07/12/2015

To: Landgericht Dortmund
   - Zivilkammer -
   PF 105 444
   44047 Dortmund

Legal Opinion on English Common Law Principles of Tort

JABIR AND OTHERS V KiK TEXTILIEN UND NON-FOOD GmbH (‘KiK’)

We have been asked to prepare this legal opinion on the English Common Law principles of tort as they apply to the case of Jabir and Others v KiK. This analysis was prepared in response to the submission by KiK on 26/08/2015 rejecting the claimants’ complaint and in response to the legal opinion submitted to this court by Uzair Karamat Bhandari and dated 25/08/2015. Our analysis is based on the law of England and Wales, which for tort law purposes the Law of Pakistan follows. The legal opinion attached does not reiterate all the facts of this case, focusing instead on those facts which are pertinent to the application and interpretation of the legal principles concerned.

This opinion has been prepared by Professor Sheldon Leader, Professor Jane Wright, and Dr Anil Yilmaz. All are faculty members of the School of Law, University of Essex, located in the United Kingdom, and all are members of the Essex Business and Human Rights Project (EBHR). EBHR provides expert analysis across a range of issues dealing with transnational corporate liability and supply chains. Professor Leader is the Director of EBHR. He teaches, researches and publishes in this area and has authored several amicus curiae briefs in cases before courts in several jurisdictions, including Canada and Argentina, and has published reports about issues relevant to this case. Professor Wright is a specialist in the law of tort and has published several leading works on the link between tort and human rights, including her seminal work Tort Law and Human Rights (Hart Publishing 2001). Dr Yilmaz has a PhD in international investment law. She teaches, researches and publishes in investment, business and human rights, and is an active member of EBHR. Their CVs are attached to the legal opinion.