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CAIR's FAQ on the United Arab Emirates' Terrorism List

The Council on American-Islamic Relations (CAIR) is a respected, legally-operating American civil rights and advocacy organization. CAIR's mission is to enhance the understanding of Islam, encourage dialogue, protect civil liberties, empower American Muslims, and build coalitions that promote justice and mutual understanding." The council works only in the United States.

What is the UAE "terror" list?

The United Arab Emirates (UAE) is a politically "authoritarian" regime.ⁱ According to the U.S. Department of State, the UAE's government places significant restrictions on its citizens' freedom of "speech, press, assembly, association and internet use."ⁱⁱ

On November 15, 2014, the UAE released a list of about 80 groups it considers to be terrorist groups. Among well-known terrorists, such as ISIS and Boko Haram, the UAE included a number of highly regarded western humanitarian and advocacy organizations, including two U.S. organizations, the Council on American-Islamic Relations (CAIR) and the Muslim American Society (MAS).

Who in the UAE produced the list?

The list was formed in accordance with UAE Federal Law No. 7 for 2014, which criminalized many actions—including peaceful criticism of the UAE government—and designated them as acts of terrorism that may be punished with the death penalty. Human Rights Watch (HRW) has called the law "deeply flawed"ⁱⁱⁱ and urged the UAE government to amend the law to "ensure that it cannot be used to prosecute people solely for exercising their rights to free speech, association, or assembly." The UAE has not complied.

The law is part of what Amnesty International describes as a "clampdown on dissent" in the wake of a 2011 petition in which 133 people called on the government "for political reform and for the right to vote and elect a parliament."^{iv}

The UAE has provided no transparency or due process in listing the groups. It did not make public its criteria for inclusion on the list, and it provided no evidence against the Western Muslim groups.

While the UAE has indicated that impacted groups could apply to be delisted, earlier this year the United Nations Special Rapporteur on the independence of judges and lawyers asserted that, "the [UAE's] judicial system remains under the de facto control of the executive branch of government" which issued UAE Federal Law No. 7 for 2014. The Special Rapporteur later added, "Serious concerns were expressed to me about violations of due process and fair trial guarantees."^v

How has the U.S. government reacted to the designations?

Through the Department of State, the U.S. government swiftly rejected the designations, saying: "The United States does not consider these U.S. organizations to be terrorist organizations"^{vi} and affirmed that it regularly meets with representatives of CAIR and MAS.

The two American Muslim organizations and the U.S. government have pledged to work together to achieve a positive solution to the American groups' inclusion on the UAE list.

Such responses are both welcome and important. The absence of a strong response from the United States might have encouraged the UAE to similarly designate additional U.S. entities.

Other western governments similarly rejected the listings of their domestic organizations. The Swedish government rejected the inclusion of the Muslim Association of Sweden on the list. Norway's secretary of state said he saw no reason for the inclusion of the Islamic Council of Norway.^{vii} A bewildered Finnish official attributed the inclusion of one of his country's Muslim groups as a likely "translation error."^{viii}

Why does CAIR think it was placed on the list?

Western Muslims are traditionally proponents of democratic processes and human rights protections. It is up to the UAE's government to explain why it considers defending civil liberties and supporting democracy to be threatening.

CAIR is proud of our record of making democracy work for everyone in the United States. Our effective defense of our community against violations of civil liberties and erosions of constitutional freedoms is internationally recognized. CAIR remains committed to our work of promoting moderation, peace, justice, freedom, dialogue, and equality for all.

What are the major ramifications of the listings?

American citizens are put at risk by this malicious designation. Since its founding in 1994, CAIR has provided services to at least 36,000 American Muslims who have faced discrimination or other infringements on their rights. CAIR itself has more than 300 paid staff and volunteer board members. This designation potentially puts all these people, who are publicly associated with CAIR, at risk. MAS similarly has large numbers of associated persons and people it has served, particularly because of its many youth centers. To date, there have been no reported actions against anyone associated with a UAE-listed organization but CAIR has advised staff and board members to avoid traveling to, or routing through, the UAE until this issue is corrected.

The listings are a propaganda gift to violent extremists seeking to recruit young Muslims. The designation of legitimate U.S. organizations sends the wrong and dangerous message that nonviolent and legal advocacy work still gets groups labeled as terrorists.

Those who wish to threaten the security of the United States and other countries will likely exploit this point as they seek opportunities to recruit Americans to their mindset, pull them away from civic engagement and seduce them into opting for violent extremism.

CAIR is a natural enemy of violent extremists. For years, our positive track record of success has fully discredited their arguments that minorities cannot receive fair treatment in our nation. If it is left to stand, the designation will unravel this work.

The UAE is effectively accusing the United States of harboring terrorists. With the list, the United Arab Emirates is accusing the United States government of allowing nefarious entities to operate within our national borders. All American Muslim groups have endured intense U.S. government scrutiny in the era following the 9/11 terror attacks.

Why is such a list dangerous?

By smearing organizations working for democracy and human rights in their own countries, the list is a political exercise aimed at pressuring Western governments into acting as the UAE thinks they should, not as their own laws and ideals dictate. Such interference in the internal affairs of Western countries is being rightfully rejected by western governments.

The UAE's deliberate political action also empowers Islamophobic and nativist elements, undermining Western Muslims' ability to educate about Islam, organize their communities, and advocate for freedom, democracy, and human rights.

What is CAIR doing and what are its legal options?

CAIR is working through political and diplomatic channels to resolve this issue as soon as possible.

We are considering all legal options to ensure that CAIR and MAS's names are removed from this baseless and defamatory list. The challenge that exists is that the Foreign Sovereign Immunity Act provides foreign countries like the UAE immunity for any suit arising out of their governmental action, and in this case specifically the defamation they have committed against lawfully-operating western Muslim groups. This statute and the act of state doctrine exist because foreign diplomacy is properly conducted by the executive branch of government. As such, it falls to the United States government to protect its citizens and organizations from abusive treatment by foreign governments.

ⁱ <http://www.bbc.com/news/world-middle-east-14703998>

ⁱⁱ "The three most significant human rights problems were citizens' inability to change their government; limitations on citizens' civil liberties (including the freedoms of speech, press, assembly, association, and internet use); and arbitrary arrests, incommunicado detentions, and lengthy pretrial detentions." - See more at: <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>

ⁱⁱⁱ <http://www.hrw.org/news/2014/12/03/uae-terrorism-law-threatens-lives-liberty>

^{iv} <http://www.amnesty.org/en/for-media/press-releases/uae-ruthless-crackdown-dissent-exposes-ugly-reality-beneath-fa-ade-glitz-an>

^v <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14223&LangID=E#sthash.Im2CoCSC.dpuf>

^{vi} <https://www.youtube.com/watch?v=aEniuPuN388&feature=youtu.be>

^{vii} <http://www.al-monitor.com/pulse/originals/2014/12/uae-terrorist-list-european-islamist-groups.html#>

^{viii} http://yle.fi/uutiset/officials_question_inclusion_of_finnish_tatar_muslims_on_terror_watch-list/7631912