

# Amicus Brief on Behalf of Center for International Environmental Law in Support of *Budha Jam v International Finance Corporation*

NEW YORK – February 14, 2022 – Today, Pollock Cohen attorneys Ben Battles and Alison Borochoff-Porte filed a Supreme Court amicus brief, the third in as many months. This latest brief was filed on behalf of our accomplished friends at Center for International Environmental Law (CIEL), in support of a cert petition in *Budha Jam v. International Finance Corporation*, filed by the Stanford Law School Supreme Court Litigation Clinic and EarthRights International.

The important case involves a community suffering from environmental destruction due to an IFC-financed coal-fired power plant. It implicates the commercial activities exception under the Foreign Sovereign Immunities Act, 28 U.S.C. 1605(a)(2), and the scope of liability of foreign sovereigns like the IFC, or state-owned enterprises.

As CIEL writes: "The decision below insulates sovereigns acting in their commercial capacity from liability for conduct that contributes to but is not the sole or most direct cause of harm. By contrast, international law and practice widely recognize legal responsibility for contribution to harm."

The Supreme Court should hear this case.