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Via facsimile only to 212-246-8129

National Academy of Television Arts & Sciences
450 Park Ave S, 3rd Fl,
New York, NY 10016

Dear National Academy of Television Arts & Services

I am writing on behalf of Zachor Legal Institute (“Zachor”) a non-profit civil rights organization that focuses on constitutional and rights advocacy and scholarship with the goal of eliminating prejudice and discrimination.

Zachor has seen numerous reports in the media relating to *It’s Bisan from Gaza and I’m Still Alive* (the “Story”), by Bisan Atef Owda (“Bisan”) and AJ+ Reports (“AJ+” together with Bisan, the “Nominee”), a nominee for the National Academy of Television Arts & Services (“NATAS”) 45th Annual News & Documentary Emmy Awards in the Outstanding Hard News Feature Story: Short Form category (the “Competition”).

We have reviewed NATAS’ Emmy Rules (the “Rules”)¹ and the Code of Conduct incorporated by reference into the Rules (the “Code”)² and believe that the Nominee must be disqualified from the Competition due to egregious violations of the Code.

¹ See https://theemmys.tv/wp-content/uploads/2024/01/NATAS-Emmy-Rules-2024_v.2024.0.0.pdf.

² Page 25 of the Rules states “[a]ll participants in NATAS competitions or events are subject to the NATAS Code of Conduct as posted online [at <https://theemmys.tv/conduct/>], thus explicitly making the Code applicable to nominees.

Executive Summary

Our research demonstrates that Bisan is a member of the Popular Front for the Liberation of Palestine (“PFLP”), which has been designated as a foreign terrorist organization by the United States since 1997. The PFLP has American blood on its hands³ and its members also participated in the October 7th massacre⁴ that resulted in the deaths of over 1,200 people, including several dozen Americans, and involved the kidnapping of 250 people, including Americans.

In 2020, AJ+ (a subsidiary of Qatar’s Al Jazeera Media Network) was ordered by the US Department of Justice to register as a foreign agent of the Qatari government under the United States Foreign Agent Registration Act (“FARA”),⁵ stating that the outlet is “controlled and funded by the Government of Qatar.” AJ+ has refused to register under FARA⁶ and is thereby openly violating United States laws.

Section III of the Code, titled “Forms of Prohibited, Covered Conduct” (“Section III”) prohibits, *inter alia*, discrimination, hurtful language and “any other action or activity that could “...reasonably be construed as antithetical to the best interests and reputation of NATAS”.

Because both Nominees have repeatedly, openly and continuously glorified terrorism and promote antisemitism (and continue to do so to this day), they violate Section II of the Code (“Section II”), which states in pertinent part that “...the Academy has zero tolerance for discrimination or harassment, as well as illegal, dishonest, or unethical conduct.”

³ See <https://www.timesofisrael.com/palestinians-in-beirut-mark-50-years-since-lod-airport-terror-massacre/>.

⁴ See <https://www.ngo-monitor.org/reports/pflp-involvement-in-the-october-7-atrocities/>.

⁵ See <https://www.nytimes.com/2020/09/15/business/media/aj-al-jazeera-fara.html>.

⁶ See <https://www.dailymail.co.uk/news/article-11888793/Al-Jazeera-slammed-flouting-government-orders-register-foreign-agent-Qatar.html>.

Owda is a member of a FTO so her nomination violates Section III of the Code. AJ+'s demonstrated record of promoting discrimination and hate as well as violating United States laws so its nomination also violates United States laws. As Section II states, NATAS has a zero tolerance policy for Code violations, thus requiring NATAS to disqualify the Story from the Competition.

Evidence

Bisan

In 2015, Bisan spoke at a rally in Gaza celebrating the 48th anniversary of the founding of the PFLP.⁷ She wore full PFLP military garb. The rally overtly supported terrorism and included teenagers and children carrying swords and knives. Bisan also served as the “master of ceremonies” the following year at the PFLP's 49th anniversary rally, which bore the slogan “Uprising and Resistance are our Path to Unity and Liberation.”⁸

Bisan opened the ceremony commemorating the PFLP's 47th anniversary in 2014,⁹ where she “invited [attendees] to observe a minute of silence in reverence and respect for the martyrs' sacrifice.” In 2018, Bisan hosted a PFLP event¹⁰ honoring Palestinians injured in confrontations with Israeli soldiers and the deceased PFLP member Sami Shawqi Madi.¹¹ Also in 2018, the PFLP referred to Bisan¹² as part of the Progressive Youth Union, which the PFLP explicitly acknowledges¹³ is the “youth framework” of the terror organization.

⁷ See <http://tiny.cc/axqezz>.

⁸ See <http://tiny.cc/0xqezz>.

⁹ See <https://bit.ly/4ddmWFz>.

¹⁰ See <https://bit.ly/3SHskIH>.

¹¹ See <https://www.investigativeproject.org/7581/leading-bds-group-posted-tweet-mourning-pflp>.

¹² See <https://bit.ly/3yx8qcw>.

¹³ See <http://tiny.cc/dzqezz>.

According to the Jerusalem Post, Bisan seemingly justified the October 7th massacre on her Instagram page, writing: “[F]or every action, there is a reaction. This means: What was expected after 75 years of occupation and 17 years of siege? ... What was expected of us? ... Would the families of the prisoners remain silent?”¹⁴

In July 2024, Bisan posted on X that Israel “is occupying every corner of the world,”¹⁵ evoking the antisemitic conspiracy of Jewish manipulation and control of world events.¹⁶

AJ+

As referred to above, in 2020 AJ+, an organ of the Qatari government, was ordered by the United States Department of Justice to register as a foreign agent of Qatar under FARA. Since that time, AJ+ has defied the United States Department of Justice by refusing to comply with the order. Zachor recently published a full report on AJ+’s history of promoting antisemitism, hate and discrimination and its refusal to comply with United States laws.¹⁷ This, by itself, should be grounds for disqualification of the Nomination under Section III.

In addition to AJ+’s refusal to comply with United States laws, there is the underlying issue of AJ+’s promotion and whitewashing of terror activities that violate the antidiscrimination and antihate provisions of Section III.

On October 7th, AJ+ posted a thread on X stating: “Israel has attacked Gaza after Palestinian fighters crossed into Israel and fired rockets,” and that the Palestinians have “destroy[ed] a border fence that has kept them imprisoned.”¹⁸

¹⁴ See <https://www.jpost.com/middle-east/article-771443>.

¹⁵ See <https://x.com/wizardbisan/status/1817514412455927945>.

¹⁶ See <https://encyclopedia.ushmm.org/content/en/article/protocols-of-the-elders-of-zion>.

¹⁷ See <https://zachorlegal.org/wp-content/uploads/2024/08/AJ-Report-2024-Updated-Version.pdf>.

¹⁸ See <https://x.com/ajplus/status/1710642421493600414>.

On October 8th, AJ+ posted a video showing Palestinian terrorists invading southern Israel and committing acts of terror, writing: “[t]hese Palestinians broke out of occupied Gaza - which has been called the world's largest open-air prison – for the first time.”¹⁹ The only place Hamas is mentioned in the video is at the end, where AJ+ credits the “Hamas Armed Wing” for its footage.

In December 2023, AJ+ released a 17-minute video downplaying the genocidal nature of Hamas, arguing that they are merely “freedom fighters” who are “resisting occupation and colonial violence.”²⁰

In 2019, AJ+ released a video captioned “The Gas Chambers Killed Millions of Jews – That's How the Story Goes. What Is the Truth behind the Holocaust and How Did the Zionist Movement Benefit from It?”²¹

Since 2024, AJ+ has described Hezbollah and the Houthis, which are both designated FTOs by the US, as a “political party and militia”²² and a “political and military group,” respectively.²³

In February 2024, AJ+ uploaded a post to Instagram²⁴ showing a massive rally by supporters of the Houthis in Yemen holding flags with the Houthi slogan on it, which reads in Arabic: “God is the greatest, death to America, death to Israel. Curse the Jews, victory to Islam.”²⁵

¹⁹ See <https://x.com/ajplus/status/1711081625981800457>.

²⁰ See <https://www.youtube.com/watch?v=6Pjo3BJPrd8>. The claim that Jews are colonists is not only false, it is a bigoted denial of the Jewish right to self-determination as the indigenous population of in their historic homeland. See Greendorfer, Marc, *The True History and Legal Meaning of Colonialism in the Holy Land: The 2042 B.C.E. Project* Summer and Fall 2022 INT’L J. L. ETHICS TECH. 2 (2022), available at <https://ssrn.com/abstract=4029129>.

²¹ See <https://www.memri.org/tv/al-jazeera-holocaust-denial-israel-biggest-winner-same-justification-annihilate-palestinians>.

²² See <https://x.com/ajplus/status/1818350656211833325>.

²³ See <https://x.com/ajplus/status/1752923480775934034>.

²⁴ See https://www.instagram.com/p/C3fmBObowB6/?img_index=1.

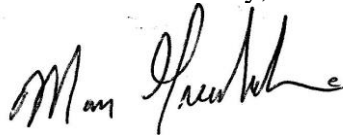
²⁵ See <https://apnews.com/article/yemen-israeli-houthi-gaza-war-3e48ff43f1225ccd98c9a56929fb8f57>.

Conclusion

Sanitizing and even glorifying terror groups while promoting discrimination and hate should never be the basis for a NATAS award. Would NATAS allow the nomination of a Ku Klux Klan produced story that delegitimized the black experience of slavery in the United States? That's analogous to what NATAS is allowing with regard to the nomination of the Story. Even worse, by nominating an entity that refuses to abide by United States laws as it promotes hate, NATAS is sending a message of support for lawlessness.

Without question, the Nominees generally have a First Amendment right to engage in hate speech,²⁶ but private parties like NATAS must not condone such speech, especially when it is a clear violation of the Code. As antisemitism reaches levels not seen since the Holocaust and American Jews are under violent attack across the country due to incitement such as that in the Nominee's propagandistic screed, it is incumbent on NATAS to abide by the Code and disqualify the Story from competition.²⁷

Sincerely,



Marc Greendorfer
President
Zachor Legal Institute

Cc: Matthew G. Olsen, Assistant Attorney General for National Security, United States Department of Justice, Foreign Agents Registration Act Unit (*via* email).

²⁶ See <https://www.thefire.org/news/hate-speech-protected-first-amendment>.

²⁷ Zachor Legal Institute is not alone in urging NATAS to disqualify the Story from the Competition. See, e.g., <https://www.algemeiner.com/2024/08/05/hollywood-industry-group-urges-emmys-pull-nomination-palestinian-journalist-linked-terror-group/>, <https://www.thewrap.com/jewish-rescind-emmys-nomination-bisan-owda-gaza-pflp-terrorist/> and <https://www.dailywire.com/news/gazan-filmmaker-with-ties-to-palestinian-terror-group-nominated-for-news-and-documentary-emmy> as examples of other calls for NATAS to disqualify the Story from the Competition.