

Annual Report 2006



Our Mission

The Center for Constitutional Rights is a non-profit legal and educational organization dedicated to advancing and protecting the rights guaranteed by the United States Constitution and the Universal Declaration of Human Rights. Founded in 1966 by attorneys who represented civil rights movements in the South, CCR is committed to the creative use of law as a positive force for social change.

Letter from the President



It has been just over five years since the horrific terrorist attacks of September 11th. Even as we at CCR were mourning the losses in New York, we immediately recognized that the Administration would exploit the situation to seize unprecedented powers in a bid to consolidate authority within the Executive Branch and to impose programs and political agendas they had been pushing for decades—policies which would compromise fundamental rights and strain our democratic principles to the breaking point. While others insisted it was no time to criticize the Commander in Chief, we realized the all-too-dangerous path of allowing unchecked power to grow; we mobilized our legal, educational, and advocacy arms in a coordinated effort to sound the alarm and stand up for the principles of justice where others refused.

We aggressively countered the wholesale policies of dragnet arrests and detentions of Muslim, Arab and South Asian non-citizens in INS detention facilities; rendition practices and the outsourcing of torture; the indefinite detentions at Guantánamo Bay; and the sham military commissions – with the most minimal procedural protections – set up to justify these detentions. We, unlike others who feared the public’s reaction, moved forward and uncompromisingly fought the Administration’s use of the “war on terror” to undermine the rule of law and the

very underpinnings of our democratic systems. We were the first to challenge the Patriot Act and succeed in having a provision declared unconstitutional. We provided legal assistance to the antiwar movement, which the Administration tried to silence and marginalize. Looking back on our 40-year anniversary this year, the battles we began in 2001 were clearly some of the hardest we ever faced. It was not easy. We were small and mostly on our own, but thankfully we had your support.

Today some of these battles seem less controversial. Partly because of the Center’s work, the reality of Guantánamo has been thoroughly exposed as a human rights disaster. When we submitted one of our briefs to the Supreme Court in *Hamdan v. Rumsfeld*, arguing that the Geneva Conventions and their guarantees of fair trials and humane treatment applied to detainees, many critics said we were wasting time on international law arguments the Court would surely reject. But the Court agreed that the Conventions are the law of the land – from Guantánamo to U.S. detention facilities anywhere in the world. The resounding victory in *Hamdan* did more than ensure fair trials for detainees; it reaffirmed our system of checks and balances and held that the President is not all-powerful. This decision helps beat back the false debate between security and human rights: the Court concluded that the real threat to our security was a lawless Executive Branch, while granting basic rights to detainees does not compromise our safety one bit.

It was a stunning setback for an administration that believed neither Congress nor the Judiciary would stand in its way once “national security” was raised or “trust us” was invoked as a legal argument. But we must also remember it was a close vote and a victory of last resort, after Congress failed to confront the President and the media largely avoided scrutinizing the extent of criminal conduct in the White House. We truly believe our Constitutional rights and system of democracy are hanging by the thread of one vote. That is much too close considering what is at stake. We will remain vigilant in our efforts to expose and challenge abuses of power.

As the Center begins the yearlong celebration of its 40th Anniversary, I realize I have been involved with the work during most of this period. We have had many proud moments during that time, from our work in the South, to fighting for abortion rights for poor women and later successfully getting a buffer zone mandated around clinics being picketed and blockaded, to enforcing international human rights, to winning the Supreme Court case finding Nixon and Mitchell’s warrantless wiretapping of anti-war activists unconstitutional, to exposing COINTELPRO and government spying on the Central America Solidarity movement. Yes, many of these fights have been fought before, and won, yet now we find ourselves facing them again. CCR is tenacious and diligent and will not allow the victories of the past to be forgotten or lost.

We have tried to remain constant and true to our values, to build a better society through law, to protect the least protected and to insure fundamental rights for all. I am proud of the Center’s 40 years of struggle and am

sure our founders and mentors Arthur Kinoy, William Kunstler, Ben Smith and Martin Stavis would be proud of how we have carried on their traditions and goals and won the “unwinnable” battles. I hope you, in reading this annual report, find yourself equally proud of your support for this work, which could not have been done without you.

Thank you to all of you who have come forward and stood beside CCR in our efforts to protect the U.S. Constitution and the Universal Declaration of Human Rights. Your recognition of the importance of this work and of what CCR stands for is invaluable and deeply appreciated.

Yours,



Michael Ratner

Letter from the Executive Director



It is indeed an honor to be named CCR's new Executive Director. As the Center turns 40, I

look forward to building on the outstanding work of my predecessor, Dr. Ron Daniels, and the CCR staff as we continue to broaden public and governmental recognition for the full range of human rights.

As I begin my work with CCR, the definitive battles for us continue to be the fight for democracy and recognition of human rights in the United States and the implementation of a justice-based foreign policy under international law. As the U.S. pursues its unilateral goals abroad in the name of democracy, democratic rights here at home go unrecognized, shrink almost daily, or are simply ignored.

Our rights remain under heavy attack in virtually all areas. The right to vote has been stripped from those who are in prison and seriously weakened for communities of color; the right to dissent has been impoverished for those who oppose our government's policies both here and abroad; the right to challenge illegal government conduct has been restricted through the use of the "state secrets doctrine" among other means; and our global and fundamental rights to education, housing and work remain unrecognized here in the U.S. Every day we remain at risk of losing another family, another generation, another community to govern-

mental policies designed to prevent us from asserting those rights.

The challenge for the Center is for us to continue to think creatively and to act quickly and strategically in our key areas of expertise. We must apply those strengths to revitalizing our democracy and supporting disempowered communities by helping to build their power and by providing leadership and support for the next generation. I look forward to lending my voice to the prodigious talent at CCR by leading the Center's efforts in its three core docket areas: Government Misconduct, Racial Justice and International Human Rights.

CCR will continue to challenge illegal government conduct and to take on the big corporations that defy the U.S. Constitution and the International Declaration of Human Rights. We will continue our 40-year mission to fight racism and injustice on behalf of our society's oppressed communities.

Since CCR's founding in 1966, the Center has played a central role in fighting for social, economic and political rights for those who have the least access to justice. As we move into the next 40 years, we will continue that role by mounting innovative legal challenges in our existing docket areas and supporting them with creative and effective education and advocacy strategies.

Among many ongoing projects, our Government Misconduct work will remain focused on challenging the curtailments of due process both through the work of our Guantánamo Global Justice Initiative and by our long-standing work challenging prosecutorial and police misconduct, racial profiling and mass incarceration. We will continue the fight for democracy by opposing the illegal expansion of Executive power.

CCR will revitalize our racial, social and economic justice work by employing a combination of traditional litigation and creative human rights strategies to fight racism and racialized injustice. We will strengthen our connection with grassroots social justice movements so that the Center can be responsive to the needs of oppressed communities. And we will pursue systemic litigation and other advocacy mechanisms in areas that poor communities and communities of color have identified as critical, including voting rights, the denial of meaningful educational opportunities, public and personal health resources, criminal and juvenile justice system inequalities, and emergency relief and response.

CCR will continue the fight to implement a justice-based foreign policy under international law by working to hold corporations accountable for human rights violations through the litigation of our pending cases, by going before appropriate international forums and tribunals, and by working with international social justice movements and organizations.

With respect to all of our docket areas, we will increase our web-based communications and education and outreach capacity so that we can get CCR's unique

message out more effectively to our core supporters and movement allies and foster new supporters for our mission and goals. We are at a time when more and more of the country is coming to see the dangers of this Administration's unprecedented grab for power, when our message should resonate clearly with all Americans who value the rule of law, and when we will rely on our supporters more than ever to spread the word, take action, and continue to generously sustain our work.

In these critical times, CCR will work tirelessly to develop innovative, multi-faceted strategies to protect and further the goals of democracy and human rights. I look forward to celebrating the vast and impressive history of this organization with you at our 40th Anniversary celebration later this year and expanding our work together in the years ahead.

Sincerely,

A handwritten signature in orange ink, appearing to read "V. Warren", with a long horizontal line extending to the right.

Vincent Warren

Letter from the Legal Director



For anyone who has seen the Al Gore movie, *An Inconvenient Truth*, the

most unforgettable and frightening images are those of the shrinking glaciers and polar caps – vanishing before our very eyes. So it is with our democracy in the past year. The montage of vanishing democratic rights includes the following: assertions of presidential power to undertake indefinite detentions and torture without due process at Guantánamo and throughout the world; warrantless wiretaps; extraordinary renditions; and racial profiling of non-citizens for purposes of arrest and detention. Equally as shocking, these assertions of power have been unchallenged by Congress, indeed they have been subsequently authorized.

This, then, is one of those rare moments in history when human rights concerns are not simply *in* the news, but when they *are* the news. These days CCR's advocacy is making news – and a difference – throughout the world. From the beginning, we knew that the Bush Administration's approach to governing represented a radical departure, not only from American politics, but from our democratic values and our commitment to individual rights. Because we understood this, we have responded swiftly and strategically to the constitutional crises that have destabilized our country and that

have tilted the system in the direction of totalitarianism. Despite the uphill nature of these battles, we have even scored a few stunning victories along the way, reaffirming our belief in the underlying strength of our system of democratic rights that can be enforced in court.

The most significant recent victory is the Supreme Court decision in *Hamdan v. Rumsfeld*. The Court clearly agreed with us that this administration's claims of unchecked power to operate outside the law are precisely that – illegal and unconstitutional. In so doing the Court showed more nerve in challenging raw assertions of Executive power than has Congress. The *Hamdan* opinion took a square look at what Bush has done and said, "Wait a minute. You are not going to get away with this. Not in this case and not yet." The Court also acknowledged the long and patient (sometimes) struggle that we have fought for 35 years to have international human rights law recognized as an inherent part of U.S. domestic law.

As well, we can take great pride in hauling this President into court over the illegal NSA wiretapping. While that case (*CCR v. Bush*) and the others that followed it have yet to play themselves out, there can be little doubt that we have taken on this President's blatant violation of the law and the privacy of millions of Americans.

In many other cases, we have challenged the abuse of power that has been a hallmark of this President. Our book, *Articles of Impeachment Against George W. Bush*, and the organizing campaign we mounted around it, have been an enormous success. The book and campaign have spawned community meetings, resolutions and conferences across the United States.

Almost 200 years ago, the great political scientist Alexis de Tocqueville warned of future attacks on judicial independence:

“I am aware that a secret tendency to diminish the judicial power exists in the United States [this tendency] will sooner or later be attended with fatal consequences; and that it will be found out at some future period that by thus lessening the independence of the judiciary they have attacked not only the judicial power, but the democratic republic itself.”

That “future period” is most certainly today. The bag of tricks that Bush has come up with to avoid judicial and public scrutiny of his policies is most certainly an attack on democracy itself. These include the repeated assertion of the state secrets doctrine as a literal gut check to judicial scrutiny – as a way of telling the American people and the American courts, “We are the government, trust us and if you don’t, too bad!” As well, the attempts to circumvent judicial oversight of the indefinite detentions at Guantánamo and elsewhere by stripping federal courts of jurisdiction to entertain applications for habeas corpus, a legal remedy that virtually defined judicial independence in 1215 AD, is a truly shameful moment in this nation’s history.

About 100 years ago, Clarence Darrow, knowing the central importance of the courts, came to an understanding that created political lawyering in America. It was this: when an unjust system tries to throw your client in prison, put the system on trial. If we can get to court, that is what we intend to do and this Administration knows it. If we lose the ability to get into court entirely and thereby expose the venality, the incompetence, the dishonesty and the greed of this government, we will have lost a powerful and effective tool. We cannot let it happen.

Although we would rather not have to fight so many battles on so many fronts, with your support and commitment CCR is truly fulfilling its mission to advocate for the rights, dignity and power of Americans and people around the world. Our dream is for a strengthened and revived democracy. We know that this is your fight also.

Sincerely,



Bill Goodman



Guantánamo Bay

This year, CCR achieved the second most significant victory in our five-year legal battle against the Bush Administration's unlawful prison at Guantánamo Bay, Cuba. In a historic June 2006 decision, two years after our victory in *Rasul v. Bush*, the Supreme Court ruled against the Bush Administration in *Hamdan v. Rumsfeld*. The Court accepted CCR's arguments, filed in *amicus* briefs, that, as part of the "laws of war," the Geneva Conventions apply to detainees in Guantánamo and the military commissions violate U.S. law.

In the same decision, the Court rejected the Administration's attempt to use legislation to retroactively strip a detainee's right to challenge the military tribunal procedures and confirmed that there was no basis for applying the Detainee Treatment Act of 2005 (DTA) retroactively to pending habeas cases. CCR's landmark 2004 Supreme Court victory *Rasul v. Bush* established the fundamental right to challenge an unlawful detention in court, which the Administration tried to undermine through its interpretation of the DTA. This Supreme Court victory created a significant check on President Bush's illegal policies.

CCR's efforts continue to serve as the basis for global awareness and condemnation of the United States' claims to operate beyond the reach of law

Nonetheless, unlawful detentions continue at Guantánamo and secret sites around the world. To challenge these detentions, CCR recruits, trains and coordinates a national force of over 500 *pro bono* attorneys, law professors and law school clinics from diverse professional, political and cultural backgrounds to represent and advocate for over 300 individual detainees.

Beyond domestic litigation, our attorneys were deeply involved in diplomacy and international advocacy to improve U.S. conduct on human rights. Over the past year, CCR attorneys provided expert testimony and contributed to numerous international reports on prisoner treatment at Guantánamo, including reports by five U.N. Special Rapporteurs, the U.N. Human Rights Committee and the Committee Against Torture.

This was a tragic year for Guantánamo detainees, as the first fatalities occurred at the base with the deaths of three detainees in June. Attorneys had been fighting for over a year to visit the men but were prevented by multiple delays and barriers erected by the Administration. CCR helped those attorneys develop motions for the preservation of evidence in the wake of the deaths. To address the on-going delays and a host of other issues, CCR has filed challenges to the restrictions on attorney-client communications; motions seeking medical records for hunger-striking detainees subjected to force-feeding; and challenges to the use of the “emergency restraint chair” against nonviolent, compliant hunger-strikers. CCR secured judicial orders providing habeas counsel with 30

days notice prior to the transfer of a client out of Guantánamo to ensure transparency and compliance with the Convention Against Torture. In addition, the Center filed FOIA requests on behalf of 104 *pro bono* counsel for records related to any unlawful NSA warrantless surveillance of their communications.

In July of this year, CCR released the comprehensive *Report on Torture and Cruel, Inhuman, and Degrading Treatment of Prisoners at Guantánamo Bay, Cuba*, the first report citing declassified primary source records from current detainees and their attorneys detailing inhumane treatment by U.S. officials at Guantánamo. The report shows that prisoners at Guantánamo have been beaten, sexually humiliated, denied essential medical treatment, deprived of sleep for days and weeks at a time, held in solitary confinement for periods exceeding a year, and tortured. Bob Herbert wrote in *The New York Times* that CCR has “fought long and heroically to bring even the most minimal legal protections to the prisoners. Along the way it was learned that the inmates at Guantánamo were far from the worst of the worst. Many of them, it turned out, were no danger to the United States at all.”

Unreviewed Executive detention is incompatible with a free society, and access to the courts is a hallmark of democracy and the rule of law. CCR's efforts continue to serve as the basis for global awareness and condemnation of the United States' claims to operate beyond the reach of law. With the courageous support of our friends and donors, we will see these challenges through for as many years as necessary ■



Spying & Impeachment

It was revealed in December 2005 that for more than four years the National Security Agency (NSA) had engaged in warrantless domestic surveillance in violation of the Foreign Intelligence Surveillance Act (FISA) and the U.S. Constitution with the express approval of President Bush. Within weeks, we filed *CCR v. Bush* against the President, the head of the NSA, and the heads of the other major security agencies. The suit argues that the program violates criminal law and the First and Fourth Amendments, and exceeds the President's authority under Article II of the Constitution.

Enacted in 1978, FISA sought to prevent abuses of power by the Executive that occurred under the Nixon Administration. CCR led challenges to these abuses, winning a landmark decision in 1972 that struck down President Nixon's warrantless surveillance of domestic activists. Like President Nixon, George W. Bush has pursued policies – from warrantless domestic spying to unlawful detentions and torture – that constitute impeachable offenses.

The Bush Administration claims the NSA is only listening to international communications where it believes

The Constitution provides one legal remedy to address such crimes by a sitting U.S. President: impeachment

one party has a link to terrorism. CCR's calls and emails fit this profile, because CCR staff frequently communicate with clients, witnesses, and other human rights attorneys overseas in cases challenging the Administration's policies regarding terrorism and on behalf of those the Administration has labeled terrorists. Yet the stakes reach far beyond CCR's individual cases and the protection of attorney-client privilege. If the Executive Branch can conduct surveillance without warrants and judicial review, it can monitor and intimidate anyone it chooses.

CCR v. Bush received significant support in a series of amicus briefs, including a brief from 72 members of the House of Representatives confirming that Congress did not authorize the NSA program and a brief from a coalition of leading civil rights organizations outlining the ways domestic surveillance has historically been used as a tool of political repression in the U.S.

In response, the Bush Administration invoked the "state secrets privilege" and demanded the court dismiss our case because it might reveal government secrets. The Bush Administration is using the state secrets doctrine more broadly and more often than any administration in history in an attempt to dismiss some of the most consequential challenges to its policies and to keep its programs from public scrutiny.

In March 2006, CCR filed for summary judgment in the case, arguing that public statements made about the surveillance program by President Bush and administration officials provided enough detail and evidence about the program that the Center could prove its illegality

without seeking more facts or a full trial.

As the litigation moved forward in the courts, CCR played a significant role in the debate over the NSA spying program emerging in the media and the U.S. Congress. In addition to outlining the major legal issues raised by the program for the Senate Judiciary and Intelligence Committees, CCR created detailed rebuttals of the U.S. Justice Department's defense of illegal spying. Our attorneys provided expert analysis during media coverage of the legal and political battles over the NSA program and published a series of significant commentaries on domestic surveillance.

Last spring, CCR advocated another legal remedy to address crimes by a sitting U.S. President: impeachment. In March, the Center published the book, *Articles of Impeachment Against George W. Bush* (Melville House, 2006), which provides historical background and makes the case for four articles of impeachment against President Bush for crimes committed in connection with the NSA warrantless domestic spying program, illegal detentions and the use of torture, the falsehoods used to justify the Iraq War, and violations of the constitutional separation of powers. Our attorneys participated in impeachment events across the country, including a panel moderated by Amy Goodman of Democracy Now! that was shown on C-SPAN.

As this administration continues to overstep the bounds of the law in an unprecedented Executive power grab, CCR will go to court and force a vigorous public debate on the threat to our Constitution and democracy ■



Government Misconduct

The Center has a long history of fighting government misconduct, police brutality and policies designed to target dissent. CCR has been a leading defender of the rights of immigrants facing heightened discrimination in post-September 11 America. We responded quickly to the Administration's broad INS and FBI sweeps conducted immediately following the 2001 terrorist attacks that resulted in the arbitrary detention of more than 1,200 Arab, South Asian and Muslim men. CCR's most far-reaching legal challenge to these detentions is *Turkmen v. Ashcroft*, a case filed in 2002 on behalf of a

class of non-citizens from Arab and South Asian countries who were detained at the Metropolitan Detention Center (MDC) in Brooklyn. Some of these men were held without charge for as long as nine months and subjected to severe verbal and physical abuse.

In June 2006, the court denied in part defendants' motion to dismiss the case, barring attempts by FBI Director Robert Mueller, former Attorney General John Ashcroft, and other senior administration officials to avoid accountability for their role in setting the extremely harsh conditions of confinement at the MDC. This was an

“I am frightened for other Muslims in the United States who could face the same discrimination and abuse that I suffered”

important victory for holding senior government officials accountable in the courts. Unfortunately, the court’s ruling also undermined the principle of equal protection for non-citizens in the United States. By dismissing CCR’s challenges to the racial profiling and prolonged detention of the Turkmen plaintiffs, the court effectively ruled that there are two separate and unequal systems of justice in the United States: one for U.S. citizens and another for non-citizens. The ruling also was notable for its deference to the powers of the Executive Branch, affording the Executive alarming latitude in deciding whom to detain and for how long – even when those decisions are based on individuals’ race or religion. While the litigation team is engaged in depositions on the remaining claims, we expect to file an appeal challenging the dismissal of these claims.

“I can’t believe the court would allow this to happen,” CCR client Yasser Ebrahim said after the ruling. “I am frightened for other Muslims in the United States who could face the same discrimination and abuse that I suffered.”

The Center continues to defend the right to dissent. In 2004, CCR filed a lawsuit on behalf of 52 protesters who were illegally arrested during an anti-war rally in April 2003 in New York City. The suit charges that the New York Police Department unlawfully arrested the peaceful protesters and detained them for excessively long periods of time at One Police Plaza. Over 70 protesters were illegally arrested outside the offices of an affiliate of the

Carlyle Group, a defense-related investment firm with financial ties to the Bush and bin Laden families. The team is conducting depositions, and continues to work on cases related to the demonstrations and arrests at the last Republican National Convention.

Another area where CCR is challenging the government is its Cuba policy. CCR has been on the forefront of the legal challenges to the Cuba travel embargo, which is a deliberate denial of the First Amendment guarantees of freedom to travel for all Americans. CCR’s Cuba Travel Project is the largest institutional effort to defend Americans who exercise this basic constitutional right and has resulted in the representation of over 400 individuals accused of violating the embargo. CCR provides legal information to the general public through our *Know Before You Go* booklet, and has trained over 100 attorneys to handle Cuba travel enforcement cases. CCR also supports the legal efforts to defend travel-challenge caravans and hopes to expand upon this work as the Bush Administration threatens criminal prosecutions. CCR anticipates filing several new lawsuits in the coming year that will directly challenge specific provisions of the embargo.

CCR is steadfastly committed to combating these types of government excesses. Our domestic litigation and advocacy efforts strive to carve out solutions that protect all of us – both citizens and non-citizens – from the unwarranted erosion of our fundamental civil liberties and constitutional rights ■



Universal Jurisdiction

The policies and command failures that led to the abuse of prisoners in U.S. custody at Guantánamo, and in Iraq and Afghanistan, demand a comprehensive and independent investigation. More than two years after the revelations of abuse at Abu Ghraib prison in Iraq, the Pentagon continues to maintain that illegal acts were limited to a few rogue soldiers who have been dealt with by the military justice system. Congress, too, has failed to seriously investigate the abuses, and none of the various

commissions appointed by the military and the Bush Administration has examined the possible criminal responsibility of military and political leadership.

In response to this inaction, on November 30, 2004, CCR filed a criminal complaint with the Federal Prosecutor's Office in Germany, seeking a comprehensive investigation into the role played by Secretary of Defense Donald Rumsfeld and other high-ranking U.S. officials in the torture and abuse of Iraqi detainees. The complaint, on

The impossibility of an independent domestic investigation of high-ranking U.S. officials for the abuses at Abu Ghraib makes the German court a court of last resort

behalf of four Iraqi citizens who were tortured at Abu Ghraib, was filed under the doctrine of universal jurisdiction, which allows for the prosecution of suspected war criminals irrespective of where they are located or where the violations took place. The impossibility of an independent and far-reaching domestic investigation of high-ranking U.S. officials, coupled with the United States' refusal to join the International Criminal Court, make the German court a court of last resort.

The effort has the support of a coalition of respected academics and international human rights experts who held conferences in New York and Berlin to advocate the use of universal jurisdiction to address human rights abuses. In an affidavit submitted to the German court in January 2005, Scott Horton, the Chair of the International Law Committee of the Association of the Bar of the City of New York, affirmed CCR's suit as a means of last resort. The affidavit argued that "...no criminal investigation or prosecution [will] occur in the near future in the United States for the reason that the criminal investigative and prosecutorial functions are currently controlled by individuals who are involved in the conspiracy to commit war crimes."

In February 2005, Secretary Rumsfeld threatened to cancel his trip to attend an annual security conference in Munich if the suit was allowed to go forward. One day before the conference was scheduled to begin, the German prosecutor's office announced it would not open an investigation. The decision cited the prosecutor's

expectation that the United States would conduct its own investigation into the alleged crimes. Rumsfeld joined the conference.

CCR is preparing a revised complaint to be filed in November 2006, arguing that the U.S. government's continued refusal to investigate the abuses and the continued presence of many of those implicated in these actions in high level government positions indicates the need for a truly independent investigation. Indeed, two years later, the utter and complete failure of authorities in the United States to take any action regarding the investigation and prosecution of higher-level officials cannot be denied. The revised complaint includes as new defendants officials from the Bush Administration who are implicated in torture based on recent disclosures, including Attorney General Alberto Gonzales. What's more, extraordinary new information revealed over the past two years shows the widespread and systematic character of the abuses, their perpetration as part of a clearly defined program, and the direct responsibility of the defendants in these crimes. The filing of the complaint in Germany must be seen in the broad context of the fight by international organizations and lawyers against impunity for torturers.

We are also exploring other international venues for this case. Our ultimate hope is that this international action will compel Congress to appoint an independent commission to investigate the root causes of detainee abuse – and affirm that no one in a position of power is above the law ■



International Human Rights

It has been 25 years since CCR pioneered the use of the Alien Tort Statute (ATS) to allow foreign victims of human rights abuses to seek civil remedies in U.S. courts. In 1979, the Center brought suit under this little-known 1789 statute against Paraguayan Police Chief Peña-Irala for the torture and murder of 17-year-old Joelito Filártiga, the son of a vocal opponent of Paraguayan dictator General Alfredo Stroesser. CCR's case resulted in a \$10.4 million judgment in 1982 and broke new legal ground in civil human rights litigation. In November 2005, the Center held a symposium to dis-

cuss the significance of our landmark Filártiga case and the future of the ATS. At each important stage in the evolution of ATS litigation, CCR has played a pivotal role.

Holding Corporations Accountable

Over the past decade, CCR successfully expanded the application of the ATS to cases involving human rights violations abetted or committed by multinational corporations, including the successful settling of *Doe v. Unocal* last year.

CCR filed suit against Shell for its role in environmental degradation and human rights violations in the Ogoni region

In 1996, in one of the first legal actions brought under the ATS against a multinational corporation, CCR filed suit against Royal Dutch Shell for its role in environmental degradation and human rights violations in the Ogoni region of Nigeria. At the center of the case is the sham trial and summary execution on November 10, 1995, of the Ogoni 9, peaceful activists led by internationally renowned human rights activist Ken Saro-Wiwa. In a significant development this March, a court rejected the defendants' attempt to dismiss the case on foreign policy grounds and denied their request to appeal for U.S. government intervention. To mark the 10th anniversary of the deaths of the Ogoni 9, CCR coordinated and participated in events in New York as part of a nation-wide campaign to raise awareness of the case and the importance of the ATS in the struggle for corporate accountability. The events, which featured members of the Wiwa family and others, culminated with a somber anniversary gathering in New York City on November 10, 2005.

CCR's extensive experience with ATS litigation allowed us to respond quickly to the unprecedented questions of legal responsibility presented by the role of government-hired private contractors in the torture and abuse of Iraqi prisoners at Abu Ghraib. In June 2004, just weeks after the photographs of abuse and sexual humiliation were made public, CCR filed suit against Titan Corporation and CACI International, two U.S. corporations providing translation and interrogation services to U.S. forces in Iraq. The suit charges that employees of these companies directed or participated in illegal interrogation tactics, including forced nakedness, hooding, severe beatings and

rape. In an early victory in the case, in September 2005, CACI voluntarily withdrew from the business of conducting interrogations in Iraq. In June 2006, the court denied defendants' motions to dismiss, and the case moved forward into the discovery phase.

In 2005, CCR filed suit against heavy equipment manufacturer Caterpillar, Inc., arguing that the company violated the law by selling D9 bulldozers to the Israel Defense Forces (IDF) knowing they would be used to unlawfully demolish homes and endanger civilians in the Occupied Palestinian Territory. CCR filed the suit on behalf of the parents of Rachel Corrie, a young American activist who was killed in March 2003 by a Caterpillar D9 bulldozer while peacefully protecting a Palestinian family's home from demolition by the IDF, and on behalf of members of Palestinian families who were injured or killed when Caterpillar bulldozers were used to demolish their homes while they were inside. In March 2006, CCR appealed a federal court decision dismissing the case and expects the case will be heard by the Ninth Circuit Court of Appeals by the end of the fiscal year.

CCR continues to assist private counsel and other human rights organizations in *Bowoto v. Chevron*, an ATS case charging the oil company with involvement in a series of three attacks on unarmed protesters and people in their homes in Nigeria between May 1998 and January 1999. Most recently, both Plaintiffs and Defendants filed a series of new summary judgment motions in a case pending in U.S. federal court in San Francisco

International Human Rights (continued)

This year CCR also submitted an amicus curiae brief in a significant corporate accountability case against corporations for aiding and abetting apartheid in South Africa. Oral argument was held in January 2006, and the case is now pending before the Second Circuit Court of Appeals.

Holding Government and Military Officials Accountable

In the years since Filártiga, CCR has filed many additional cases to hold foreign human rights violators accountable.

In December 2004, CCR, along with the Center for Justice and Accountability and private counsel, filed suit against Emmanuel “Toto” Constant, former leader of the Haitian paramilitary organization FRAPH. Following a military coup against the elected President Jean-Bertrand Aristide in 1991, FRAPH, under Constant’s leadership, committed massacres, gang-rapes, and other torture. CCR’s lawsuit accuses Constant of crimes against humanity, attempted summary execution, and rape, and it seeks civil remedies on behalf of two plaintiffs who were gang-raped in front of their families and a third who was attacked by two FRAPH operatives and left for dead. After no response was made to our complaint, last fall CCR and co-counsel sought and were granted a default judgment. Papers submitted to the court in January 2006 included a careful legal analysis of rape as torture, as well as a detailed discussion of how the systematic rape by Constant’s forces constituted crimes against humanity. CCR expects a ruling in this ongoing case shortly.

In late 2005, CCR brought a class action lawsuit against Lt. Gen. Moshe Ya’alon, who was head of the Intelligence Branch of the IDF in April 1996 when the forces shelled a

UN compound in Qana, Lebanon, killing over 100 civilians, almost half of whom were children. Among the plaintiffs that CCR is representing in this case are Saadallah Ali Belhas, whose wife and nine children were killed; Ali Mohammed Ismail, who lost his wife and three children; and Hamidah Sharif Deeb, who lost her leg and arm in the attack. CCR also filed a class action lawsuit in December 2005 against Avi Dichter, former Director of Israel’s General Security Service, on behalf of Palestinians who were killed or injured in a July 22, 2002, air strike in Gaza, a so-called “targeted assassination.” Mr. Dichter participated in the decision to drop a one-ton bomb on al-Daraj, a densely populated residential neighborhood. The attack, which killed seven adults and eight children and destroyed or damaged almost 40 homes, was widely condemned by the international community, including the United States government.

CCR is recognized as an expert in this area of law, and we continue to work to support other attorneys litigating these kinds of cases and to expand the use of the Alien Tort Statute. Whether gross human rights violations are committed by corporations or by government or military leaders, CCR will continue to use innovative legal strategies to attempt to bring justice to the victims and to hold the violators accountable ■

**In the years since Filártiga,
CCR has filed many cases
to hold foreign human rights
violators accountable**



CCR is working to ensure Maher Arar's voice is heard

interrogation, he was sent to Syria, where he was kept underground in a 3-by-6-by-7-foot cell for ten months, beaten with electric cables and otherwise tortured by Syrian intelligence officials. He was released and returned to Canada after Syrian officials admitted they could find no links between Mr. Arar and terrorist groups or activities.

Mr. Arar has spoken out bravely about his ordeal and publicly questioned how the United States could support the use of torture. CCR is working to ensure his voice is heard. We have planned a campaign to educate the public about Mr. Arar's case and the disturbing U.S. policy of outsourcing torture to coincide with the release of the report of Canada's Commission of Inquiry in September 2006, which is expected to find that Canada did not have evidence linking Mr. Arar to terrorism and did not acquiesce in his removal to Syria. CCR created an original web video available on our website for an online advocacy campaign urging supporters to tell their representatives in Washington that America will not tolerate torture: www.ccr-ny.org/nomoresecrets.

Mr. Arar's case suffered a setback in February, when the court issued an astonishing dismissal of the case. The decision held that, in the interest of national security and foreign policy considerations, government officials could not be liable for rendering innocent people to be tortured. The court went so far as to suggest that torture may be constitutional even within the U.S. if used to prevent a terrorist attack.

CCR is continuing to pursue the case on appeal. We remain committed to securing justice for Mr. Arar and restoring the United States' commitment to the total prohibition on torture ■

Outsourcing Torture

CCR was the first to challenge the Administration on its use of "extraordinary rendition," one of the most egregious of U.S. counterterrorism measures. Terror suspects who are rendered are secretly transferred from U.S. custody and turned over to foreign governments often with notoriously poor human rights records in order to have these countries do what U.S. law forbids – torture the suspects to extract confessions or information. Although the State Department has acknowledged that these countries routinely torture prisoners, U.S. officials continue to accept "diplomatic assurances" as the only safeguard against the threat of torture and lifelong detention without trial.

CCR's case on behalf of Canadian citizen Maher Arar, filed in 2004 against then-Attorney General John Ashcroft and other U.S. officials, is the leading case on rendition and has drawn international attention to the issue. Mr. Arar was apprehended by U.S. officials at John F. Kennedy Airport in September 2002 and falsely labeled a member of Al Qaeda. After nearly two weeks of intensive



Racial Justice

CCR was born out of the Civil Rights Movement of the 1960's and remains dedicated to fighting racism in all its forms. As Hurricane Katrina and its aftermath once again highlighted, the racial, social and economic divides in this country remain unacceptably deep. As part of our commitment to these issues, CCR created a Racial Justice Fellowship. The Fellow will travel to New Orleans and elsewhere to meet with grassroots organizations and individuals to develop possible cases, and determine other ways in which the Center can seek cases and issues that provide a way to reassert the rights supposedly protected by the Civil War Amendments to the Constitution.

CCR has also maintained its commitment to the current cases in our Racial Justice docket, from the Street Crimes Unit settlement, to our prison telephone cases, to racial discrimination in hiring and promotion by the New York City Fire Department and the Board of Education.

CCR has two major cases that challenge the policy of the State of New York that charges family members for the collect calls of prisoners 630 percent more than the average residential consumer pays for a long distance call. In nearly all states, a single telephone service provider is granted a monopoly on prison phone business in return for providing the state with as much as half the profits, 57.5 percent in the case of New York.

More than 80 percent of the State's prisoners come from poor New York City neighborhoods, and the majority are people of color

Collect calls are the only permitted telephone communication, which means that family members are grossly overcharged for trying to maintain contact with their loved ones. This is an unlawful and unlegislated tax that targets the members of the community who can least afford it. More than 80 percent of the State's prisoners come from poor New York City neighborhoods, and the majority are people of color. Our federal suit is proceeding after a key ruling in August 2005 that allowed us to go ahead with our constitutional claims. In November 2005, we argued the first appeal of the dismissal of our State lawsuit by a lower court. The appellate court affirmed the dismissal, and we are planning an appeal to New York's highest court in fall 2006.

The Center has partnered with the Vulcan Society, the fraternal organization of black firefighters, to challenge discriminatory hiring practices of the NYFD. New York has the least integrated fire department of any major city in the United States. CCR's first Equal Employment Opportunity Commission charges resulted in a ruling that the unvalidated test for becoming a firefighter was discriminatory. This finding prompted a U.S. Department of Justice investigation. CCR filed additional charges on behalf of three African-American applicants to the FDNY and a class of all similarly affected African-Americans in February 2005, and the EEOC ruled in their favor in November 2005. Because the FDNY ignored a deadline to negotiate a solution, the case was automatically turned over to the U.S. Department of Justice. We and the Vulcans will attempt to find the best

way to move forward with litigation and public pressure to end the racial disparities in the department.

We are working closely with a support group of teachers, the Committee for a Fair Licensing Procedure to win a class action on behalf of public school teachers of color who have challenged the use of unvalidated discriminatory tests and licensing rules that have deprived them of equal salaries, pensions, benefits and seniority while still keeping them in the classroom. The Center argues that the Board of Education's reliance on the National Teachers Examination to terminate the regular licenses of experienced teachers constitutes discrimination because the test has an adverse disparate impact on minorities. CCR anticipates a decision from the Court of Appeals in early fall.

In addition, CCR represents several Sikhs employed by the MTA in a case that charges that the MTA's attempt to force them to wear MTA logos on their turbans, which are religious articles, constitutes religious discrimination. Finally, the Center has taken a strong public position against a campaign of federal grand jury harassment and political persecution of former members of the Black Panther Party last winter. In a series of joint public appearances between CCR and the Panthers, the link was made between the torture to which they were subjected and the torture that has now become an official part of U.S. policy.

CCR is committed to championing those who fight against racism everywhere ■

Public Education and Advocacy

This year, CCR worked harder than ever to bring attention to today's most urgent issues, to educate the public about the ways CCR is fighting the abuse of Executive power and the rollback of our most fundamental rights, and to broaden the fight for democracy and human rights at home and abroad.

This year marked the 10th anniversary of the execution of Nigerian activists Ken Saro Wiwa and the Ogoni 9, as well as the massacre at the U.N. Compound in Qana, Lebanon. CCR organized commemorative events for both anniversaries to raise awareness about our clients' stories and these tragic violations of international law.

The Center also organized a successful panel discussion in New York to highlight the dangers inherent in the Bush Administration's use of the "state secrets" privilege as a legal strategy to prevent the courts from holding the Executive accountable for misconduct and human rights violations.

In February of this year, CCR launched a national campaign to impeach the president in conjunction with the Center's new book, *Articles of Impeachment Against George W. Bush* (Melville House 2006). Reviewing the precedent of impeachment proceedings against Presidents Johnson and Nixon, the book argues that President Bush can be impeached for his actions in four main areas: warrantless domestic spying; torture and detention practices; the lies used to justify the Iraq War; and violations of the constitutional separation of powers and of his oath of office to uphold the Constitution. As part of this



CCR's panel on impeachment was broadcast nationwide on C-SPAN and moderated by Amy Goodman.

campaign, fifty grassroots organizations held teach-ins in over twenty states, and our attorneys participated in events across the country, including a nationally televised panel on C-SPAN's Book TV moderated by Amy Goodman of Democracy Now! Over 8,000 people joined our call for a Congressional investigation of impeachment, including 2,000 new people who signed up to support CCR during the campaign, and 500 sent copies of the book to their congressional representatives.

Guantánamo Action Center

CCR overcame significant challenges this year in its defense of the detainees at Guantánamo Bay. Much of the press has continued to promote the Bush Administration's framing of the issue and the negative portrayal of the men held in Guantánamo, and Congress initiated legislation to deny the detainees some of their most basic rights and

Over 8,000 people joined our call for a Congressional investigation of impeachment, including 2,000 new people who signed up to support CCR during the campaign

to undermine the Supreme Court's ruling in *Hamdan v. Rumsfeld*. To help dispel myths about Guantánamo and offer analyses of government proposals concerning the detainees, CCR set up a web-based Guantánamo Action Center. This online resource center supplies activists and progressives with concrete materials and avenues to take action in support of detainee rights, and makes available a consistently updated and central location for the public to find out the real story behind Guantánamo.

Working with student theater groups and professional companies, CCR encouraged and supported productions – from Weber State University in Utah to the Halls of Congress in Washington, DC – of *Guantánamo: Honor Bound to Defend Freedom*, followed by Q&A's with CCR attorneys and counsel. In addition, CCR attorneys spoke about Guantánamo at over 50 events around the country this year, as well as in countless radio, television and print interviews. CCR also brought this issue to a wider audience by teaming up with the Committee for the Defense of Human Rights for a series of forums on the historical use of torture by the U.S. government, entitled “New Orleans 1973 to Guantánamo 2006.”

In July 2006, CCR released a comprehensive a 51-page *Report on Torture and Cruel, Inhuman, and Degrading Treatment of Prisoners at Guantánamo Bay, Cuba* (available on our website for downloading), the first report citing declassified primary accounts from current detainees and their attorneys detailing inhumane treatment by U.S. officials at Guantánamo. The report – which

has been distributed widely to the press, to Congress, and to our allies in the human rights arena – continues to serve as an organizing tool, demonstrating what happens when there is no judicial oversight for these victims of the Bush Administration's “war on terror.”

Training Other Lawyers

Seeing a need for legal training that provides a greater depth of knowledge about human rights issues and the need to extend the current state of the law, CCR organized its first Continuing Legal Education (CLE) course this year in conjunction with the Columbia University Human Rights Institute. The CLE, entitled, “The Alien Tort Statute: Litigating International Human Rights Cases in U.S. Courts,” brought together CCR staff attorneys, cooperating attorneys and board members who provided the 200 attendees with the tools and resources necessary to utilize the Alien Tort Statute (ATS) in litigation. The course also covered the need to protect the ATS from the threat of federal limitations and restrictions, as well as alternatives to ATS litigation, including the use of Universal Jurisdiction and international tribunals to seek accountability and justice for victims of abuse and torture. CCR is now assembling an online extranet site for both students and lawyers interested in utilizing the ATS in litigation, and we are working to bring our ATS course and other possible courses to different cities around the country to train lawyers in CCR's legal expertise, specifically in international human rights and corporate accountability.

Public Education and Advocacy (continued)

Prison Telephone Project

The New York Campaign for Telephone Justice, CCR's flagship racial and economic justice project launched nearly two years ago, is dedicated to ending the illegal contract between MCI – now Verizon/MCI – and the New York State Department of Correctional Services (DOCS). Family members of people incarcerated in New York State prisons have been emboldened and buoyed by their involvement in the Campaign; they have become even more effective and passionate spokespeople in opposition to a contract that grossly overcharges them to maintain telephone contact with their loved ones and returns millions of dollars in commissions to the State.

In November 2005, the Campaign organized hundreds of these dedicated individuals to march and rally in midtown New York City, culminating at the office of Governor George Pataki, where he was presented with a “bill” in the amount of \$400 million to represent the total sum paid by families in phone bills for prison calls since the contract began in 1996. In February 2006, the Campaign organized family members and other advocates to travel to Albany to rally in front of Verizon's upstate headquarters, imploring them extricate the company from these usurious contracts. Father's Day 2006 was commemorated by scores of family members and State Senator Tom Duane holding a candle-light vigil near Columbus Circle to highlight the need for children to be able to keep in close and frequent contact with their incarcerated parents.

Once again, as a result of aggressive advocacy and grassroots organizing as well as a sharply targeted media strategy, the Family Connections Bill, which would prohibit such contracts and ensure fair and



CCR led hundreds of demonstrators to Governor Pataki's New York office to protest the prison telephone contract.

equitable rates for calls received from prisons, passed overwhelmingly in the New York State Assembly. In addition to the over 150 organizations and community boards from whom CCR received endorsements, the Healing the Divide Foundation, co-founded by actor Richard Gere, fiercely advocated on behalf of the Campaign by reaching out to key legislators in the New York State Senate to encourage them to pass the companion legislation in their chamber. In the process, the Senate bill picked up the support of several members who previously had not committed to endorsing. While the Senate bill was stalled in committee, the high visibility of the Campaign has made the Verizon-MCI/DOCS contract a topic that is emerging as one of significant importance in the upcoming races for statewide office in New York. Additionally, proposed legislation in the United States Congress that seeks to compel the Federal

Communications Commission to regulate these phone rates is further proof that the issue has been successfully illuminated and its national impact acknowledged.

The Campaign has also become the focus of requests for help and support from several other states that have similarly exploitative prison phone contracts. As one goal of the Campaign is to serve as a replicable model, we are pleased that the methods employed by the Campaign

are emerging as tools that can be effectively utilized by others to mount vigorous opposition to similar contracts nationwide.

With the Bush Administration and Congress attempting to limit access to the courts in key areas of civil liberties and human rights, CCR believes it has become more important than ever to make education and public outreach a major part of our work ■

Speakers Bureau

CCR's staff attorneys and board members are constantly called upon to provide expertise on constitutional law, civil rights and human rights, and this year was no exception. Hundreds of requests were made for CCR attorneys to speak at college campuses, community events and town halls, UN committee meetings, legal symposia and law school forums, conferences, and international forums on human rights. Some highlights this year included:

- **Bill Goodman** spoke at a roundtable, "Immigrants' Rights are Human Rights," sponsored by the University of Chicago Human Rights Program and the Migration Policy Institute.
- **Bill Goodman** spoke on, "The Rise of Torture as U.S. Policy," at the Rothko Chapel in Houston, TX.
- **Shayana Kadidal** spoke at the California State Democratic Convention about the impeachment of George W. Bush.
- **Maria LaHood** testified to the Inter-American Commission on Human Rights about the U.S. government's use of torture and rendition.
- **Rachel Meeropol** spoke about Guantánamo at the NLG's Annual Convention in Portland, OR.
- **Barbara Olshansky** participated in the UN Committee on Torture, which reviewed U.S. compliance with the Convention Against Torture and Other Forms of Cruel Inhumane, and Degrading Treatment and Punishment (CAT).
- **Barbara Olshansky** participated in the UN Human Rights Committee by making two oral interventions regarding detention at Guantánamo Bay, Cuba, before the Committee's experts, who reviewed U.S. compliance with the International Covenant on Civil and Political Rights.
- **Michael Ratner** spoke at a *Harpers Magazine* event, "Is there a Case for Impeachment?" at the Town Hall in New York City.

Internships and Fellowships

As we near the 20th anniversary of CCR's **Ella Baker Fellowship Program**, its reputation among the nation's law students remains stellar, and admission to the program continues to be extremely competitive. Ella Baker's legacy lives on in the commitment and dedication of the outstanding students who are selected to intern for the summer at the Center, and we are proud to play a critical role in training them as future social justice lawyers. The 2006 class represented an impressive and diverse array of talent, and each student made a significant contribution to the Center's work during their time here. CCR attorneys provide Ella Baker Fellows with a selection of cases and projects and work very closely with them on case research and other substantive legal work, offering valuable experience and the opportunity to be mentored by the Center's lawyers, some of the premiere "people's lawyers" in the country. Some highlights of the work performed by the Ella Bakers in 2006 include valuable research regarding the "state secrets" privilege as it relates to the Center's cases, *CCR v. Bush* (illegal domestic surveillance) and *Arar v. Ashcroft* (rendition and torture) and assisting in preparation for oral arguments on the government's motion to dismiss in CCR's case *Saleh v. Titan* (challenging the torture and abuse of detainees in Iraqi prisons by private military contractors).

The legal work of the program is complemented by a vigorous educational and cultural component. Ella Baker Fellows are introduced to the inner workings of the court system through tours and participate in seminars in which they interact with attorneys who



can advise them on the practical ins and outs of a career in public interest law. In addition, Fellows learn from grassroots activists to develop a genuinely collaborative approach to working with social justice movements. "Working alongside activists and attorneys engaged in cutting-edge litigation and education projects was a life-altering experience," says Lazar Bloch, a 2006 Ella Baker Fellow from Columbia Law School.

Each semester during the school year, CCR also has both full and part-time interns, law students and undergraduates, who play a key role in supporting our ongoing casework.

CCR's growing **International Scholars Program**, which hosts students and lawyers from across the globe, this year included guest attorneys from England and Germany. The Center's staff is sought out for its expertise in international human rights law, and our work attracts the respect and interest of colleagues around the world.

Awards

Over the past year, CCR has been honored to receive a number of prestigious awards from our distinguished allies and colleagues. Among the awards were:

INSTITUTE FOR POLICY STUDIES

2006 International Letelier-Moffitt Human Rights Award

To Maher Arar and CCR

AMERICAN BAR ASSOCIATION

2006 John Minor Wisdom Public Service and Professionalism Award

To Michael Ratner for work on Guantánamo

STANFORD LAW SCHOOL

Public Interest Alumna of the Year

To Barbara Olshansky

SOCIETY OF AMERICAN LAW TEACHERS

2006 M. Shanara Gilbert Human Rights Award

To David Cole and CCR

THE NATIONAL LAW JOURNAL

2006 100 Most Influential Lawyers in America

To Michael Ratner

ALLEGHENY COUNTY BAR FOUNDATION

2005 Career Pro Bono Achievement Award

To Jules Lobel for his work at CCR

Case Index

The Center for Constitutional Rights has numerous cases before state, federal and international courts every year. In addition to the active cases that CCR filed or litigated this year and the amicus briefs we filed strategically in non-CCR cases listed below, we have worked to develop a host of new suits that have yet to be filed, and we have cooperated extensively with progressive attorneys on constitutional law and human rights questions in a broad range of progressive causes. We continued to lead a team of over 500 *pro bono* attorneys on hundreds of habeas corpus petitions for Guantánamo detainees: listed below are the Guantánamo cases we are co-counsel on, but that only represents a fraction of the work we are doing on the full complement of Guantánamo litigation.

Civil Liberties and Human Rights after September 11th

Arar v. Ashcroft	Humanitarian Law Project v. Ashcroft (Challenge to Patriot Act)
CCR v. Bush	Humanitarian Law Project v. Gonzales (Challenge to Global Terrorism Sanctions Regulation)
Surveillance FOIA on behalf of Guantánamo attorneys	In Re: Padilla v. Hanft (Amicus)
Humanitarian Law Project v. Reno (Challenge to 1996 Anti-Terrorism Act)	Turkmen v. Ashcroft
	In Re: Hamdan v. Rumsfeld (Amicus)

Guantánamo

Abdullah v. Bush	Inter-American Commission Proceeding on Behalf of Guantánamo Detainees and other detainees under the control of the U.S. government	Qayed v. Bush
Al Rashaidan v. Bush	Habib v. Bush	Saib et al. v. Bush
Al Shamri v. Bush	Hatim et al. v. Bush	Zalita v. Bush
Almurbati et al. v. Bush	Hicks v. Bush	Zemiri v. Bush
Anam et al. v. Bush	Khalid et al. v. Bush (formerly Benchellali v. Bush)	Aboassy et al. v. Bush
Aziz v. Bush	Khalifh v. Bush	Ahmed v. Bush
Batarfi v. Bush	Kurnaz v. Bush	Battayav v. Bush
Begg et al. v. Bush	M.C. v. Bush	Hamoodah v. Bush
Boumediene et al. v. Bush	Mohammed v. Bush	Qassim et al. v. Bush
Doe v. Bush	Mustapha v. Bush	Rasul v. Bush
El Banna et al. v. Bush		Rasul v. Rumsfeld
Ghost Detainees FOIA		Salahi v. Bush
		Ahmed “Doe” et al. v. Bush

Government Misconduct

ACLU, CCR, et al. v. Department of Defense
Austin v. Wilkinson (Supermax prison litigation)
Cuba Travel Project
Daniels v. City of New York
FOIA requests to the Department of Homeland Security/ Bureau of Immigration and Customs Enforcement/Bureau of Customs and Border Protection re: the questioning, arrest, and detention of non-citizens on domestic flights.

FOIA request to New York Department of Labor on delay in processing labor certifications for non-citizens wishing to adjust their status.
Kunstler v. City of New York
In Re: Soubirous v. Riverside (CCR joined amicus)
United for Peace and Justice v. Bloomberg

Human Rights and Corporate Accountability

In Re: NY DOCS Litigation (Amicus)
In Re: Apartheid Litigation (Amicus)
Belhas v. Ya'alon
Bowoto v. Chevron
Corrie v. Caterpillar, Inc.
Doe v. Constant
Doe v. FIS
Doe v. Lumintang
In Re: Dukes et al. v. Wal-Mart Stores, Inc. (Amicus)

In Re: Gordon v. Mulé (Amicus)
Inter-American Commission Proceeding for Poor People's Economic Human Rights Campaign
In Re: Lake v. Ashcroft (Amicus)
Matar v. Dichter
Petition to the German Prosecutor Re: Culpability of U.S. Officials in Abu Ghraib Torture
Saleh v. Titan
Wiwa v. Anderson, Royal Dutch Petroleum Shell Transport and Trading, Shell Petroleum Development Company of Nigeria, Ltd.

Racial, Social and Economic Justice

Byrd v. Goord
Gulino v. New York State Board of Education
Harrington v. New York City Metropolitan Transit Authority
In Re: FCC rulemaking on prison telephone rates (Amicus)

NYS NOW v. Terry
Vulcan Society v. City of New York
Walton v. New York State Department of Correctional Services
Wright v. Corrections Corporation

CCR Friends & Allies

Over the past year, the Center for Constitutional Rights has worked with hundreds of attorneys, legal organizations, private law firms and activists on our cases and campaigns. CCR extends its deepest appreciation for all they have done as volunteer attorneys, cooperating attorneys, co-counsel and colleagues in the struggle for justice.

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* Because of the large number of attorneys working on the Guantánamo litigation, there is only space to list firm names and not those of the individuals at those firms who have devoted their time and energy to this important effort. We thank each and every one of these brave attorneys for their unflagging commitment to representing their clients at Guantánamo.

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In Memoriam

Fran Boehm

Born in November 1914, Fran Boehm spent most of her adult life working to oppose injustice and inequality. An activist in peace, women's rights, and civil rights movements, Fran was always on the front lines, an outspoken radical who did not believe in compromising one's principles.

Fran was a member of the American Labor Party and Women's Strike for Peace, as well as a cofounder and longtime chairperson of the Five Towns Forum of Long Island. A devoted friend of CCR from its earliest days, Fran observed one of its first cases, *Council of Federated Organizations v. Rainey*, which challenged the discriminatory practices of a Mississippi sheriff.

Fran was the wife and lifelong partner of CCR's board chair, Robert Boehm. She was a continuing source of support and ideas for CCR's programs, and the Center honored her in 2002 on our 35th anniversary. Fran's wisdom, good cheer, and unwavering support will be deeply missed, but her work, optimism, and fighting spirit live in all of us.

Anne Braden

Anne Braden was a dedicated, fearless organizer for racial and economic justice, praised by Martin Luther King, Jr. in his famous "Letter from a Birmingham Jail." Anne worked closely with CCR on key early civil rights projects. She was at the Southern Conference Educational Fund when Louisiana attempted to prosecute them under state "anti-subversive" laws – CCR's founders won a landmark 1965 Supreme Court case on the group's behalf (*Dombrowski v. Pfister*), pioneering the creative use of federal civil action to uphold activists' First Amendment rights. It was out of the successful Dombrowski case that CCR was born.

Along with C. T. Vivian and CCR's Marilyn Clement, Anne helped create the National Anti-Klan Network, which later became the Center for Democratic Renewal, and she worked with CCR to organize a major rally in Greensboro, NC, to protest the 1979 murder of five anti-racist labor organizers.

Anne liked to say that our progressive movements should "go after them while they're going after us." CCR will honor Anne by carrying on her legacy of challenging bigotry and injustice.

Herman Warsh

Born in Calgary, Canada, in 1924, Herman Warsh was a World War II veteran who later became an ardent antiwar activist. He spent much of the 1950's and 1960's as an educator and helped to form the California Teachers Union.

In 1981, Herman and his wife, Maryanne Mott, created the CS Fund, which has generously provided funding to CCR for the past 25 years. Herman was passionate in his belief that dissent is the highest expression of patriotism in a democracy, and he viewed CCR as a core defender of our country's civil liberties.

Herman was also a strong advocate on environmental issues, and he served on the board of directors of Friends of the Earth, as well as the boards of High Country News, the Fund for Santa Barbara, and Pacifica Graduate Institute.

Herman's passion for defending the right to free expression will continue to inspire our work, and we remain grateful for his generosity and commitment to the Center.

Financial Report

Net Assets

Net assets as of June 30, 2005	\$3,553,934
Change in net assets	\$1,476,040
Net assets as of June 30, 2006	\$5,029,974

Revenue, Gains & Other Support

Planned Gifts	\$93,100
Foundations	\$2,184,801
Individuals	\$1,580,922
Court Awards and Attorney Fees	\$932,968
Rent	\$26,385
Interest	\$101,873
Other	\$106,555

Expenses

Litigation	\$1,699,205
Education & Outreach	\$1,073,279
Administrative & General	\$381,864
Fundraising	\$396,216

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As with many non-profit organizations, our planned giving program forms the bedrock of our efforts to build an endowment for CCR. By making CCR a part of your estate plan you can create an institutional legacy upholding the hard-won victories of your lifetime and protecting them from future challenges and attack. By becoming a member of the Thelma Newman Society, you will join others committed to ensuring that CCR will be there to fight for the next generation. Please contact us if you have any questions about making a bequest, endowment, gift annuity or other form of estate gift. * *deceased*

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Guantánamo Bay, Cuba, May 9, 2006. Handcuffs sit at the foot of a chair used for interrogation inside a cell in the maximum security Camp 5 at Camp Delta.

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The Center for Constitutional Rights filed CCR v. Bush just weeks after the revelation of the NSA's illegal warrantless spying program.



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