funding Is Sought:**

Columbia Law School's Human Rights Institute (HRI) proposes to take over from Yale Law School the functions of convening and coordinating litigators in the national security and human rights field and building collaboration between litigators, academics, and policy advocates. HRI plans to consult with key litigators and advocates to assess the current convening and coordination needs of the litigation community and identify possible interventions to ongoing developments, particularly in the areas of preventive detention and transfer. In addition, HRI will continue Yale Law School's tradition of hosting closed convenings of around 40 of the field's leading litigators along with a select group of policy advocates and academics to share intelligence and explore alliances.

The first of the two annual convenings that HRI will host during the proposed grant period will take place in September 2010. This convening will provide space for litigators to examine breaking down the barriers to litigating cases in court on their merits that the Justice Department has sought to erect with a distressing degree of cooperation from the judiciary, and will examine the interrelated issues of detention and transfer, including: (1) legal obstacles to the closure of the Guantanamo Bay detention facility; (2) addressing the regime of detention without charge; (3) the rights of terrorism suspects detained in military facilities in Afghanistan and Iraq and in covert sites of detention; and (4) the evolving practice of transferring terrorism suspects to locations where torture or ill treatment are practiced in the case of repatriations from Guantanamo Bay, military custodial transfers in Afghanistan and Iraq, and U.S. deportation proceedings.

The first annual convening will aim to foster strategic coordination and develop points of consensus between litigators, policy advocates, and academics. The second annual convening, planned for November 2011, will provide additional opportunities to respond to, the needs of the litigation community. During and after both convenings, HRI will survey participants to learn what additional materials and networking opportunities would assist them in their work.

Additionally, HRI plans to host three or more expert panels on emerging legal issues that will be held in Washington, D.C., and New York. The structure and thematic details of these panels will be determined in consultation with litigators and advocates, and the panels will explore issues of interest to subsets of the litigation and advocacy community such as legal constraints on the practice of targeted killings of terrorism suspects and the interplay of national security concerns in immigration enforcement.

HRI will prepare extensive background materials in advance of the two annual convenings and the expert panels it hosts to highlight critical issues and relevant developments. In addition, HRI will update and circulate analyses of trends in the case law on a quarterly basis, and it will offer its web-based networking resources to facilitate exchanges of information and provide access to materials. Two-thirds of a National Security and Human Rights Fellow's time would be devoted to overseeing and implementing the conference and networking activities.

**Rationale for Recommendation:**

This grant will advance the National Security and Human Rights Campaign priorities of: strengthening the capacity of, and connections between, core organizations that advocate against a range of abusive counterterrorism policies and for a progressive national security policy that respects civil liberties, human rights, and the rule of law; and supporting the development of strategies to shift the paradigm away from the “war on terror.”

Since 9/11, the legal profession and the judiciary have played a critical role in protecting civil liberties and human rights against an onslaught of executive branch excesses committed in the name of fighting terrorism. To strengthen the work of its grantees engaged in litigation, the Campaign funded Yale Law School's National Litigation Project in 2008 and 2009 to convene and coordinate litigators in the national security and human rights field. Following the departure of Dean Harold Koh for government service, however, Yale Law School's priorities have shifted, and the National Litigation Project staff now recommend that this function be transferred over to Columbia Law School's Human Rights Institute. Continuation of the project will help address the ongoing need of litigators working on post-9/11 issues for case summaries, networking resources, and space to exchange information, challenge one another to think outside the box about legal strategies, and jointly develop responses to shared obstacles.

HRI has maintained a Project on Human Rights and Counterterrorism since the immediate aftermath of 9/11 that works to develop international law arguments and tools in response to U.S. counterterrorism strategies. The Project's current work focuses on prolonged detention without trial and removals and transfers that put human rights at risk. In 2008 and 2009, HRI collaborated with the National Litigation Project in its convenings of litigators. HRI is now eager to take on the role of convener itself. HRI has the expertise and knowledge of the field and its players to identify and track emerging issues and policy and jurisprudential developments, suggest targeted interventions, and provide networking opportunities and information-sharing resources.

HRI's leadership includes faculty co-directors Sarah Cleveland, currently on leave from the Law School and serving as Counselor on International Law and principle legal advisor to Harold Koh at the Department of State, and Peter Rosenblum, who teaches the Law School's Human Rights Clinic and has been particularly involved in research and advocacy on diplomatic assurances. Risa Kaufman serves as Executive Director of the Institute, and coordinates the Bringing Human Rights Home Lawyers' Network, which

brings together lawyers from civil rights organizations, human rights organizations, and law school human rights programs to advance the effective use of international law and human rights strategies as part of domestic advocacy efforts.

Prior to its closure, the JEHT Foundation was providing general operating support to HRI. In 2008, JEHT had approved a grant of \$230,000 over 2 years, of which \$100,000 was unpaid at the time of the foundation's closure. Atlantic Philanthropies provided HRI with JEHT emergency funds in 2009.

For the above reasons, OSI staff recommends a grant of \$210,000 over 20 months to Columbia University to support the Columbia Law School's Human Rights Institute's national security and human rights litigation coordination project.

**Name of Organization:** The Center for Victims of Torture

**Tax Status:** 501(c)(3) public charity

**Purpose of Grant:** To support the Regaining Momentum Against Torture Project

**FPOS Grant Description:** This grant will support the Center for Victims of Torture’s Regaining Momentum Against Torture Project as it works to: engage the public and policy makers in building a national consensus against torture; eliminate Appendix M of the Army Field Manual, which authorizes potentially abusive techniques in the interrogation of detainees; end the policy as well as the practice of indefinite detention of suspected terrorists; and create an independent, nonpartisan commission to investigate the use of torture and cruel and inhuman treatment in post-9/11 counterterrorism activities. CVT’s mission is to heal the wounds of politically motivated torture on individuals, their families, and their communities by providing comprehensive care to torture survivors and advocating for an end to torture.

**Previous OSI Support:** \$285,000  
\$235,000 from NSHR Campaign (2008, 2009)  
\$50,000 from Emma Lazarus Fund (1998)

**Organization Budget:** \$9,840,827

**Project Budget:** \$235,637

**Major Sources of Support:** Project: Anonymous Donor Advised Fund \$100,000; John Merck Fund \$30,000; United Methodist Church \$10,000; CVT Unrestricted Funds \$15,637

**Amount Requested:** \$90,000

**Amount Recommended:** \$90,000 [NSHR Campaign, T1: 21095]

**Term:** One year (January 1, 2010 – December 31, 2010)

**Matching Requirements:** None

**Description of Organization:**

Founded in 1985, the Center for Victims of Torture (CVT) was the first organization in the U.S. and the third organization in the world to provide multidisciplinary care and

rehabilitative services to survivors of politically motivated torture. CVT's mission is to heal the wounds of torture on individuals, their families, and their communities and stop torture worldwide by training health care professionals to provide comprehensive care to torture survivors, researching the effects of torture, and conducting public education advocating for an end to the use of torture. Using a client-centered approach, CVT has launched healing and training centers for torture survivors in the U.S., Liberia, Sierra Leone, the Democratic Republic of Congo, and more recently Jordan, where their clients are Iraqi torture survivors who were victims of the Saddam Hussein regime, the Sunni/Shia conflict, and torture perpetrated by United States personnel. In Minnesota, where CVT is headquartered, the group extends care to around 250 torture survivors annually, and it has extended care to more than 18,000 torture survivors globally.

CVT also organizes technical assistance and training for 35 healing centers in the U.S. and 19 healing centers in other countries, focusing on building clinical capacity; strengthening organizational development; and promoting public education, advocacy, and constituency-building. CVT's New Tactics in Human Rights Project, which is available at [www.newtactics.org](http://www.newtactics.org), provides the human rights community with tools, resources, and training opportunities. With an operating budget of \$9.8 million, it has a staff of 50 in Minnesota, three in Washington, D.C., 30 in Jordan, and 150 in Africa, in addition to 250 volunteers.

### **Description of Program for Which Funding Is Sought:**

The Center for Victims of Torture requests a grant of \$90,000 for its Regaining Momentum Against Torture Project. By 2005, in the face of a mounting body of credible evidence that the Bush administration had authorized the use of torture in conducting its "war on terror," CVT had decided to apply the expertise it had gained in opposing torture in other countries to the U.S.

The Regaining Momentum Against Torture Project builds on CVT's work over the past several years and the relationships that CVT has forged with an impressive roster of leaders from the national security, military, foreign policy, intelligence, and religious sectors. The Regaining Momentum Against Torture Project has four core objectives:

**1. Conducting public and policy maker education efforts to regain a national consensus against torture.** Utilizing media analysis conducted by Rethink Media and U.S. in the World for the NSHR Campaign, CVT will work with the team of national security, military, and intelligence experts that it has been cultivating over the past few years to mobilize broad support for a national consensus against the use of torture, cruelty, and harsh interrogation techniques in fighting terrorism. CVT is also making important inroads in recruiting new spokespersons from the National Consortium of Torture Treatment Programs, a network CVT has built consisting of 38 domestic torture survivor rehabilitation centers operating in 18 states. Increasingly, with CVT's encouragement and guidance, the physicians, psychiatrists, nurses, social workers, and community leaders who work directly with survivors of torture at these centers are committed to appearing on local and national broadcast media outlets, writing op-ed



pieces and letters to the editor, and speaking to policy makers and the public to urge that the U.S. stands firm against torture. These dynamic grassroots leaders are especially effective messengers because they can provide firsthand accounts of the devastating physical and psychological impacts of torture and drive home the point that the U.S. must distinguish itself from regimes that employ torture.

**2. Eliminating Appendix M of the Army Field Manual on Human Intelligence Collection.** In collaboration with Physicians for Human Rights, Human Rights First, Amnesty International, and OSI-DC, CVT is working to educate the public and policy makers on the fact that the abuse of detainees remains possible under the Army Field Manual on Human Intelligence Collection, the document that sets the standard for interrogations across the government. At the same time that the Army Field Manual directs that detainees be treated humanely, Appendix M permits detainees to be subjected to extended periods of sleep deprivation and isolation. CVT is preparing a position paper on the need to remove Appendix M that will draw support from medical research on the deleterious effects of prolonged sleep deprivation and isolation on mental and physical health.

**3. Supporting efforts to end indefinite detention without trial.** In 2009, CVT decided to expand its work to include ending indefinite detention without trial on the grounds that it constitutes a form of psychological abuse. Along with OSI grantees Physicians for Human Rights and New York University School of Medicine's Program for Survivors of Torture, CVT plans to compile and report on data documenting the profound sense of hopelessness and psychological injury caused by indefinite detention without trial.

**4. Establishing an independent, nonpartisan commission to investigate and seek accountability for the use of torture.** CVT is working with national security experts to draw attention to the shameful legacy of U.S.-sponsored torture and the failure of President Obama and the Congress to demand accountability for those responsible for torture. CVT has joined OSI-DC and other organizations in calling for the creation of an independent, nonpartisan blue ribbon panel to investigate the treatment of detainees in the "war on terror." Using its contacts in the medical profession, CVT has sought to identify potential panelists who are physicians. Should such a panel be established, CVT stands prepared to gather and present the testimony of survivors of U.S.-sponsored torture to the panel and otherwise provide assistance to the panel.

#### **Rationale for Recommendation:**

This grant will advance the National Security and Human Rights Campaign priorities of supporting credible voices in the movement for a progressive national security policy; restoring an absolute prohibition against torture; and holding government officials and private actors accountable for past abuses and violations of the law.

The battle for an unequivocal ban against U.S.-sponsored torture and a commitment on the part of our government to investigate fully U.S. complicity in torture and to hold responsible individuals to account has proved elusive, notwithstanding positive signs in

the early days of the Obama presidency. Obama's January 2009 executive orders to end torture, close Guantanamo, and review detention policies, and his calls for adherence to the rule of law and government transparency, were met with a fierce campaign of fearmongering led by former Vice President Cheney and joined by Liz Cheney and September 11 family member Debra Burlingame of Keep America Safe, Karl Rove, Mark Theissen, and others. By May 2009, President Obama and the Congress seemed to have backed off from tentative moves to establish a commission of inquiry, citing a need to look forward not backward. By December 31, 2009, in the hysteria following the failed scheme to blow up an airplane above Detroit on Christmas Day, public opposition to torture weakened to the point where 58% of Americans supported the waterboarding of the suspected bomber.

The NSHR Campaign has been supporting CVT's work for the past two years. In 2008, CVT ran the Strengthening Key Validator Voices Against Torture Project with the National Religious Campaign Against Torture (NRCAT) and Evangelicals for Human Rights. Through this project, CVT and its partners succeeded in obtaining endorsements from more than 100 prominent leaders from the national security, military, foreign policy, intelligence, and religious communities for a "Declaration of Principles for a Presidential Executive Order on Prisoner Treatment, Torture and Cruelty" that provided a template for President Obama's 2009 executive order to end torture. After President Obama took office in 2009, CVT continued to bring forward the voices of these experts by featuring them at policy maker briefings and public events where they made the case that the use of torture fails to yield useful intelligence and provides terrorists with a recruitment tool, and that it is in the broader national security interests of the United States to renounce, repudiate, and seek accountability for, the use of torture.

CVT has proven itself to be innovative and strategic, and to work well in coalition with other Campaign grantees, including Human Rights First, NRCAT, Physicians for Human Rights, and the International Center for Transitional Justice, as well as OSI-DC. With a D.C. policy shop that maintains close connections to policy makers and journalists, CVT is alert to media and public education opportunities and has succeeded in placing important op-eds and articles authored by military, intelligence, and national security experts in leading newspapers and other media outlets.

As the battle moves ahead, CVT's Regaining Momentum Against Torture Project will take advantage of opportunities to build a national consensus against torture by amplifying the voices of the credible team of national security validators with which it has been working for the past several years, and to bring forward the humanitarian concerns and the direct observations of the physicians, psychiatrists, nurses and social workers from rehabilitation centers across the United States who work with torture survivors seeking refuge in the U.S. from brutal regimes.

For the above reasons, OSI staff recommends a grant of \$90,000 over one year to support the Regaining Momentum Against Torture Project of the Center for Victims of Torture.