

## Civil Society Statement on the 10<sup>th</sup> Anniversary of the Supreme Court's *Holder v. Humanitarian Law Project* Decision

Before the world plunged into crisis with the Covid-19 pandemic, it faced a steady escalation of armed conflict around the world, with all the human suffering that inevitably entails: forced migration, devastation of critical infrastructure and protracted humanitarian crises. The proliferation of non-state armed groups – many of which are on U.S. terrorist lists - has changed the nature of armed conflict in the 21<sup>st</sup> century. Resolving conflict in this new landscape requires dialogue, support for peace processes and addressing the drivers of conflict. It also requires rehabilitating and reintegrating former members of terrorist groups, including women and children associated with them.

But instead of supporting peacebuilding, for the past decade the U.S. has criminalized engagement with listed terrorist groups even when it would move them away from violence. The Supreme Court's June 2010 decision in [\*Holder v. Humanitarian Law Project\*](#) held that providing training on how to participate in peace processes and support for dialogue that includes listed groups is considered "material support" of terrorism. Since that ruling, peacebuilding organizations have been constrained in lending their considerable expertise to peacebuilding efforts – and we are seeing the consequences.

Historic moments like the signing of the Good Friday Agreement in Northern Ireland and the end of apartheid in South Africa would not have been possible without engaging the Irish Republican Army or the African National Congress, both listed terrorist organizations at the time. We can have such successes again. But first, the U.S. must enable peacebuilding programs and peace processes by providing legal safeguards for this vital work.



**American Friends  
Service Committee**



**Alliance for  
Peacebuilding**

*Harnessing collective action for peace*



**CONCILIATION  
RESOURCES**



**HEARTLAND  
INITIATIVE**



