

Reprieve

Strategy Summary

2016

About this document

This is a summary of Reprieve's Strategic Plan. Because of Reprieve's agile nature, this strategy document is to act as a rolling plan or framework for who we are and what we do, rather than as a fixed-term aim with concrete targets. On the basis of the Strategic Plan, the organisation develops an annual Operational Plan, which includes the broad goals of each team's projects, the means by which those goals will be achieved, performance indicators, and targets. Our Operational Plan feeds into individual employees' work plans and results in sets of specific outputs that contribute to the attainment of project goals.

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1. Reprieve's Vision, Mission and Values

- Vision:** Reprieve's Vision is of the abolition of the death penalty worldwide and an end to human rights abuses committed in the name of the "War on Terror".
- Our Mission:** Reprieve's Mission is to end the human rights abuses of the global "War on Terror" (WOT) and the death penalty worldwide, using our cases and projects to advocate in the courts of law and of public opinion on behalf of our clients and the issues.
- Our Values:** Agile; Creative; Fearless; Effective; Resilient; Relentless.

2. Reprieve's Strategy / Modus Operandi

Reprieve is a small, feisty registered charitable organisation (No. 1114900) of human rights defenders (28 staff, £2.02m turnover). We work for the most disenfranchised people in society, as it is in their cases that human rights are most swiftly jettisoned and the rule of law is cast aside. Thus, we promote and protect the rights of those facing the death penalty and those who are the victims of extreme human rights abuses committed in the name of the "War on Terror" (WOT).

Underpinning Reprieve's strategic focus is the notion that countries such as the UK and US hold themselves out as shining examples of democratic societies that respect the rule of law and human rights, and therefore should be held to exacting standards in terms of how they respond to acts or allegations of terrorism and murder.

It is our investigation of, access to and representation of clients - be they on death row, in Guantánamo, or the survivors of a drone strike - that differentiates us from organisations like Human Rights Watch or Amnesty and gives us the ability to effect change. As legal representatives, we are uniquely placed to make the voices of these prisoners heard: we meet with them in person, thereby developing a factual portrait of their case and conditions of imprisonment, as well as an understanding their personal story. We also enjoy an authority to speak on their behalf and tell their stories in a way that more traditional campaigners do not.

We advocate for our clients in the courts of law where we can, but importantly we also advocate in the court of public opinion – both on behalf of our clients and the issues. Using strategic litigation, we effect systemic change and with our clients' stories, we can change the minds of influential decision-makers and the public.

The area in which Reprieve operates is dynamic and fast-moving. Reprieve's agility is not just part of the strategy; it is the strategy. The aim is then to develop creative cases and campaigns which will get us closer to achieving those objectives. Reprieve's role is as trailblazer: finding out what abuses within its remit are occurring, bringing litigation and placing stories in the press constantly (gradually eroding the legitimacy of those abuses in the public consciousness) until the larger human rights organizations take up the banner.

Reprieve captures the zeitgeist: we change the debate and we change peoples' minds. That is our product – it is the thing we do brilliantly, it is the reason our funders fund us and the reason we punch so much above our weight.

3. Current Casework

Death Penalty Team

Mission: To pursue strategic initiatives to abolish the death penalty or restrict its application worldwide.

Specific Aims:

- Engage institutions, governments, civil society, corporations and the public in the fight for abolition of the death penalty worldwide, focusing specifically on the United States of America, Asia, the Middle East and Africa.
- Challenge the use of the death penalty worldwide by undertaking casework – either directly or in partnership with other lawyers or organisations - on behalf of those facing the death penalty, and whose cases offer strategic opportunities that Reprieve is well-placed to pursue.
- Implement the Stop Lethal Injection Project to support pharmaceutical companies that do not wish to have their life-saving drugs used in executions, particularly in the US.
- Implement the Stop Aid For Executions Project to prevent aid or assistance from abolitionist states from propping up the death penalty in retentionist states (including through counternarcotics support which leads to death sentence for drug offences or support for prosecutions where there is a risk of a death sentence being imposed).

Within the above regions, we determine our focus countries by balancing the following factors:

- History of investigating / litigating / carrying out work in the country in question
- How rife the use of the death penalty is in that country
- Our assessment as to the likely impact of our work – both in-country and for abolition more globally
- Our assessment as to whether the activities we undertake in-country will further our objects to an extent which justifies the resources committed
- Our ability to have a reliable and secure presence on the ground, and access to our clients.

Abuses in Counter Terror Team

Mission: To pursue strategic initiatives to end abuses committed in the name of the 'War on Terror'.

Specific Aims:

- End extrajudicial killings associated with the 'War on Terror', including off-battlefield use of weaponised drones and the use of, or collusion with, other mechanisms for assassinations.
- End use of a Kill List to assassinate people around the world.

- Stop ongoing rendition, unlawful detention and torture/cruel, inhuman and degrading treatment (“CIDT”) associated with the ‘War on Terror’.
- Hold to account those who perpetrated or colluded with past rendition, unlawful detention and torture/CIDT associated with the ‘War on Terror’, ensuring that the lessons of history are learned from recent excesses.
- Identify and combat “emerging threats” associated with the ‘War on Terror’ and to expose the ongoing human rights abuses that the US seeks to conceal by altering the nature, footprint and location of the ‘War on Terror’.

In terms of our Abuses in Counter-Terrorism work, Reprieve acts on behalf of:

- Some of those detained without trial in Guantánamo Bay and Afghanistan (Bagram Airbase);
- Victims of drone strikes and their families in Pakistan (especially Waziristan), Yemen and elsewhere; and
- Victims of torture, rendition, unlawful detention and extrajudicial killing around the world.

We carry out this work in the US and Europe. We also carry out work directly or through local partner organisations and Reprieve Fellows in Yemen, Pakistan and the Middle East and North Africa, focusing on countries where some of the following factors are present:

- We have a history of working and understand the local context
- The abuses in question are prevalent
- We believe our work is likely to significantly impact positively on preventing or stopping those abuses, domestically and internationally (by way of knock-on effect)
- On our assessment, the activities that we propose to undertake will further our objects to an extent which justifies the resources committed
- We are able to safely, securely and effectively conduct our work.

Operations and Communications Team

Mission: Create the most efficient, nimble and effective organisation possible, and ensure that casework and project victories are powerfully and effectively communicated to target audiences.

Specific Aims:

- Build global public awareness of the issues Reprieve tackles and of its work.
- Build public support for our work, and galvanise key audiences such that they are able to take action to assist us in furthering our mission.
- Ensure that Reprieve has the funding and operational support needed to carry out its work efficiently, effectively, securely, and in compliance with all applicable laws, policies and standards.

4. Who We Are

Reprieve's leadership is provided by its board; its founder, Clive Stafford Smith; and its Executive Director, Anna Yearley. Clive co-founded Reprieve in 1999 and is responsible for Reprieve's casework strategy. Anna is responsible for oversight of all Reprieve's teams. Both Anna and Clive undertake public advocacy work on behalf of Reprieve.

Ultimate responsibility for Reprieve and its work is held by our board of trustees. Reprieve's Board meets five times a year. With Clive and Anna, it sets and monitors overall strategy for the organisation, and monitors the budget. Clive and Anna report to the board at each meeting as to casework and financial achievements, and any broader issues that need resolution. The Board comprises: Lord Ken Macdonald, QC – Chair, Sylvia Coleman, Kate Gavron, Sue Hollick, Ursula Owen, Damien Regent, Anthony Salz, Samir Shah, William Sieghart, Ursula Owen, Andrew Graham, Mary Fitzgerald, Nasir Ahmad, and Tanya Steele.

The staff skill mix evenly divides between legal, investigative, communications and operations skills. Our staff operate within 3 teams: Abuses in Counter-Terrorism; Death Penalty; and Operations. We have learned that the swiftest and best way to address human rights abuses is by supporting and working closely with human rights defenders on the ground. This means that people who know the law, custom and language of the country in question are assisting our clients and effecting change in their country. It also means that we are training up people likely to stay in the country and continue the work.

Reprieve increases the impact of its small team by effective use of unpaid volunteers (we do reimburse travel and lunch expenses). Would-be volunteers apply on-line and are interviewed for appropriate qualifications. We have more than 2,000 people on our waiting list to volunteer for us. We interview and choose our volunteers carefully.

Reprieve has a considerable amount of support from external sources. We are given significant pro bono assistance by various law firms – in terms of advice for the organisation, provision of secondee lawyers to assist our teams as part of a structured secondment programme, and casework assistance for our clients. We also work closely with an extensive array of media across the world. We work hard on these external relations, as they leverage our capacity significantly.

5. Positioning

We react quickly and effectively to new challenges, and as a result, we are often debate-formers. We work closely with larger partner NGOs to ensure that they have access to the facts we gather, so that both those facts and our narrative are disseminated as widely as they can facilitate.

Reprieve also co-operates closely with specialized non-profit human rights organisations around the world, and with law firms around the world. It has strong contacts and networks in the USA, the Middle East (particularly Yemen) and North Africa, Pakistan and Indonesia, built-up over many years work in those countries. In Pakistan, for example, we helped to establish and work closely with both the Justice Project of Pakistan (JPP) in Lahore, and the Foundation for Fundamental Rights (FFR) in Islamabad. Our formal and informal partnerships with other civil society organisations are too numerous to list comprehensively, but include: Liberty; Amicus, Penal Reform International, Public Interest Lawyers, JUSTICE and REDRESS in the UK and ACLU, Amnesty, HRW, CCR and NYU Center for Global Justice internationally. We also work closely with frontline human rights NGOs in country, such as HOOD in Yemen.

6. History and Achievements

Particularly since 2004, Reprieve has built a team of lawyers and investigators to tackle death penalty cases; and extrajudicial killing, unlawful detention, torture and rendition cases arising as a result of states' abuse of counter-terrorism powers.

Reprieve has helped secure the release of more than 75 clients from Guantánamo and currently acts for four others – more than any other single organization. Our record on litigating death penalty cases is also unique: Clive has successfully prevented the death penalty in all but six of his cases, which amounts to a 98 per cent victory rate. We are currently assisting 89 people who are facing the death penalty in 11 different countries.

Death Penalty Successes (Examples)

- Launching the Stop Lethal Injection Project - stemming the flow of drugs to execution chambers by working with pharmaceutical companies that do not want their life saving drugs to be used to kill.
- Setting valuable precedent in Malawi by persuading the Malawi High Court to consider mental health evidence as valid mitigation. In 2015, 58 former death row prisoners were released because of our work.
- Publishing our Stop Aid for Executions Project after a two year investigation by Reprieve, which reveals that European states and the European Commission have given at least €60 million to law-enforcement focused counter-narcotics programmes. These programmes are being run in countries which actively apply the death penalty for drug-related offences.
- Working with the European Parliament to encourage the passing of a resolution which seeks to prevent European aid money supporting anti-narcotics programmes in countries that pursue the death penalty for drug offences and which also strengthens the mechanisms for supporting European nationals on death row in third countries.

Abuses in Counter-Terrorism Successes (Examples)

- Assisting in the release and resettlement of the following Guantánamo clients: Emad Hassan to Oman (June 2015) Younous Chekkouri to Morocco (September 2015), the last remaining British resident, Shaker Aamer, to the UK (October 2015); Ahmed Abdulaziz to Mauritania (October 2015); and Mohammad Sa'id S Bin Salman and Samir al Hassan Moqbel to Oman.
- Supporting a partner organisation in their work to secure a landmark ruling in April 2015, which saw a senior judge in Pakistan order the police to formally investigate former CIA agents for their role in a drone strike
- Accompanying Faisal bin Ali Jaber (whose nephew and brother-in-law were killed in a drone strike in Yemen) to Berlin to file a constitutional claim against the German Government for its complicity in US drone strikes.
- Filing a claim in the Investigatory Powers Tribunal saying GCHQ unlawfully spied on our client, Abdul-Hakim Belhadj's, communications with his legal team, leading the UK government to concede that its policies governing the ability of intelligence agencies to spy on lawyer-client communications were unlawful (February 2015).
- Contributing significantly to the narrative around off-battlefield drone strikes being unlawful – a February 2015 report by the UK Parliament's Defence Committee questioned whether 'targeted killings' carried out by drones in Iraq and Syria "are in accordance with the law".
- Challenging the use of a Kill List, including bringing one person on the list (Malik Jalal) to London to meet with decision makers and demonstrate how flawed their intelligence is in tagging people for assassination without any due process.