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## U.S. Must Stop Targeting Muslims, Hold Hearings and Investigate Abuses

*U.S. Counter-Terrorism Policies Violate Fundamental Human Rights*

**(New York, September 8, 2011)**—The U.S. government must stop its discriminatory targeting of Muslim, Arab, and South Asian communities in the name of “national security,” said the Center for Human Rights and Global Justice (CHRGJ) at NYU School of Law today. In letters issued just days before the tenth anniversary of the events of September 11, 2001, the Center called on members of [Congress](#), the [Department of Justice](#), and the Obama Administration to examine—through hearings and investigations—the government’s broad powers in the counterterrorism context and the devastating impacts of these policies on already vulnerable communities in the United States.

In partnership with the Asian American Legal Defense and Education Fund, CHRGJ also announced it had filed a [complaint](#) today with the Department of Homeland Security regarding various discriminatory practices targeting Muslim immigrants by its agencies, U.S. Immigration and Customs Enforcement (ICE), U.S. Citizenship and Immigration Services (USCIS), and U.S. Customs and Border Protection (CBP).

“The U.S. government’s continued focus on Muslim, Arab, and South Asian communities in its counterterrorism efforts infringes on fundamental human rights without furthering national security goals,” said CHRGJ Faculty Director, Professor Smita Narula. “These communities have suffered a decade of social scrutiny, bias, and government persecution. The Obama Administration and Congress should be leading efforts to defend their rights, rather than supporting pernicious discrimination and further disrupting these communities.”

Over the last five years, the Center and its International Human Rights Clinic (IHRC) have researched and documented the rights-based impacts of discriminatory profiling in the context of “shoot-to-kill” policies; security checks for U.S. naturalization applications, border-crossing detentions and delays, and other abuses of the immigration system; as well as the problematic use of untrained informants to target and entrap Muslim community members. These findings are reflected in the reports and documentary noted below:

- [Targeted and Entrapped: Manufacturing the “Homegrown Threat” in the United States](#) (2011) documents the government’s use of intrusive surveillance, untrained paid informants, and manufactured terrorism plots. The report critically examines three high-profile domestic terrorism prosecutions, raising serious questions about the role of the Federal Bureau of Investigation (FBI) and the New York City Police Department (NYPD) in constructing the specter of “homegrown” terrorism through the deployment of paid informants to encourage terrorist plots in Muslim communities.
- [Under the Radar: Muslims Deported, Detained, and Denied on Unsubstantiated Terrorism Allegations](#) (2011) documents the U.S. government’s aggressive use of the immigration system in its counterterrorism efforts, highlighting the resulting discrimination against Muslim immigrants. Focusing on detention,

deportation, and denials and delays of immigration relief, the report exposes the many ways in which U.S. officials take advantage of the lax standards and lack of transparency that mark the immigration system as particularly ripe for abuse.

- The documentary film, *Americans on Hold: Profiling, Prejudice, and National Security*, (2010) reveals the harmful impacts of prejudicial and ineffective U.S. counter-terrorism and immigration policies. Through the personal stories of Anila Ali and Zuhair Mahd, and expert testimony, the film exposes discriminatory profiling at the heart of citizenship delays and border-crossing detentions and delays.
- *Americans on Hold: Profiling, Citizenship, and the “War on Terror”* (2007) documents the discriminatory impact of expanded security checks on MASA immigrants experiencing citizenship delays.
- *Irreversible Consequences: Racial Profiling and Lethal Force in the “War on Terror”* (2006) critiques the use of behavioral profiling in police “shoot to kill” policies for suspected suicide bombers, showing that so-called “behavioral profiling” often acts as a proxy for profiling on the basis of religion, race, ethnicity, and national origin. The report also critiques the removal of the usual safeguards that normally accompany the use of lethal force.

CHRGJ’s reports and documentary evaluate the fundamental human rights affected by U.S. counter-terrorism policies; all conclude with policy recommendations aimed at urging the U.S. government to uphold its international legal obligations to guarantee fundamental human rights, including the rights to: non-discrimination in the enjoyment of civil, political, economic, social and cultural rights; due process and a fair trial; freedom of religion, expression, and opinion; liberty of movement; freedom from torture, and other cruel, inhumane, and degrading treatment; and the right to life.

“Looking back over a half-decade of our work in this area reveals the need for an honest investigation of the abuses that Muslim, Arab, and South Asian communities have been forced to endure under the guise of ‘national security concerns,’” said Narula. “It’s vital that we hold hearings to understand the impacts such policies have had and that the U.S. government reject policies that allow for the discriminatory targeting of individuals on the basis of their race, ethnicity, national origin, or religion going forward.”

To read more about the Center’s work on racial profiling and U.S. counter-terrorism policies, please see: <http://www.chrgj.org/projects/profiling.html>

### **About CHRGJ**

The Center for Human Rights and Global Justice (CHRGJ) at New York University School of Law was established in 2002 to bring together the law school’s teaching, research, clinical, internship, and publishing activities around issues of international human rights law. Through its litigation, advocacy, and research work, CHRGJ plays a critical role in identifying, denouncing, and fighting human rights abuses in several key areas of focus, including: Business and Human Rights; Economic, Social and Cultural Rights; Caste Discrimination; Human Rights and Counter-Terrorism; Extrajudicial Executions; and Transitional Justice. Philip Alston and Ryan Goodman are the Center’s Faculty Chairs; Smita Narula and Margaret Satterthwaite are Faculty Directors; Jayne Huckerby is Research Director; and Veerle Opgenhaffen is Senior Program Director.

### **About IHRC**

The International Human Rights Clinic (IHRC)—a project of the Center—provides high quality, professional human rights lawyering services to community-based organizations, nongovernmental human rights organizations, and intergovernmental human rights experts and bodies. The Clinic is directed by Professor Smita Narula. Susan Hodges is Clinic Administrator.

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