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Luis Sarabia Speaks to *The Washington Post* About the Supreme Court's Decision in the Nevsun Resources Case

Following the Supreme Court of Canada's ruling in *Nevsun Resources Ltd. v Araya*, Davies partner [Luis Sarabia](#), who represented the Mining Association of Canada as an intervener in the case, spoke to [The Washington Post](#) to share his insights on the appeal.

At issue was whether the three Eritrean refugees who allege they were forced to construct a mine in Eritrea were entitled to make a claim in Canada against Nevsun, the Canadian parent company, based on customary international law norms. In its landmark decision, the Court ruled that these norms are directly incorporated into Canadian law and that the lawsuit could go forward.

Luis remarked that it is "too early to tell" what impact the decision could have on mining companies and that there would probably be more clarity after the British Columbia court decides the case.

He added that "The [Supreme Court] simply ruled that it was not 'plain and obvious' that the case could not succeed. It was a very high threshold that Nevsun had, and Nevsun didn't meet that threshold."