



American-Arab Anti-Discrimination Committee
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In Memoriam

Hala Salaam Maksoud, PhD
(1943-2002)
Alex Odeh
(1944-1985)

Commission on Security and Cooperation in Europe (U.S. Helsinki Commission)

Briefing: *Fighting anti-Muslim Discrimination*

Statement by Kareem Shora, JD, LLM National Executive Director American-Arab Anti-Discrimination Committee (ADC)

June 13, 2008

On behalf of the American-Arab Anti-Discrimination Committee (ADC), I wish to thank the U.S. Helsinki Commission for this valuable opportunity. Thank you for taking this proactive and constructive step necessary to address the troubling issue of anti-Muslim discrimination both in the United States and Europe. As key stakeholders and community partners, we welcome the positive efforts already undertaken by some of our government agencies and the Tolerance and Non-Discrimination (TND) Department for the Office for Democratic Institutions and Human Rights (ODIHR) at the Organization for Security and Cooperation in Europe (OSCE) in addressing this troubling issue.

As the information made available during this meeting explains, ADC is the largest grassroots organization in the United States dedicated to protecting the civil rights and liberties of Arab Americans. ADC was established in 1980 by a former US Senator and has grown into a national organization with headquarters in Washington, DC, fully-staffed regional offices in Massachusetts, New York, New Jersey, Michigan, and California, as well as 38 volunteer-based chapters throughout the United States. My statement will provide an overview of anti-Muslim discrimination, the similarities and key differences between the US and Europe (primarily West of Vienna), and some best practices undertaken by ADC in coordination with some US Government agencies and the TND ODIHR in combating this increasingly troubling phenomenon.

I make special note of the two recent ADC reports on Incidents of Discrimination in Educational Institutions and Defamation in the Media and Popular Culture copies of which have been made available during this briefing. These reports provide specific examples of anti-Muslim discrimination incidents documented in the US.

Best practices cannot be assessed in a vacuum and must be addressed in light of the challenges encountered by members of the Arab and Muslim American communities in the areas of civil rights and liberties as a result of some US Government domestic policies with mandates to combat terrorism. We also cannot ignore popular culture's and the media's portrayal of Muslims and Arabs as well as some recent hateful rhetoric made by some of our elected officials.



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One cannot ignore practices which have allegedly involved some US Government agencies including the practice of extraordinary rendition and secret detentions, the continuing controversy of the Guantanamo enemy combatant detentions, or the Abu Ghoraib torture scandal all of which are factors in drumming up hate targeted against Arabs and Muslims in both the US and Europe.

The need for such an assessment is vital in understanding the negative perceptions and stigmas associated with anti-Muslim discrimination in both the US and Europe. We must acknowledge and understand that some US Government policies designed to combat terrorism have both proven ineffective in fulfilling their mandates and have had a devastating impact on the ability of the Arab and Muslim communities to actively participate, as members of civil society, in reaching our full-potential as members of society.

Some of the policies the US Government undertook following the horrific September 11, 2001, terrorist attacks on our nation, and some more recent decisions made in the name of combating terrorism, have made it easier for those who promote hate and engage in discrimination to operate regardless of the legal protections often afforded later to their victims.

These policies have included targeted immigration enforcement measures such as the National Security Entry-Exit Registration System (NSEERS), perceived racial profiling in the approach to conduct voluntary interviews by the FBI and other law enforcement agencies, airport security screenings using the watch and no fly lists, the Immigration Absconder Apprehension Initiative, the October Plan, reports issued by certain bodies in the US Congress incorrectly focusing the spotlight of suspicion on Muslims in the US, the NSA warrantless surveillance programs and their impact on electronic communication with the Middle East and Muslim countries, deeply flawed and now discredited reports by local law enforcement agencies advocating increased scrutiny of Muslims in the US, delays in naturalizations due to background checks and the perception of profiling in those checks, and customs and border protection secondary searches and interviews.

This has directly countered the proactive efforts on the part of some US Government agencies. To be fair, in the past five years the US Government has undertaken constructive proactive steps at regular dialogue with ADC and the Arab and Muslim American communities; steps that have gone a long way in combating anti-Muslim discrimination and prosecuting hate-motivated crimes. Based on our three-year experience actively working with the ODHIR on anti-Muslim discrimination efforts, we can comfortably assert that the US Government's efforts at addressing this issue no doubt lead the way for other OSCE-member countries. Regardless of the many challenges we continue to face in the form of US Government policies designed to combat terrorism but which clearly negatively impact the rights and liberties of individuals and certain communities, the US Government's outreach and dialogue efforts remain as the best example of community engagement in the OSCE region.

Moreover, since the horrific September 11, 2001 terrorist attacks, Arab and Muslim Americans have recognized the special role they have as partners with law enforcement and other government agencies in furthering understanding and acceptance. This can be said, generally speaking, for the FBI and some components of the US Department of Homeland Security (DHS) in particular. Unfortunately the same cannot be said about other members of the US law enforcement community and certain bodies in the US Congress. Indeed, ADC and others can provide multiple examples where we stood shoulder-to-shoulder with the FBI and DHS, providing our resources and coordinating efforts to complement the US Government's efforts at combating intolerance and discrimination. A specific example of such coordination includes the ADC Diversity and Law Enforcement Outreach Program (LEOP) that we launched in 2002. As the ADC LEOP information made available during



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this meeting explains, this program has trained approximately twelve-thousand US law enforcement officials in cultural competency; providing them with the necessary tools to exercise their duties more efficiently and effectively by expertly differentiating actual threats and behavior from cultural or religious norms and mores associated with Arab culture and Islam.

It is important to note as best practices those outreach and substantive dialogue efforts made by the FBI National Recruitment and Marketing Unit and, on a broader level, the US Department of Homeland Security Office for Civil Rights and Civil Liberties (DHS CRCL) and the US Department of Justice Civil Rights Division; in particular the early efforts by a former Assistant Attorney General and those continuing efforts by the Special Counsel on Religious Discrimination.

First, Since 2003, DHS CRCL has lead the Federal Government's effective constructive outreach to the Arab and Muslim American communities. Specific examples have included the creation of the DHS CRCL Incident Management Team (CRCL IMT) spearheaded by the DHS Officer for Civil Rights and Civil Liberties. This team provides a real-time response and coordination mechanism to national security incidents that may relate to the Arab and Muslim communities. The team meets via conference call with the appropriate members the US Government law enforcement agencies and addresses key-concerns relating to the incident at-hand on both the communities' side and that of the federal agencies. This tool has proven extremely effective in substantively engaging the Arab and Muslim communities as constructive partners with DHS and addressing concerns of hate-motivated violence and illegal discrimination. In 2007, DHS held a day-long exercise of the CRCL IMT in Washington, DC. This included a three-scenario reality-based policy discussion tabletop exercise with representatives from most DHS component agencies, other concerned federal agencies including the FBI, state, and not for profit and private sector partners and external stakeholders.

Moreover, the DHS CRCL effort has also included engaging the Arab and Muslim communities with major national-security exercises and obtaining those communities' input on the potential for a negative backlash including acts of anti-Muslim discrimination and hate-motivated crimes. A specific example is the DHS effort to ensure the participation of the Arab and Muslim American communities as external stakeholders in the TOPOFF incident management exercise where community representatives were asked to contribute specific feedback to DHS for inclusion in the "after action review" of that multi-agency multi-national exercise designed to assess our nation's response to major national security incidents.

Finally, the substantive open engagement on the part of DHS CRCL has effectively worked to demystify DHS to the Arab and Muslim American communities and has constructively built a close working-relationship where the concerns of all parties are addressed in a collegial and substantive atmosphere. We may not always agree on certain policies, but we all know that we share the broader goals of protecting our nation while preserving the values, freedoms, and liberties that have defined this nation since its inception.

On a narrower scale, another best-practice example can be seen in the work of the FBI National Recruitment and Marketing Unit (FBI NRMU). An example of their engagement with the Arab and Muslim community has included incorporating audience-specific recruitment efforts that are designed to directly counter any negative perceptions that often lead to illegal acts of discrimination.

For example, in 2007 ADC helped organize the inaugural Future Agents In Training Camp (FAIT) for highschool juniors and seniors from all walks of life, with special focus on students from the post 9/11 communities, namely Arab, Muslim, and Sikh Americans. The camp was coordinated by the FBI NRMU and



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the FBI Washington Field Office. The goal was to introduce the FBI to the students and at the same time help demystify the heritage communities to the FBI. Basic Arabic phrases were among the many seminars presented during the week-long camp which was free to participants. Students also were involved in team building, learned about cybercrime threats, and conducted a bank robbery investigation from start to finish at the FBI Academy in Quantico, Virginia. The FAIT camp was a great success and ADC is already working with the FBI on the next scheduled camp later this summer.

When engaging the Arab and Muslim American communities, it is vital to address the challenges as well as the opportunities. One federal agency that took the first substantive step in doing so is the US Department of Justice Civil Rights Division. Former Assistant Attorney General for Civil Rights and current US Attorney R. Alexander Acosta spearheaded a meeting that has convened on a regular basis, every six-weeks, at the US Department of Justice in Washington, DC, between federal agencies and the Arab, Muslim, Sikh, and South Asian American communities. This meeting, which has met every six weeks since 2002 in Washington, DC, serves as an example of the federal government's proactive engagement to help address the Muslim and Arab communities' concerns about certain policies; especially those related to anti-Muslim discrimination. Thanks in no small measure to the steps undertaken by the Special Counsel on Religious Discrimination, this meeting now attracts great support by the heritage communities as a tool that facilitates a two-way discussion necessary to surpassing negative perceptions and addressing serious challenges in a constructive fashion.

There is no doubt that US Government agencies have taken many proactive steps at constructive dialogue and communication in the past few years; steps that are key to facilitating understanding and combating anti-Muslim discrimination and hate-motivated violence.

We are proud of our role as active partners with the US Government and the ODIHR, partnering with their constructive outreach efforts. However, the unfortunate policies the US Government undertook following the September 11, 2001, terrorist attacks continue to reverberate their negative destructive effects on the Arab and Muslim American communities today and make it easier for those who promote hate and engage in discrimination to operate regardless of the legal protections often afforded later to their victims. Some of the challenges such as NSEERS, reports issued by certain bodies in the US Congress incorrectly focusing the spotlight of suspicion on Muslims in the US, the perception of racial profiling during the FBI's voluntary interviews and the watch and no-fly list problems, deeply flawed and now discredited reports by local law enforcement agencies advocating increased scrutiny of Muslims in the US, the NSA's warrantless surveillance of electronic communication, the background check delays in naturalization applications, and customs and border protection secondary searches and interviews continue their harmful effects and enhance the negative perception and stigma that often leads to anti-Muslim discrimination.

Thank you.

Recent ADC Collaborative Efforts with the OSCE on anti-Muslim Discrimination

2008

1) The Organization for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR). Civil society preparatory roundtable on, "The Role of National Institutions



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against Discrimination in Combating Racism and Xenophobia with a Special Focus on Persons Belonging to National Minorities and Migrants.” Vienna, Austria.

- 2) The Organization for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR). Supplementary Human Dimension Meeting on, “The Role of National Institutions against Discrimination in Combating Racism and Xenophobia with a Special Focus on Persons Belonging to National Minorities and Migrants.” Vienna, Austria.
- 3) The Organization for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR). “Introductory Training for Civil Society in Combating Hate Crimes.” Warsaw, Poland.
- 4) The Organization for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR). “Experts Assessment Meeting on Combating Intolerance against Muslims in the Field of Education.” Warsaw, Poland.

2007

The Organization for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR). Working level meeting, “The Role of Civil Society in Preventing Violent Extremism and Terrorism.” Centro de Investigaciones de Relaciones Internacionales y Desarrollo (CIDOB). Barcelona, Spain.

2006

The Organization for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR). Panel discussion, “Roundtable Meeting on the Representation of Muslims in Public Discourse.” Warsaw, Poland.

2005

- 1) Preparatory NGO Forum for the Organization for Security and Cooperation in Europe (OSCE). Conference on Anti-Semitism and Other Forms of Intolerance, Panel discussion, “Education and Cultural Challenges: A fundamental element for comprehension,” sponsored by the Three Cultures Foundation. Seville, Spain.
- 2) The Organization for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights (ODIHR) Human Dimensions Implementation Meeting (HDIM). Panel discussion, “Roundtable on Combating Intolerance and Discrimination against Muslims.” Warsaw, Poland.