



**US CAMPAIGN FOR
PALESTINIAN RIGHTS**

**CENTER FOR CONSTITUTIONAL
RIGHTS**

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[U.S. Palestinian Rights Group Prevails as D.C. Circuit Court Tosses Out Lawsuit That Targeted Advocacy](#)

Court rejects claim that support for BDS and other free speech activity amounts to support for terrorism

May 3, 2023, Washington, D.C. – Yesterday, the D.C. Circuit Court of Appeals upheld the dismissal of a lawsuit charging that a Palestinian rights organization had provided “material support” for terrorism by engaging in advocacy. Brought by the Jewish National Fund (JNF) and several U.S. citizens who live in Israel, the suit targeted First Amendment-protected activities of the US Campaign for Palestinian Rights (USCPR), including its support for the Boycott, Divestment, and Sanctions (BDS) movement. As the Court found, “[a]dvocating and coordinating a boycott of Israel — ‘economically, academically[,] and diplomatically,’ ... — is not unlawful.”

The suit is part of a broader, global effort to repress and silence the political activities of supporters of Palestinian rights, advocates say. In [dismissing](#) the case in March 2021, the lower court said the arguments were, “to say the least, not persuasive.” Today, the appeals court affirmed that decision, noting that the “appellants’ allegations are far less convincing than those we have evaluated in prior cases.”

“This is a victory for USCPR and an even bigger victory for the movement for Palestinian rights,” said **Ahmad Abuznaid**, USCPR’s Executive Director. “The JNF’s lawfare attack was meant to silence us, so we’ll raise our voices all the louder. Activists across the U.S. will keep mobilizing to end all U.S. military funding to the apartheid state of Israel.”

Based in Jerusalem, the JNF is a quasi-state institution that controls and colonizes land for the sole benefit of Jewish Israelis. The lawsuit alleged that USCPR bore responsibility for “incendiary terror balloons and kites” sent from Gaza onto JNF forests.

At issue were USCPR’s fiscal sponsorship of the Boycott National Committee and expressions of support for the rights and demands of Palestinians participating in the Great Return March, when they protested to demand respect for their right to return to the villages from which Israeli forces expelled them in 1948. These two activities, the lawsuit claimed, were a violation of the Antiterrorism Act, which prohibits “material support” for terrorism. But the suit did not establish a direct connection between USCPR’s activities and any unlawful acts.

“This lawsuit was about punishing the US Campaign – and Palestinians – for daring to advocate for Palestinian rights and for supporting the Palestinian call to Boycott Israel,” said Center for Constitutional Rights Senior Attorney [Diala Shamas](#). “The D.C. Circuit, as did the court below, saw this suit for what it is, and issued a resounding rejection of plaintiffs’ smear campaign and their fantastical theory of liability not based in law or fact.”

Supporters of Palestinian rights face mounting attacks on their ability to engage in advocacy, from the [United States](#) to [Germany](#) to [Palestine](#). In August 2022, the Israeli government invaded [and shut down](#) the offices of seven leading Palestinian human rights groups in the occupied West Bank. It had previously [designated](#) most of these organizations as “terrorist” in an authoritarian effort to stop their essential human rights work.

Also representing USCPR were cooperating counsel Judith Chomsky and Beth Stephens.

The US Campaign for Palestinian Rights (USCPR) is a national network of activists and organizations who are committed to freedom, justice, and equality for the Palestinian people and who work to end U.S. complicity in their oppression. USCPR is a political home for all who believe that freedom for the Palestinian people is an integral part of achieving our collective liberation. We provide resources and strategic support to the U.S.-based Palestine solidarity movement, channeling grassroots power into positive change in U.S. policy and public opinion. We work with local organizers and activists, policymakers, movement leaders, media, and advocacy organizations to advance a rights-based, and accountability and justice-oriented framework from the U.S. to Palestine. Follow the US Campaign for Palestinian Rights on social media: US Campaign for Palestinian Rights on [Facebook](#), [@USCPR_](#) on [Twitter](#), and [@uscpr](#) on [Instagram](#).

The Center for Constitutional Rights works with communities under threat to fight for justice and liberation through litigation, advocacy, and strategic communications. Since 1966, the Center for Constitutional Rights has taken on oppressive systems of power, including structural racism, gender oppression, economic inequity, and governmental overreach. Learn more at

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