

Corporate Human Rights Abuse



centerforconstitutionalrights
on the front lines for social justice

The Center for Constitutional Rights

The Center for Constitutional Rights is dedicated to advancing and protecting the rights guaranteed by the United States Constitution and the Universal Declaration of Human Rights. Founded in 1966 by attorneys who represented civil rights movements in the South, CCR is a non-profit legal and educational organization committed to the creative use of law as a positive force for social change.

CCR uses litigation proactively to empower poor communities and communities of color; to guarantee the rights of those with the fewest protections and least access to legal resources; and to train the next generation of civil and human rights attorneys.

Formed in order to work hand in hand with people's movements, CCR has lent its expertise and support to a wide range of movements for social justice. We are dedicated to defending the right to political dissent, combating the mass incarceration of both citizens and immigrants, and fighting government abuse of power. We strive to complete the unfinished civil rights movement through targeting racial profiling and other modern-day manifestations of racial and economic oppression and through combating discrimination that is based on gender or sexuality.

The Center for Constitutional Rights was the first organization to fight for the rights of the men held at Guantánamo Bay and has been at the forefront of the battles to end the use of offshore prisons; to end the practice of “extraordinary rendition” and torture; and to restore the fundamental right of *habeas corpus* and due process under the law.



Holding Corporations Accountable

CCR pioneered bringing cases in U.S. courts for human rights abuses committed overseas through the use of the Alien Tort Statute. Some of the worst perpetrators are multinational corporations. From the murder and torture of activists to environmental destruction, in countries from Nigeria and Vietnam to the Occupied Palestinian Territory and South Africa, corporations must be held accountable when they violate human rights to increase profits.

In 1993, CCR sued Bosnian Serb leader Radovan Karadžić for genocide, war crimes and crimes against humanity. Our 1995 victory in that case was the first time that a private person was held liable for violations of international law in U.S. courts and opened the door to extending accountability for human rights violations to other non-governmental entities.

Building on that victory, CCR sued the Unocal oil corporation for supporting slave labor, murder, rape and forced displacement of thousands of villagers during the construction of a gas pipeline in Burma. *Doe v. Unocal* established for the first time that multinational corporations may also be held liable for human rights violations when they are complicit in abuses committed by governments they are working with. This was also the first time that a multinational corporation was charged with complicity in rape as torture.

CCR has filed suit or submitted *amicus curiae* (friend of the court) briefs against numerous corporations for their engagement or complicity in human rights violations across the globe. Some examples include:

- **Blackwater USA**, for firing on Iraqi civilians in Baghdad
- **Caterpillar, Inc.** for selling D9 bulldozers to the Israel Defense Forces, knowing they would be used to destroy homes and injure or kill the inhabitants
- **Dow Chemical** (*amicus*) for knowingly providing the U.S. government with a poisonous agent (Agent Orange) to be sprayed on civilians in Vietnam
- **Royal Dutch Petroleum and Shell Petroleum** on behalf of murdered leaders and activists in Nigeria suing for human rights abuses against the Ogoni people
- **Talisman Energy, Inc.** (*amicus*) for conspiring to commit human rights violations, including war crimes, while engaged in oil operations in southern Sudan
- **Titan Corporation and CACI International** for conspiring with U.S. officials to torture and abuse people in U.S. custody in Iraq, including the detainees at Abu Ghraib



Ken Saro-Wiwa and the Ogoni 9

In 1995, the Nigerian government executed nine Ogoni leaders (the “Ogoni 9”) after falsely accusing them of murder and trying them in front of a specially created military tribunal. Those executed included world-renowned writer and human rights activist Ken Saro-Wiwa. The executions were the result of collaboration between the companies now known as Royal Dutch Shell and the military government. Oil companies continue to collaborate with the Nigerian government in repression of environmental protesters in Nigeria, and several activists have been killed. In 1996, CCR began a series of cases to hold these corporations accountable for human rights violations.



Alien Tort Statute

Using U.S. Courts to Try Human Rights Abusers

CCR pioneered the use of the Alien Tort Statute (ATS), also known as the Alien Tort Claims Act (ATCA), to allow foreign victims of human rights abuses to seek remedies in U.S. courts with our groundbreaking victory in *Filártiga v. Peña-Irala*.

Filártiga opened the door for a series of ATS cases filed against government officials. Then, CCR successfully sued Radovan Karadžić for genocide, war crimes, and crimes against humanity, which laid the groundwork for ATS cases against non-state actors by establishing that individuals not working for any government can be liable under humanitarian and human rights law.

Since then, CCR has further expanded the application of the ATS to cases involving human rights violations by multinational corporations.

Landmark Cases

Filártiga v. Peña-Irala (1980)

Revived Alien Tort Statute (ATS) for lawsuits by non-citizens in U.S. courts challenging violations of international human rights. Won a suit on behalf of the family of Joelito Filártiga, son of a prominent opponent of the right-wing Paraguayan regime, who was tortured and killed by a Paraguayan police official. *Filártiga* was the breakthrough that led to the development of “universal jurisdiction”: the idea that some acts are so heinous that perpetrators can be held accountable anywhere in the world and created right of foreign victims to sue in U.S. courts for human rights violations committed overseas.

Doe v. Karadžić (2000)

Won a \$4.5 billion judgment against Bosnian-Serb political leader Radovan Karadžić for genocide, war crimes and crimes against humanity committed in Bosnia-Herzegovina in the early 1990s. The 1995 Second Circuit decision in this case recognized that rape and sexual violence constitute torture and genocide and laid the groundwork for cases against non-state actors, including multinational corporations, by establishing for the first time that individuals not working for any government can be liable under human rights law.

Doe v. Unocal (2004)

Historic settlement reached with Unocal oil corporation in a case that alleged corporate complicity in human rights violations in Burma. Previous landmark rulings in this case established that companies can be sued in U.S. courts for human rights violations such as forced labor and rape. A humanitarian fund resulting from the settlement was launched in 2007.

www.CCRjustice.org

learn more about our work
sign up for action alerts
become a supporter



centerforconstitutionalrights

666 broadway, new york, ny 10012