MOTION FILED

JUL 13 2011

No. 10-1491

IN THE SUPREME COURT OF THE UNITED STATES

ESTHER KIOBEL, ET AL.,
PETITIONERS

v.

ROYAL DUTCH PETROLEUM CO., ET AL.,
RESPONDENTS

On Petition for Writ of *Certiorari*
to the United States Court of Appeals
for the Second Circuit

MOTION TO FILE AND BRIEF OF *AMICI CURIAE* INTERNATIONAL LAW SCHOLARS IN SUPPORT OF THE PETITION FOR WRIT OF *CERTIORARI*

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MOTION OF INTERNATIONAL LAW SCHOLARS TO FILE BRIEF *AMICUS CURIAE* IN SUPPORT OF PETITITON FOR *CERTIORARI*

Pursuant to Supreme Court Rule 37, a group of nine scholars of international law and human rights respectfully moves for leave to file the attached brief *amicus curiae* in support of the petition for *certiorari*. The signatories -- whose biographies appear in the Appendix – are Professor Philip Alston, Professor Jose Alvarez, Professor Cherif Bassiouni, Professor Gaspar Biro, Professor Andrew Clapham, Professor Lori Damrosch, Professor John Dugard, Professor Richard Goldstone, and Professor Chip Pitts. *Amici* are some of the world's leading experts on the content of international law and its impact in domestic proceedings. They respectfully submit that this case presents critical, complex, and recurring issues of international law, as to which they offer an expertise that is not available from the parties themselves or other *amici*.

With the exception of Professors Biro and Clapham, who make their first appearances in this filing, all of the *amici* have appeared repeatedly as a group in ATS litigation before the circuit courts of appeals, supporting the principle of corporate liability under the ATS. Their *amicus* submissions have been cited with approval, most recently by the

United States Court of Appeals for the District of Columbia Circuit. *John Doe VIII et al. v. Exxon Mobil Corp.*, No. 09-7125, 2011 WL 2652384, at *72, *78 (D.C. Cir. July 8, 2011).

It is well-established that this Court determines the content of international law by reference "to the customs and usages of civilized nations, and, as evidence of these, to *the works of jurists and commentators*". *The Paquete Habana*, 175 U.S. 677, 700 (1900) (emphasis added). *See also* Restatement (Third) of U.S. Foreign Relations Law, §103(2)(c) (1987) ("In determining whether a rule has become international law, substantial weight is accorded to . . . the writings of scholars").

Counsel for the petitioners has consented to the filing of this brief. Counsel for respondents declined to consent, on the ground that counsel for *amici* was unable to satisfy the ten-day notice requirement of Rule 37(2)(a). The inherent difficulties in communicating with all signatories, who live on three continents, many of whom have been travelling extensively on academic calendars, delayed the final approval to file the brief – as well as finding the resources to do so -- until the afternoon of July 8, 2011. Requests for permission to file were sent immediately to counsel for the parties.

Respectfully submitted,

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LIST OF PARTIES

Esther Kiobel, individually and on behalf of her late husband, Dr. Barinem Kiobel; Bishop Augustine Numeme John-Miller; Charles Baridorn Wiwa, Israel Pyakene Nwidor, Kendricks Dorle Nwikopo, Anthony B. Kote-Witah, Victor B. Wifa, Dumle J. Kunenu, Benson Magnus Ikari, Legbara Tony Idigima, Pius Nwinee, Kpobari Tusima, individually and on behalf of his late father, Clemente Tusima

Petitioners

Royal Dutch Petroleum Co., Shell Transport and Trading Company PLC, Shell Petroleum Development Company of Nigeria, Ltd.

Respondents

RULE 29.6 STATEMENT

None of the petitioners or their *amici* is a non-governmental corporation. None of the petitioners or their *amici* has a parent corporation or shares held by a publicly-traded company.

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INTEREST OF *AMICI*

Amici -- whose biographies appear in the Appendix – are nine of the world's leading legal experts in the field of international law and human rights: Philip Alston, Jose Alvarez, Cherif Bassiouni, Gaspar Biro, Andrew Clapham, Lori Damrosch, John Dugard, Richard Goldstone, and Chip Pitts. Their work has been cited by courts at all levels of the federal judiciary for guidance in determining the content and impact of international law in domestic proceedings, including those under the Alien Tort Statute (ATS), 28 U.S.C. §1350. *Amici* respectfully submit that the decision of the panel is both methodologically and substantively flawed and believe that they can offer this Court particular expertise on these issues that may not be available from the parties themselves. *Amici* are concerned that, by creating a law-free zone for corporations, the panel majority has charted an unprecedented and unjustified course that effectively immunizes entities that commit serious human rights violations.[1]

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[1] The parties were not notified ten days prior to the due date of this brief of the intention to file, for the reasons discussed in the above Motion. Counsel for the petitioners has consented to the filing of this brief, but Counsel for respondents declined to consent.

SUMMARY OF ARGUMENT

The petition for *certiorari* raises exceptionally important questions about international law and the scope of liability under the Alien Tort Statute after this Court's decision in *Sosa v. Alvarez-Machain*, 542 U.S. 692 (2004). Specifically, the panel majority below committed clear errors of method and substance that require review by this Court. The majority reached its conclusion only by looking for the wrong kinds of evidence of international law, inferring from the absence of cases imposing corporate civil liability for human rights violations that no norm imposed or allowed such liability. That technique betrays a basic misunderstanding of international law and this Court's decision in *Sosa*. It is also radically inconsistent with the Second Circuit's seminal decision in *Filartiga v. Pena-Irala*, 630 F.2d 876 (2d Cir. 1980), which this Court cited with approval in *Sosa*. The procedural error of the panel majority

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No counsel for a party authored this brief in whole or in part, and no such counsel or party made a monetary contribution intended to fund the preparation or submission of this brief. No persons other than the *amici* or their counsel made a monetary contribution to this brief's preparation or submission.

has substantive consequences and leads the panel to miss the consistent principles of international law that recognize corporate liability and the obligation of States to provide a meaningful remedy for all violations of human rights, no matter who or what violates them. The failure to hold corporations liable for their torts contradicts the substance and history of international law. It also creates a conflict between the Second Circuit and the Eleventh Circuits, *see Romero v. Drummond Co.*, 552 F.3d 1303, 1315 (11th Cir. 2008). As this brief was being prepared, the District of Columbia explicitly rejected the Second Circuit's analysis, *see John Doe VIII et al. v. Exxon Mobil Corp.*, No. 09-7125, 2011 WL 2652384 (D.C. Cir. July 8, 2011). The decision below potentially affects a broad range of cases currently pending in the district courts and the circuit courts of appeals.[2]

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[2] *See e.g. Sarei v. Rio Tinto, PLC*, 550 F.3d 822 (9th Cir. 2008); *In re XE Services Alien Tort Litig.*, 665 F. Supp. 2d 569 (E.D. Va. 2009); *Flomo v. Firestone Natural Rubber Co.*, 2010 WL 4174583 (S.D. Ind. Oct. 5, 2010); *Doe v. Nestle*, 748 F. Supp. 2d 1057 (C.D. Cal. 2010); *Magnifico v. Villanueva*, No. 10-CV-80771, 2011 WL 1584841, (S.D. Fla. Apr. 27, 2011); *Al-Quraishi v. Nakhla*, 728 F. Supp. 2d 702 (D. Md. 2010).

REASONS FOR GRANTING THE WRIT

I. REVIEW ON *CERTIORARI* IS APPROPRIATE BECAUSE THE PANEL MAJORITY FUNDAMENTALLY MISUNDERSTOOD THE PROPER METHOD OF PROVING INTERNATIONAL LAW.

A. The Panel Majority Rigorously Asked the Wrong Question by Seeking Universal Examples of Corporate Civil Liability for Human Rights Violations.

The panel majority's essential error was its insistence that jurisdiction under the Alien Tort Statute must fail if no corporation has been held civilly or criminally liable for human rights violations. Because "corporate liability has not attained a discernable, much less universal, acceptance among nations of the world in their relations *inter se,* . . . it cannot . . . form the basis of a suit under the ATS." *Kiobel v. Royal Dutch Petroleum Co.*, 621 F.3d 111, 148-49 (2d Cir. 2010). International law cannot be parsed in this way for two independent reasons.

First, certain egregious conduct violates international human rights standards, whether committed by state or non-state actors. Although it is true that international criminal tribunals

distinguish between natural and juristic persons *for purposes of criminal liability*, nothing in international law precludes the imposition of civil or tort liability for corporate misconduct. Thus, the proper question is not whether human rights treaties explicitly impose liability on corporations, as concluded by the panel majority, it is whether the treaties distinguish between juristic and natural individuals in a way that exempts the former from all responsibility.

Second, it is wrong to conclude from the alleged absence of human rights cases against corporations that they are exempt from human rights norms: international law never defines the means of its domestic implementation and remediation, leaving States a wide berth in assuring that the law is respected and enforced as each thinks best.[3] It hardly follows that States

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[3] The Permanent Court of International Justice precursor to the modern International Court of Justice established that international norms could not be inferred from the *absence* of domestic proceedings. In a case where France made the kind of argument the panel majority now finds persuasive, the PCIJ declared: "Even if the rarity of the judicial decisions to be found among the reported cases were sufficient to prove the circumstance alleged by the French government, it would merely show that States had often, in practice, abstained from instituting criminal proceedings, and not that they recognized themselves as being obliged to do so". *The Lotus Case (Fr. v. Turk.),* 1927 P.C.I.J., (ser. A) No. 10 at 28 (Sept. 7).

remain free to allow violations so long as a corporation commits the wrong. Equally important, Congress has already exercised its discretion by directing the federal courts to allow civil actions for those violations of international law that take tortious form, without specifying the types of defendants who might be sued. As recognized by this Court, "[t]he Alien Tort Statute by its terms does not distinguish among classes of defendants . . . ." *Argentine Republic v. Amerada Hess Shipping Corp.*, 488 U.S. 428, 438 (1989).

The panel majority apparently felt compelled by *dicta* in a footnote in this Court's decision in *Sosa*, 542 U.S. at 733 n. 20, but nothing in *Sosa* requires so distorted a focus. To the contrary, in *Sosa*, this Court rejected the aggressive corporate immunity positions advanced by business groups appearing *amicus curiae*, reasoning only that "the determination whether a norm is sufficiently definite to support a cause of action" is "related . . . [to] whether international law extends the scope of liability for a violation of a given norm to the perpetrator being sued, if the defendant is a private actor such as a corporation or individual." *Id. Sosa* thus rightly distinguished between those wrongs that require state action (e.g., torture) from those that do not (e.g., genocide). The text shows that the Court was referring to a single class of non-state actors (natural and juristic individuals), not two separate classes as assumed by the *Kiobel* panel

majority below.

Nor is it relevant that this Court after *Sosa* would only recognize a cause of action, derived from the common law, for certain violations of international law:

> The jurisdictional grant is best read as having been enacted on the understanding that the common law would provide a cause of action for the modest number of international law violations with a potential for personal liability at the time.

542 U.S. at 724. The ATS requires only that the tort be "*committed*" in violation of a specific, universal, and obligatory norm or international law, *id.*, not that international law itself recognize a right to sue or distinguish for purposes of civil liability between natural and juristic individuals.

B. *Filartiga* Itself Was Wrongly Decided If the Panel Majority's Approach Is Correct.

The mark of the panel majority's essential error is that, if its approach were the law, *Filartiga* itself – a globally-respected advance in the development of human rights standards and the

fountainhead of ATS jurisprudence for a generation – would have been wrongly decided. The *Kiobel* panel would apparently have required the *Filartiga* plaintiffs to demonstrate that torturers were universally held civilly liable in the courts of third countries. Of course, no such demonstration could have been made at the time, because state-sponsored torture – though common – had never grounded an award of civil damages from the torturer to the victim in the domestic courts of that State, let alone some other country. Equally telling, every element of proof relied upon in *Filartiga* would be rejected by the *Kiobel* panel: the various treaties cited in *Filartiga* would be irrelevant, because the United States was not a party to any of them and not a single torturer had ever been found civilly liable under any of them. The Universal Declaration of Human Rights, rightly considered by the *Filartiga* court as an authoritative interpretation of States' human rights obligations under the U.N. Charter, would be rejected as a merely aspirational document – a view that has been inconsistent with international law for decades – and because the Universal Declaration only refers to the role of "every individual and every organ of society" in promoting respect for human rights and does not explicitly refer to "corporations" or their civil liability. Universal Declaration of Human Rights, G.A. Res. 217A, Preamble, U.N. GAOR, 3d Sess., 1st plen. Mtg. U.N.

Doc A/810 (Dec. 12, 1948). The international tribunal decisions cited in *Filartiga* would also be irrelevant, because not one of them involved a private right of action for civil damages against the torturer himself.

Filartiga was methodologically sound. The panel majority's approach in *Kiobel* is not and should be reviewed by this Court.

II. *CERTIORARI* IS APPROPRIATE BECAUSE THE PANEL MAJORITY'S METHODOLOGICAL ERRORS CAUSED IT TO MISCONSTRUE AND UNDERMINE THE CONTENT OF INTERNATIONAL HUMAN RIGHTS LAW.

A. International Law In All Its Forms Allows The Imposition Of Civil Liability On Corporations.

As a matter of international law, the Second Circuit was clearly correct in 1995 when it articulated what has become a dominant principle of ATS jurisprudence:

> [C]ertain forms of conduct violate the law of nations whether undertaken by those acting under the auspices of a

state or *only as private individuals.*

Kadic v. Karadzic, 70 F.3d 232, 239 (2d Cir. 1995) (emphasis added). For centuries, it has been recognized that there are acts or omissions for which international law imposes responsibility on individuals and for which punishment may be imposed, either by international tribunals or by national courts. In the modern era, for example, Article IV of the Genocide Convention[4] requires that persons committing genocide be punished, "whether they are constitutionally responsible rulers, public officials or private individuals." Certain aspects of the war crimes regime of the Geneva Conventions of 1949, especially Common Article 3,[5] similarly bind non-state actors when they are parties to an armed conflict. The anti-slavery regime is similar in not requiring state

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[4] Convention on the Prevention and Punishment of the Crime of Genocide, Dec. 9, 1948, 78 U.N.T.S. 277.

[5] *See, e.g.*, Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field, Feb. 2, 1956, 6 U.S.T. 3114, 75 U.N.T.S. 31; Convention for the Amelioration of the Condition of the Wounded, Sick, and Shipwrecked Members of Armed Forces at Sea, Feb. 2, 1956, 6 U.S.T. 3217, 75 U.N.T.S. 85; Convention Relative to the Treatment of Prisoners of War, Feb. 2, 1956, 6 U.T.S. 3316, 75 U.N.T.S. 135; Convention Relative to the Protection of Civilian Persons in Time of War, Feb. 2, 1956, 6 U.S.T. 3516, 75 U.N.T.S. 287.

action, and contemporary forms of slavery -- like forced labor and child labor – are internationally wrongful whether committed by governments or non-state actors. *Crucially, the legal regimes governing these wrongs do not distinguish between natural and juridical individuals*, and international law would not protect a corporation that operated as a front for piracy on the high seas, or engaged in the slave trade, or produced the contemporary equivalent of Zyklon B for the destruction of Jews in concentration camps.

A diverse array of treaties reveals the accepted understanding within the international community that corporations have international obligations and can be held liable for violations of international law. *See, e.g.*, Council of Europe Convention on the Prevention of Terrorism, May 16, 2005, art. 10(1), C.E.T.S. No. 196 (2005) ("Each Party shall adopt such measures as may be necessary, in accordance with its legal principles, to establish the *liability of legal entities* for participation in the offences set forth in Articles 5 to 7 and 9 of this Convention."); Convention against Transnational Organized Crime, Nov. 15, 2000, art. 10(1), 2225 U.N.T.S. 209 ("Each State Party shall adopt such measures as may be necessary, consistent with its legal principles, to establish the *liability of legal persons* for participation in serious crimes involving an organized criminal group and for the offences established in accordance with

articles 5, 6, 8 and 23 of this Convention."); Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, Dec. 17, 1997, art. 2, S. Treaty Doc. No. 105-43 ("Each Party shall take such measures as may be necessary, in accordance with its legal principles, to establish the *liability of legal persons* for the bribery of a foreign public official."); Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, Mar. 22, 1989, 1673 U.N.T.S. 57; International Convention on the Suppression and Punishment of the Crime of Apartheid, Nov. 3, 1973 art. I(2), 1015 U.N.T.S. 243 ("The States Parties to the present Convention declare criminal those *organizations, institutions and individuals* committing the crime of apartheid."); International Convention on Civil Liability for Oil Pollution Damage, Nov. 29, 1969, 973 U.N.T.S. 3; Convention on Third Party Liability in the Field of Nuclear Energy, July 29, 1960, 956 U.N.T.S. 251 (emphasis added in all cases). There is certainly no rule in international law that corporations, regardless of their relationship with a government, enjoy immunity for their state-like or state-related activities, as when they interrogate detainees, provide public security, work weapons systems in armed conflict, or run prisons. As noted by the Special Representative to the U.N. Secretary-General in his summary of international legal

principles, the corporate responsibility to respect human rights includes avoiding complicity, which has been most clearly elucidated "in the area of aiding and abetting international crimes, *i.e.* knowingly providing practical assistance or encouragement that has a substantial effect on the commission of a crime...." *Report of the Special Representative of the Secretary-General on the Issue of Human Rights and Transnational Corporations and Other Business Enterprises,* ¶¶ 73-74, U.N. Doc. A/HRC/8/5 (Apr. 7, 2008).

Other authoritative actors within the U.N. human rights system have similarly clarified that human rights treaties to which the United States is a party apply to corporations. For example, the Human Rights Committee, which oversees States' compliance with the International Covenant on Civil and Political Rights, has ruled that States must "redress the harm caused by such acts by private persons *or entities*." U.N. Human Rights Comm., *Gen. Cmt. No. 31, [80], The Nature of the General Legal Obligation Imposed on State Parties to the Covenant [ICCPR]* ¶ 8, U.N. Doc. CCPR/C/21/Rev.1/Add.13 (Mar. 29, 2004) (emphasis added). Similarly, the Convention on the Elimination of All Forms of Racial Discrimination obliges States to remedy "any acts of racial discrimination," and the Race Committee established under the Convention has consistently ruled that this provision includes the acts of

corporations. International Convention on the Elimination of All Forms of Racial Discrimination, art. 6, Dec. 21, 1965, 660 U.N.T.S. 195; UN Committee on the Elimination of Racial Discrimination (CERD), *Considerations of Reports Submitted by State Parties Under Article 9 of the Convention: Concluding Observations of the Committee on the Elimination of Racial Discrimination: United States of America*, ¶ 30 CERD/C/USA/CO/6 (Feb. 2008).

Even if treaties and customary international law did not speak to the question, the uniform recognition of corporate liability in legal systems around the world demonstrates that legal responsibility accompanies legal personality – a proposition that qualifies as a general principle of law. *See* Statute of the International Court of Justice, art. 38(1)(c), June 26, 1945, 59 Stat. 1055, 33 U.N.T.S. 993. In essence, general principles encompass maxims that are "accepted by all nations in *foro domestico*"[6] and are discerned by reference to the common domestic legal doctrines in representative jurisdictions worldwide.[7] Section

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[6] Permanent Ct. of Int'l Justice, Advisory Comm. of Jurists, *Procès Verbaux of the Proceedings of the Committee*, July 16th – July 24th, 1920, with Annexes (The Hague 1920) at 335 (quoting Lord Phillimore, the proponent of the general principles clause).

[7] *See* Bin Cheng, *General Principles of Law as Applied by International Courts* 390 (1953) (noting that general

102(1)(c) of the Restatement (Third) of U.S. Foreign Relations Law similarly provides that "[a] rule of international law is one that has been accepted as such by the international community of states . . . by derivation from general principles common to the major legal systems of the world." In consequence, courts may and should consult the general principles of law common to legal systems around the world in order to give content to the law of nations for purposes of the ATS. *See, e.g., Flores v. S. Peru Copper Corp.*, 414 F.3d 233, 251 (2d Cir. 2003). International law is routinely established through this exercise in comparative law and would have been especially familiar to the founding generation and the drafters of the ATS.[8]

Because corporate liability for serious harms is a universal feature of the world's legal systems, it qualifies as a general principle of law. In most legal systems, this takes the form of actual criminal

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principles encompass "the fundamental principles of every legal system" and that they "belong to no particular system of law but are common to them all").

[8] *Jus gentium* was the precursor to what the 18th-century lawyers called "the law of nations," and it consisted essentially of general principles among civilized nations that the Roman praetors would consider in resolving "transnational" cases. It was by no means limited to state responsibility norms, because it would apply whenever the case involved two aliens (i.e., non-Roman citizens) in what we would today characterize as a torts or contracts case.

or quasi-criminal liability in addition to civil liability, and we are aware of no domestic jurisdiction that exempts legal persons from all liability. To the contrary, every legal system around the world encompasses some form of tort law (or delicts), and none exempts a corporation from the obligation to compensate those it injures. All legal systems also recognize corporate personhood.[9] The law of civil remedies does not necessarily use the terminology of human rights law of course, but in every jurisdiction it protects interests such as life, liberty, dignity, physical and mental integrity, and it includes remedial mechanisms that mirror the reparations required by international law for the suffering inflicted by abuse. *See* Int'l Comm'n of Jurists, *Report of the Expert Legal Panel on Corporate Complicity in International* Crimes (Sept. 16, 2008). Indeed, from that perspective, as shown below, the panel majority's conclusion is inconsistent with the obligation of States to assure a remedy for human

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[9] This Court has recognized the international principles governing corporate personhood, holding under international law that "the legal status of *private* corporations . . . is not to be regarded as legally separate from its owners in all circumstances." *First Nat'l City Bank (FNCB) v. Banco Para El Comercio Exterior de Cuba*, 462 U.S. 611, 628-29, n.20 (citing the decision of the International Court of Justice in *Barcelona Traction, Light and Power Co. Ltd. (Belg. v. Spain)*, 1970 I.C.J. 3, 38-39.

rights violations.

B. The Failure To Punish Corporate Violations Of International Human Rights Law Violates The Obligation To Provide A Meaningful Remedy For Such Abuses.

The panel majority's conclusions allow governments to privatize their way around their obligations under international human rights law. The simple expedient of creating a corporation to run prisons or maintain civil order or fight wars would effectively block the imposition of liability on the entity that is directly responsible for the violation. The panel majority's approach thus conflicts with the obligation of States to provide a meaningful remedy for such abuses. *See, e.g.*, Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, G.A. Res. 60/147, ¶ 15 U.N. Doc. A/RES/60/147 (Dec. 16, 2005) ("where a person, a legal person, or other entity is found liable for reparation to a victim, such party should provide reparation to the victim or compensate the State if the State has

already provided reparation to the victim.")[10] This conclusion has already been articulated by the Special Representative to the Secretary-General on the Issue of Human Rights and Transnational Corporations, who noted in 2009:

> As part of their duty to protect, States are required to take appropriate steps to investigate, punish, and redress corporate-related abuse of the rights of individuals within their territory and/or jurisdiction – in short, to provide access to remedy.

Report of the Special Representative of the Secretary-General on the Issue of Human Rights and Transnational Corporations and Other Business Enterprises, ¶ 87, U.N. Doc. A/HRC/11/13 (Apr. 22, 2009). Similarly, the Human Rights Committee has stated that "the positive obligations

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[10] The right to a remedy for conduct that violates human rights is recognized in Article 2(3) of the International Covenant on Civil and Political Rights, Dec. 19, 1966, 999 U.N.T.S. 171, to which the United States is a party; Article 25 of the American Convention on Human Rights, Nov. 22, 1969, O.A.S.T.S. No. 36, 1144 U.N.T.S 123, which the United States has signed; and Article 13 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, Nov. 4, 1950, 213 U.N.T.S. 222.

on States Parties to ensure Covenant rights will only be fully discharged if individuals are protected by the State, not just against violations of Covenant rights by its agents, but also against acts committed by *private persons or entities*." *General Comment No. 31* U.N. Human Rights Comm., *Gen. Cmt. No. 31, [80], The Nature of the General Legal Obligation Imposed on State Parties to the Covenant [ICCPR]* ¶ 8, U.N. Doc. CCPR/C/21/Rev.1/Add.13 (Mar. 29, 2004). In these circumstances, when the Second Circuit decided by an evenly divided vote not to correct the panel and thereby created a conflict among the circuits, it falls to this Court to bring the law back into conformity with *Sosa* and international law.

CONCLUSION

For these reasons, this Court should grant the Petition for a Writ of Certiorari.

Dated: July 13, 2011

Respectfully Submitted,

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