

# HAUSFELD & HECHT PARTNERS ANNOUNCE COURT'S RULING THAT SUDANESE GENOCIDE VICTIMS' CLASS ACTION WILL MOVE FORWARD

— THE CASE AGAINST FRENCH BANK BNP PARIBAS WILL BE HEARD IN NEW YORK —

NEW YORK, NY, UNITED STATES, February 19, 2021 /EINPresswire.com/ -- Judge Alison J. Nathan of the United States District Court for the Southern District of New York has ruled that a class



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*Kathryn Lee Boyd of Hecht Partners and Brent W. Landau of Hausfeld*

action can move forward against French bank BNP Paribas S.A., for conspiracy and aiding and abetting human rights violations in Sudan from 1997 to 2009. The class action is brought on behalf of twenty-one Sudanese-American victims and a putative class of more than 10,000 refugees, represented by [Hausfeld](#) and [Hecht Partners](#). The plaintiffs—victims of murder, rape, and torture—seek to hold BNP Paribas liable for illegally financing the genocidal regime of Sudanese dictator Omar al-Bashir through fraud and sanctions evasion.

Judge Nathan refused to extinguish the case, rejecting the

bank's argument that it could not be an accomplice to genocide under Swiss law, which the court had previously decided applied in the case. Adopting the views of Swiss legal scholar Franz Werro, Judge Nathan held that Swiss law indeed provides a basis for the plaintiffs to hold the bank civilly liable:

"The facts alleged in Plaintiffs' Second Amended Complaint, assuming they are true, demonstrate that BNPP knew or at least should have known that the Sudanese government was committing horrific abuses, that those abuses were committed with weapons and soldiers that were bought with funds generated by its relationship with BNPP, that the Regime would not otherwise be able to obtain those funds without BNPP deciding to break the law, and that the purpose of that law was at least in part to prevent the Regime from continuing those abuses – which is why BNPP undertook measures to evade detection of its activities from the U.S. government, its shareholders, and the world."

In its opinion, the court found that the plaintiffs have alleged enough facts to demonstrate that BNP Paribas knew or should have known that it was fueling—and profiting from—genocide. Describing the bank’s alleged scheme with the Sudanese regime as a “profitable business relationship,” Judge Nathan found that the bank allegedly “was able to generate those profits for the Regime (taking a cut for itself) in part because of genocide.”

“This ruling recognizes our clients’ claims under Swiss law and confirms that willful or negligent complicity in human rights abuses means civil liability,” said [Kathryn Lee Boyd](#) of Hecht Partners and Brent W. Landau of Hausfeld, interim co-lead counsel. “Thousands of Sudanese refugees—who have never received any compensation—are one step closer to justice. We look forward to obtaining discovery of evidence to be used at trial.”

Kashef et al. v. BNP Paribas S.A., Case No. 1:16-cv-03228-AJN (S.D.N.Y), was filed in 2016 and alleges that BNP Paribas served as the genocidal Sudanese regime’s de facto central bank from 1997 to 2007, circumventing U.S. economic sanctions to illegally provide the Sudanese government access to U.S. financial markets, which was critical for the funding of the Sudanese government’s genocidal campaign. BNP Paribas pled guilty in 2015 to circumventing U.S. sanctions designed to prevent state-sponsored human rights abuses and terrorism and agreed to pay an \$8.97 billion penalty to the United States government to settle federal and state charges. This class action litigation seeks compensation for Sudanese refugees in the United States, victims of their own government’s atrocities, funded and sustained by BNP Paribas’s sanctions-evasion scheme.

#### About Hausfeld:

Hausfeld is a leading global law firm with offices in Amsterdam, Berlin, Boston, Brussels, Düsseldorf, London, Stockholm, New York, Paris, Philadelphia, San Francisco, and Washington, DC. The firm has a broad range of complex litigation expertise, particularly in antitrust/competition, financial services, sports and entertainment, environmental, mass torts, consumer protection, and human rights matters, often with an international dimension. Hausfeld aims to achieve the best possible results for clients through its practical and commercial approach, avoiding litigation where feasible, yet litigating robustly when necessary. Hausfeld’s extensive experience with alternative and innovative fee models offers clients a diverse menu of engagement options and maximum flexibility in terms of managing their cost exposure. Hausfeld is the only claimants’ firm to be ranked by The Legal 500 and Chambers & Partners as a top tier firm in private enforcement of antitrust/competition law in both the United States and Europe. For more information about the firm, including recent trial victories and landmark settlements, please visit [www.hausfeld.com](http://www.hausfeld.com).

#### About Hecht Partners:

Hecht Partners is a national commercial litigation firm that focuses on complex civil litigation, plaintiff-side class actions, international litigation and arbitration, and intellectual property. Its

attorneys have more than 25 years of experience representing clients in a variety of high-profile disputes, including victims of Argentina's "dirty war," indigenous peoples suing sovereigns and multinational oil companies, and other victims of multinational organizations. The firm has also been at the forefront of recent litigation concerning COVID-19. Hecht Partners prides itself on its entrepreneurial spirit and lean, efficient operations based in next-generation technologies. With offices in New York and Los Angeles, Hecht Partners attorneys are also members of the bar in New Jersey, Massachusetts, Pennsylvania, Texas, Virginia, and the District of Columbia. For more information about the firm, please visit [www.hechtpartners.com](http://www.hechtpartners.com).

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