



On-the Spot Consulting: Proposed U.S. Reforms on National Security

IHRFG Semi-Annual Meeting, San Francisco, California
Tuesday, January 26, 2010, 12:30 – 2:00 pm

Speaker: **Kay Guinane**, Program Manager, Charity and Security Network

The Charity and Security Network has drafted model policy recommendations and will soon commence strategic advocacy meetings to garner feedback and jumpstart campaigning to convert the proposals into policy.

Questions/Feedback to presentation:

- Specificity in the model standards is helpful, as part of the intention is to avoid vagueness in order to prevent the government proceeding in any manner it pleases
- Would the right for organizations to appeal in U.S. courts be retroactive for groups that have already been designated?
- Would this document be easier to understand if it specified what applies solely to U.S. organizations versus non U.S.-based organizations?
- What about including legal representation within the humanitarian exemption?
- What if the U.S. designated an area as harboring terrorism via a bilateral agreement with the EU (or another entity), does this mean that grantmakers cannot fund within that area?
- On example: Cordaid funds in Kivu. USAID refused to let them partner with a Congolese organization that Cordaid had been partnering with for 30 years. This is because the Congolese organization is on the OFAC list. Is there a basis on which to challenge this? Who would Cordaid go to?
- Rick from Cordaid: The UN has an ombudsman mechanism for those on the UN terrorist list, but the ombudsman is now being recruited from the monitoring team. How can the authority of the ombudsman be preserved?
- Peter K: Can you paint a picture of where we are today versus a few years ago? Will changes be made by the Administration, by Congress? Kay: Humanitarian exemption will need to be Congress, but there are other things that could be done by the Administration. For example, President Obama could release an executive order clarifying the standards for designation.
- Rick: There are major players on the global scene engaging in bilateral agreements on counterterrorism and evading the UN, has this come up in your research?

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