

Rajika Lynn Shah

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AREAS OF WORK

Reparation for mass atrocities and transitional justice. Civil litigation, research, and project development and management relating to the Holocaust, the Armenian genocide, Sudan/Darfur, and Libyan-sponsored terrorist aircraft hijacking. Litigated and worked on claims filed with the Conference of Jewish Material Claims Against Germany, U.S. Foreign Claims Settlement Commission, U.S. Supreme Court, U.S. Courts of Appeal, U.S. District Courts, and state courts. Collaboration with respected Los Angeles-area nonprofit legal services provider Bet Tzedek.

International criminal justice. Research and project development and direction relating to the Russian war in Ukraine, Nagorno-Karabakh/Artsakh, Khmer Rouge in Cambodia, the Rohingya in Myanmar, Syrian civil war and ISIS crimes, and the Special Court for Sierra Leone. Collaboration with international prosecutors, investigators, and trial monitors. Official NGO observer of pre-trial proceedings at Guantanamo Bay, Cuba.

Human rights; international courts and tribunals. Civil litigation, research, and project development and management relating to Alien Tort Statute and property claims of religious minorities in China, indigenous groups in Ecuador, and sexual abuse of a minor in U.S. courts; petitions and observations filed with the European Court of Human Rights, Inter-American Commission on Human Rights, Human Rights Committee, Committee on the Elimination of Discrimination against Women, Committee on the Elimination of Racial Discrimination, and Committee against Torture.

ACADEMIC EXPERIENCE

LMU LOYOLA LAW SCHOOL, Los Angeles, CA

Visiting Associate Clinical Professor and Director, Loyola Justice for Atrocities Clinic, 2023-present

Clinical Director, Loyola Genocide Justice Clinic, 2021-2023

Deputy Director, Center for the Study of Law and Genocide, 2017-2023

Adjunct Professor, 2019-2023

Acting Director, International Human Rights Clinic, 2018-2019

Supervising Attorney, Loyola Genocide Justice Clinic, 2018-2021

Staff Attorney, Genocide Clinic (through International Human Rights Clinic), 2017-2018

Courses taught: Loyola Justice for Atrocities Clinic (Standard and Advanced), International Human Rights Clinic, Law and Genocide, Comparative Religion and the Law

AMERICAN SOCIETY OF INTERNATIONAL LAW, Washington, DC

ASIL Insights Editorial Board, Sept. 2022-present

Member, David D. Caron Prize Committee, 2024

SUMMER PROGRAM: "FROM NUREMBERG TO THE HAGUE," Europe (various locations)

Special Faculty, Creighton University School of Law, July 2024-present

Courses taught: International Criminal Law

OXFORD UNIVERSITY PRESS, Oxford, UK

Managing Editor, European Court of Human Rights Module, Oxford Reports on International Law, Jan. 2017-March 2019

CHAPMAN UNIVERSITY SCHOOL OF LAW, Orange, CA

Adjunct Professor, Spring 2017, Spring 2013

Courses taught: International Trade Law, Comparative Religion and the Law (co-taught)

OXFORD UNIVERSITY PRESS, Oxford, UK

Online Development Editor, Oxford Reports on International Law, March 2007-July 2009

PEPPERDINE UNIVERSITY SCHOOL OF LAW, Malibu, CA

Acting Director, Pepperdine Legal Aid Clinic, Union Rescue Mission, Spring 2005

Adjunct Clinical Professor, Externships, Spring 2005

RESEARCH, GRANTS, AND FELLOWSHIPS

PAYING FOR THE PAST: REPARATIONS AFTER THE HOLOCAUST IN A GLOBAL CONTEXT

Research Fellow, January-June 2024. Participant in interdisciplinary research group through the Institute for Advanced Studies, Hebrew University of Jerusalem that seeks to stimulate discussion and contribute to a new framework for a long-term perspective of compensation and reconciliation.

HOLOCAUST IMMOVABLE PROPERTY RESTITUTION STUDY

Project co-leader, Nov. 2014-Jan. 2017. Conducted landmark study in consultation with governments and assisted by pro bono lawyers from leading global law firms. Researched treaties, legislation, cases, and claims programs in 47 countries that endorsed the 2009 Terezin Declaration addressing restitution of immovable property wrongfully confiscated by the Nazis and their collaborators from 1933-1945. Research grant funded by the European Shoah Legacy Institute, Prague, Czech Republic.

BRITISH INSTITUTE OF INTERNATIONAL AND COMPARATIVE LAW, London, UK

Research Assistant, Oct. 2006-Jan. 2007. Researched evidentiary matters before the International Court of Justice.

CASTAN CENTRE FOR HUMAN RIGHTS LAW, MONASH UNIVERSITY, Melbourne, Australia

Reporter, UN Human Rights Treaty Bodies, Oxford Reports on International Law, 2010-2013. Prepared headnote summaries of decisions on individual communications from UN human rights treaty bodies including the HRC, CEDAW, CAT, and CERD.

PROFESSIONAL EXPERIENCE

BROWNSTEIN HYATT FARBER SCHRECK, LLP, Los Angeles, CA

Associate Attorney, Partner Track, Feb. 2015-May 2016

SCHWARTZ RIMBERG, LLP, Los Angeles, CA

Senior Associate Attorney, April 2010-Jan. 2015

LAW OFFICE OF K. LEE BOYD, ESQ., Los Angeles, CA

Associate Attorney, Jan. 2010-Nov. 2012

U.S. DEPARTMENT OF STATE, OFFICE OF WAR CRIMES ISSUES, Washington, D.C.
Intern, Sept.-Dec. 2003. Travel to the International Criminal Tribunal for the Former Yugoslavia and Special Court for Sierra Leone.

**U.S. DEPARTMENT OF JUSTICE, ATTORNEY GENERAL'S SUMMER HONORS PROGRAM
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW**, Los Angeles, CA
Intern, May-Aug. 2003

U.S. DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA, Los Angeles, CA
Extern for the Hon. Terry J. Hatter, Jr., May-Aug. 2002

EDUCATION

THE LONDON SCHOOL OF ECONOMICS AND POLITICAL SCIENCE, London, UK
Master of Laws with Distinction, Specialism in Public International Law

Faculty: Christine Chinkin, Sir Christopher Greenwood, Gerry Simpson

Dissertation: "Violent Humanity and Humane Violence: Paradoxes in the Law of Armed Conflict" (externally peer-reviewed)

Activities: Semifinalist, Jean-Pictet Competition on International Humanitarian Law, Vrnjačka Banja, Serbia

PEPPERDINE UNIVERSITY SCHOOL OF LAW, Malibu, CA
Juris Doctor, magna cum laude; Pepperdine Law Review

OBERLIN COLLEGE, Oberlin, OH
Bachelor of Arts in Comparative Religion, Minor in History; National Merit Scholar

COURT ADMISSIONS

State Bar of California (#232994)

U.S. Court of Appeals for the Second Circuit

U.S. Court of Appeals for the Ninth Circuit

U.S. District Court for the Central District of California

U.S. District Court for the Northern District of California

PROFESSIONAL MEMBERSHIPS

American Society of International Law

International Law Association, American Branch, British Branch (previous)

Pacific Council on International Policy

REPRESENTATIVE MATTERS

- Represented pro bono Sudanese American Community Groups as *amici curiae* in Second Circuit appeal of tort claims brought by Sudanese-American refugees against major multinational investment bank.

- Successfully represented Armenian Apostolic Church of Cilicia, seeking the return of illuminated pages from a thirteenth century gospel book which were stolen during the Armenian genocide and subsequently purchased by a leading international art institution.
- Successfully argued that foreign state banks are not immune from suit in U.S. courts under the Foreign Sovereign Immunities Act based on allegations of expropriation of property in the context of genocide or mass human rights abuses. (Later reversed in a separate case at the U.S. Supreme Court.)
- Argued the Ninth Circuit appeal of putative class action against German banks for the return of deposits made prior to or during the Armenian Genocide.
- Represented Sudanese refugees in the United States in transnational tort suit brought in New York federal court against major global investment bank that pled guilty to violating U.S. sanctions laws prohibiting financial transactions with Sudan.
- Represented petitioners in en banc Ninth Circuit argument and subsequent petition for writ of certiorari to the U.S. Supreme Court in case involving foreign affairs field preemption.
- Successfully represented victims of Libyan terrorist hijacking attack in pursuing claims for compensation before the U.S. Foreign Claims Settlement Commission.
- Represented 42 members of the Huaorani people, an indigenous people and minority group in the Amazon region in Ecuador, who suffered injuries as a result of leading oil company's petroleum activities in the Amazon region in Ecuador, in New York state and related federal actions.
- Represented proposed plaintiff class of members of the Falun Gong religion in an Alien Tort Statute case against Cisco Systems, Inc. for its development of the "Golden Shield" technology used in China to persecute plaintiffs.
- Represented pro bono a Honduran-based non-profit and the widow and son of a Honduran labor rights attorney assassinated by state agents in a petition to the Inter-American Commission on Human Rights for violations of the American Convention on Human Rights.
- Coordinated one of the top two bid proposals for U.S. Agency for International Development rule of law project in Sri Lanka with the goal of improving the management and efficacy capacity of the Sri Lankan legal system.
- Represented heirs in U.S. federal court action against Romania and a state-owned film agency seeking compensation for the confiscation of a family-owned and industry-leading motion picture production and post-production company in Bucharest, Romania, which was unlawfully expropriated by the communist government in the late 1940s by way of a sham stock purchase in violation of international law.
- Represented nationally recognized dancer and choreographer in coordinated probate and civil suits for childhood sexual abuse against deceased world-renowned pop music star and associated legal entities.

PUBLICATIONS

Amicus Briefs

- *Republic of Hungary v. Simon*, Amicus Curiae Brief, Case No. 23-867, U.S. Supreme Court (to be filed Oct. 18, 2024)
- *Cassirer v. Thyssen-Bornemisza Collection Foundation*, Amici Curiae and Holocaust Scholars' Brief in Support of Plaintiffs-Appellants' Petition for Rehearing *En Banc*, Case No. 19-55616, U.S. Court of Appeals for the Ninth Circuit (filed as of March 12, 2024)
- *Cassirer v. Thyssen-Bornemisza Collection Foundation*, Amici Curiae Brief in Support of Plaintiffs-Appellants and Reversal, Case No. 19-55616, U.S. Court of Appeals for the Ninth Circuit (filed as of Sept. 28, 2023)
- *Cassirer v. Thyssen-Bornemisza Collection Foundation*, Amicus Curiae Brief of The 1939 Society, American Jewish Committee, Bet Tzedek, Center for the Study of Law & Genocide, and The Holocaust Education Center in the Desert, Inc. In Support of Petitioners, Case No. 20-1566, U.S. Supreme Court (Nov. 18, 2021)
- *Republic of Hungary v. Simon, Federal Republic of Germany v. Philipp*, Amicus Curiae Brief of The 1939 Society, Michael Bazylar, Bet Tzedek, Center for the Study of Law & Genocide, and The Holocaust Education Center in the Desert, Inc. In Support of Respondents, Case Nos. 18-1447, 19-351, U.S. Supreme Court (Oct. 28, 2020)
- *Kashef v. BNP Paribas, S.A.*, Brief of Sudanese-American Community Groups as Amici Curiae in Support of Plaintiffs-Appellants, and Supporting Reversal, Case No. 18-1304, U.S. Court of Appeals for the Second Circuit (July 12, 2018)

Articles, Books, Book Chapters

- R. Shah, *Too Little, Too Late: International Liability for Social Media Companies in Artsakh*, J. Int'l Media & Entertainment L. (forthcoming Summer 2024)
- R. Shah, "The Role of Law in Enabling Postgenocide Recovery: Assessing the Importance of Property Restitution," in Klejda Mulaj, ed., *POSTGENOCIDE: INTERDISCIPLINARY REFLECTIONS ON THE EFFECTS OF GENOCIDE* (Oxford Univ. Press 2021)
- M. Bazylar, L. Boyd, R. Shah, K. Nelson, "Guided by the Terezin Declaration: A Review of Restitution of Stolen Jewish Property after the Holocaust," in Carla Ferstman & Mariana Goetz, eds., *REPARATIONS FOR VICTIMS OF GENOCIDE, WAR CRIMES AND CRIMES AGAINST HUMANITY, SECOND EDITION* (Brill-Nijhoff 2020)
- M. Bazylar, L. Boyd, R. Shah, K. Nelson, *SEARCHING FOR JUSTICE AFTER THE HOLOCAUST: FULFILLING THE TEREZIN DECLARATION AND POST-HOLOCAUST IMMOVABLE PROPERTY RESTITUTION* (Oxford Univ. Press 2019)
- R. Shah, *Assessing the Atrocities: Early Indications of Potential International Crimes Stemming from the 2017 Rohingya Humanitarian Crisis*, 41 Loy. L.A. Int'l & Comp. L. Rev. 181 (2018)
- R. Shah, *The Making of California's Art Recovery Statute: The Long Road to Section 338(c)(3)*, 20 Chapman L. Rev. 1 (2017)
- M. Bazylar and R. Shah, *The Unfinished Business of the Armenian Genocide: Armenian Property Restitution and U.S. Courts*, 23 Southwestern J. Int'l L. 101 (2017)

- K. Nelson and R. Shah, *An Immovable Property Restitution Legislation Database: ESLI's Initiative to Bring Present and Future Meaning to the Terezin Declaration Commitments*, Vol. XIII No. 2, Limes+ 101 (2015)
- L. Boyd, R. Shah, and K. Nelson, *Negotiating the Deal: Early Strategies to Avoid Costly Disputes*, Gaming Law Review and Economics: Regulation, Compliance, and Policy (June 2013)

Human Rights Reports

- *NGO Parallel Report on the Republic of Chile's Fifth Report on the Implementation of the International Covenant on Economic, Social and Cultural Rights*, Submitted to the UN Committee on Economic, Social and Cultural Rights (2019) (editor)
- *NGO Parallel Report on the Italian Republic's 6th Report on the Implementation of the International Covenant on Economic, Social and Cultural Rights*, Submitted to the UN Committee on Economic, Social and Cultural Rights (2019) (editor)
- *NGO Parallel Report on the Republic of Tunisia's Seventh Report on the Implementation of the Convention on the Elimination of All Forms of Discrimination Against Women*, Submitted to the UN Committee on the Elimination of Discrimination Against Women (2019) (editor)

CONFERENCES AND PRESENTATIONS

- Panel Organizer and Moderator, "Claiming Power: Centering Justice for Victims in International Law," *International Law Weekend*, American Branch-International Law Association, Fordham School of Law (Oct. 2024)
- Discussant, "Advocating for an Ethnic Armenian Presence in Nagorno-Karabakh," *Human Rights in Unrecognized and Partially Recognized States: Charting a Path Forward*, Southwestern Law School Journal of International Law and Armenian Bar Association (May 2024)
- Panelist, "From Theory to Practice: Intersectional Lawyering and Feminist Justice Projects in Ukraine," *Re-Imagining Transitional Justice in Ukraine*, Center for International Human Rights, Northwestern Pritzker School of Law (April 2024)
- Panelist, "Words in Action: Law School Clinics as Advanced Legal Writing Laboratories," Rocky Mountain Legal Writing Conference, LMU Loyola Law School (March 2024)
- Moderator, *Concurrent Sessions on Career Development: Moderated Conversations: Mid-Level*, Third Annual Workshop for AAPI/MENA Women in the Legal Academy, CUNY School of Law, Queens, NY (Oct. 2023)
- Invited Presenter, *Accountability for Genocide: Armenian Genocide Remembrance Day 2023*, Presentation to Staff Attorneys of the Los Angeles Superior Court, CA (April 2023)
- Co-Organizer and Presenter, *What's Next?: Armenian Genocide Restitution in the Post-Recognition Era*, Armenian Genocide Research Program at The Promise Armenia Institute at UCLA, University of California, Los Angeles, CA (March 2023)
- Guest Lecture, International Human Rights Law, Pepperdine University Caruso School of Law, Malibu, CA (Feb. 2023)

- *International Liability for Social Media Companies in Artsakh*, In the Shadow of Territorial Conflict: Artsakh and Other Legacies of Soviet-era Media Control and Speech Norms, Southwestern Law School, Los Angeles, CA (Feb. 2023)
- Co-Moderator, *Russian Accountability for Human Rights Violations in Ukraine*, Loyola Law School, Los Angeles, CA (Nov. 2022)
- Organizer and Moderator, *Careers in Atrocity Law and Advocacy*, Loyola Law School, Los Angeles, CA (live via Zoom) (Sept. 2022)
- *Universal Jurisdiction in the United States: Challenges and Opportunities*, Panel on Universal Jurisdiction Over Serious International Law Crimes and Atrocities, Human Rights and Accountability: The Aftermath of War, Yerevan, Armenia (live via Zoom) (June 2022)
- Invited Presenter, Convening: Secondary Liability in International Law, Promise Institute for Human Rights, UCLA School of Law, CA (April 2022)
- Organizer and Moderator, *Understanding Genocide in the Russia-Ukraine Conflict*, Loyola Law School, Los Angeles (live via Zoom) (April 2022)
- Guest Lecture, *Art Law and International Law and the U.S. Legal System*, Public International Law, University of Texas, Austin, TX (Dec. 2021)
- *Conversation with Armenia's Human Rights Ombudsman Arman Tatoyan*, ANCA-WR Grassroots Conference 2021: Justice and Accountability after the Artsakh War, California State University, Northridge, CA (Nov. 2021)
- The Promise and Challenge of Armenian Genocide Looted Art Litigation, Preserving Cultural Heritage: Looted Art Litigation at Home and Beyond, Beverly Hills Bar Association, CA (March 2021)
- Discussant, *Hannah Garry: No Peace Without Justice: Mixed Claims Commissions & Transitional Justice for Victims of Atrocity Crimes*, Southern California International Law Scholars Workshop, University of Southern California, CA (Feb. 2021)
- *Restitution as a Means of Making Survivors Whole*, Jewish World Watch, Coalition Conversations: Reparations and Restitution (live via Zoom) (Nov. 2020)
- Invited Participant, Convening: Policy Options for U.S. Engagement with the ICC, Promise Institute for Human Rights, UCLA School of Law, CA (April 2020)
- *The Holocaust and Beyond: Successes, Limitations, and the Challenges of Property Restitution in United States Courts*, The Restitution Dialogues: A Transnational Conversation on Cultural Loss, Return and Renewal, Minerva Center for Human Rights, Tel Aviv University, Israel (Dec. 2019)
- Invited Opening Speech, BruinMUN (Model United Nations), University of California, Los Angeles, CA (Nov. 2019)
- Co-Organizer, *Armenian Genocide Remembrance Event: The Risks of Advocating for Armenian Genocide Recognition*, Loyola Law School, Los Angeles, CA (live via Zoom) (April 2021)
- Organizer and Host, *Live Commentary of U.S. Supreme Court Oral Argument in Federal Republic of Germany v. Philipp* (live via Zoom) (Dec. 2020)

- Co-Organizer, *When It Can't Happen Here: Genocide in the Age of Nationalism*, Loyola Law School, Los Angeles, CA (Feb. 2020)
- Co-Organizer, *Armenian Genocide Remembrance Event: Heghnar Watenpaugh, The Missing Pages: The Modern Life of a Medieval Manuscript, from Genocide to Justice*, Loyola Law School, Los Angeles, CA (April 2019)
- Organizer, *New Challenges to Justice: Genocide in the 21st Century*, Loyola Law School, Los Angeles, CA (Oct. 2018)