

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

AMERICAN SOCIOLOGICAL ASSOCIATION;
AMERICAN ASSOCIATION OF UNIVERSITY
PROFESSORS; AMERICAN-ARAB ANTI-
DISCRIMINATION COMMITTEE; BOSTON
COALITION FOR PALESTINIAN RIGHTS, and
ADAM HABIB,

Plaintiffs,

v.

MICHAEL CHERTOFF, in his official capacity as
Secretary of the Department of Homeland Security;
CONDOLEEZZA RICE, in her official capacity as
Secretary of State,

Defendants.

**DECLARATION OF
SHERIF FAM**

Case No. 07-11796 (GAO)

DECLARATION OF SHERIF FAM

I, Sherif Fam, of Cambridge, Massachusetts, do declare:

1. I am the Chair of the Steering Committee of the Boston Coalition for Palestinian Rights ("BCPR"). I have been a member of the BCPR since April 2002.
2. I earned my M.S. in Mechanical Engineering from the Massachusetts Institute of Technology in 1960, and my M.S. in Physics, also from MIT, in 1973.
3. I retired in 2003 and now volunteer for the BCPR. Previously I was an independent consultant from 2001-2003; Director of Energy Systems for Coleman Research Corporation in Orlando, Florida from 1998-2001; an independent consultant from 1992-1998; and held various positions at Thermo Electron Corporation in Waltham, Massachusetts from 1974-1992.

The Boston Coalition for Palestinian Rights

4. The BCPR, a grassroots organization in Boston, Massachusetts, was established in 2000 by people of conscience united by the belief that peace will be possible only when there is justice and self-determination for the Palestinian people and protection of their human rights. The BCPR has a widely diverse membership across ethnicities, religious faiths (Christian, Jewish, Muslim), and walks of life, including artists, teachers, college professors, students, lawyers, engineers, social workers, and human rights activists. The BCPR currently has 89 members. The BCPR maintains a contact list of approximately 600 people to whom it regularly emails information of interest, including news of its forums and other events. The BCPR collaborates with a range of groups in the New England area – including church organizations, women’s groups, student groups, community groups, and peace and justice organizations – and is a member organization of the nation-wide U.S. Campaign to End the Israeli Occupation.

5. The BCPR is an organization of volunteers without any paid staff. In my capacity as the BCPR’s Steering Committee Chair, I am responsible for coordinating the agenda of bi-weekly meetings, making sure that decisions made at these meetings are implemented, and conferring with the other Steering Committee members about issues that must be resolved before the bi-weekly meetings. I also answer emails sent to the organization, pick up the mail, and ensure all other administrative matters are handled in a timely fashion.

The Effect of Professor Adam Habib’s Exclusion from the U.S. on the BCPR

6. The BCPR’s mission is to educate people about the history of the Israeli-Palestinian conflict. To this end, the BCPR hosts public events, teach-ins, and rallies on

the subject. The BCPR also creates exhibits and visual resources, and works to impact media coverage of the conflict and to effect policy changes consistent with human rights norms. The BCPR strives to stimulate public conversation about how to bring the Israeli-Palestinian conflict to a peaceful solution. The BCPR works to ensure that the public has access to the full range of opinions on the Israeli-Palestinian conflict, and that viewpoints are not excluded from public discourse on the subject.

7. The BCPR believes that open dialogue is the only way to achieve a peaceful resolution of the Israeli-Palestinian conflict. To foster this dialogue, the BCPR hosts public education events, all of which are free and open to the public. The BCPR's public events are attended not only by the BCPR's members and members of groups that co-sponsor the BCPR's events, but also a wider segment of the local community. The BCPR's events – whether forums, film screenings, conferences, training workshops or exhibits – typically include the opportunity for audiences to exchange ideas with featured speakers and presenters through question and answer periods and facilitated group discussion. The BCPR also encourages informal conversations and networking to stimulate a productive exchange of views and to overcome the rigid polarization which all too often characterizes debate about the Israeli-Palestinian conflict.

8. The BCPR believes that international voices are vital to the debate about how to find a peaceful solution to the Israeli-Palestinian conflict. U.S. audiences suffer when foreign voices are shut out of debates about international and foreign policy matters because they are deprived of the chance to engage with the international community and are cut-off from different cultures and beliefs. Furthermore, as Israeli speakers at the BCPR's events frequently point out, the spectrum of debate on the Israeli-Palestinian

conflict in the U.S. is very restricted when compared to the level of discussion in Europe and Israel. For a number of reasons, American audiences do not as frequently encounter the range of views and information that is readily available in other countries, making the BCPR's effort to bring international perspectives into the local mix of opinion that much more important.

9. The BCPR regularly organizes public events and conferences, by itself or in conjunction with other organizations, at which foreign scholars from a number of different countries are invited to speak and meet with local audiences. The BCPR typically invites foreign scholars to speak at its events when it knows a particular scholar already will be visiting the U.S. For example, Israeli historian Professor Ilan Pappé and Palestinian political analyst Omar Barghouti spoke at a conference the BCPR organized at Northeastern University on November 19, 2006. The conference brought together people, including scholars from the University of Massachusetts, Haifa University, and activists, spanning different generations, ethnicities, and affiliations to discuss whether Israel's policies toward Palestinians are apartheid policies. On October 26-27, 2007, the BCPR helped plan a conference sponsored by the ecumenical group Sabeel. The conference featured Archbishop Emeritus Desmond Tutu, United Nations Special Rapporteur John Dugard, and theologian Farid Esack, all of whom are from South Africa, two professors from Israel, a Palestinian Anglican priest, two Palestinian lawyers, the retired Anglican Archbishop of Canada, and several U.S.-based speakers. The conference addressed specific issues of justice and equality and whether the "Apartheid Paradigm" applied to the Israeli-Palestinian conflict.

10. Although the BCPR helps stimulate international dialogue within academia by, for example, working with student groups to host campus events featuring visiting foreign scholars, it also stimulates dialogue beyond the academy by hosting events in non-university settings. The BCPR has also arranged for visiting scholars to meet with editorial boards of major newspapers. In this way, the BCPR has helped broaden the discourse about the Middle East in general and Israel-Palestine in particular.

11. The BCPR has invited Professor Adam Habib to speak at a public event co-sponsored by the American-Arab Anti-Discrimination Committee's Massachusetts Chapter ("ADC-MA") and the BCPR, aimed at examining the parallels and distinctions between the response to the apartheid regime in South Africa and the Palestinian response to the Israeli-Palestinian conflict. This is a theme the BCPR has been exploring over the past year at its forums. The event is scheduled to take place in Boston in August 2008. The purpose of the event is to continue the ongoing debate about how, and whether, those parallels can or should be drawn, and how lessons from the anti-apartheid movement might apply to a non-violent resolution of the Israeli-Palestinian conflict. Professor Habib has accepted the invitation.

12. The BCPR invited Professor Habib to speak on this topic because he is an internationally-recognized scholar with expertise in the role social movements play in conflict situations and can draw on his personal experience in the anti-apartheid movement. At a time when the Middle East is such an important focus of U.S. foreign policy, it is vitally important that public discussions take place about peaceful ways to resolve conflicts there. Professor Habib's scholarship on social movements and democracy, and his involvement in the effort to transform South Africa into a democracy

make him a tremendous potential resource to facilitate new ways of thinking about seemingly intractable issues.

13. The government's refusal to grant Professor Habib a visa or a waiver of inadmissibility on the unsubstantiated ground that he has engaged in terrorist activity prevents Professor Habib from speaking at the BCPR/ADC-MA event. His exclusion compromises the ability of the BCPR, its members, and the local public that attends the BCPR's events to meet with Professor Habib, to hear him speak, to ask him questions, and engage him in face-to-face dialogue and debate. In addition, it deprives them of their ability to invite him to speak at future events and share his ideas with the local community.

14. Now that the U.S. government has accused Professor Habib of having some link to terrorism, the BCPR is concerned that the stigma that comes with that accusation will also attach to the BCPR because it has invited someone purportedly associated with terrorism to speak at one of its events. This could adversely affect BCPR's reputation, impugn its credibility, and hamper its ability to conduct productive educational activities.

15. If Professor Habib is not permitted to enter the U.S. to attend the BCPR event, the BCPR may have to cancel the event because Professor Habib is the primary speaker and the main draw. A cancellation or significant modification of the program would inconvenience members of the public and put a heavy financial burden on the BCPR (relative to our limited budget) in terms of space rental and advertising expenses which the BCPR would find difficult to absorb. The BCPR also does not want to tarnish its track record of organizing successful public events. A cancellation would reflect

poorly on the BCPR and undermine how hard the BCPR has worked to establish credibility with the public. Because the BCPR is an organization of limited resources, the BCPR could not afford to have Professor Habib through some other medium, like videoconferencing, which is simply too expensive. Even if it could afford such alternatives, videoconferencing, a phone presentation, or a written submission by Professor Habib is no substitute for face-to-face dialogue, and the informal networking that happens at events like these. Face-to-face dialogue is vital to effective scholarly discussion and analysis, and to the kind of networking which can open people up to new ideas and move them from ideas to concrete action. By bringing scholars, activists and the information-seeking public together in one room, the BCPR is able to create an atmosphere where the participants are in a position to hear and to learn from one another, but also to ask questions of fellow attendees, and to engage in other side conversations that are only possible with physically present participants. These face-to-face interactions are an integral part of the BCPR's mission and cannot be replaced by even the most advanced technologies.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 11th day of February, 2008.



SHERIE S. NAM