NO. 19-1392

IN THE

Supreme Court of the United States

THOMAS E. DOBBS, M.D., M.P.H., IN HIS OFFICIAL CAPACITY AS STATE HEALTH OFFICER OF THE MISSISSIPPI DEPARTMENT OF HEALTH, *ET AL.*,
Petitioners,

v.

JACKSON WOMEN'S HEALTH ORGANIZATION, *ET AL.*,
Respondents.

On Writ of Certiorari to the United States Court of Appeals for the Fifth Circuit

BRIEF OF 141 INTERNATIONAL LEGAL SCHOLARS AS *AMICI CURIAE* IN SUPPORT OF PETITIONERS

LIGIA CASTALDI
BRIAN SCARNECCHIA
AVE MARIA SCHOOL OF LAW
707 Vineyards Blvd.
Naples, FL 34119
(239) 687-5300
lcastaldi@avemarialaw.edu
bscarnecchia@avemarialaw.edu

ANTONY B. KOLENC
Counsel of Record
106 S. Harwood St.
Dallas, TX 75201
(214) 243-1781
antony.kolenc@untdallas.edu

STEPHEN M. KRASON
FRANCISCAN UNIVERSITY OF STEUBENVILLE
1235 University Blvd.
Steubenville, OH 43952
(740) 283-3771
skrason@franciscan.edu

TABLE OF CONTENTS

TABLE OF AUTHORITIES

CASES

STATUTE

OTHER AUTHORITIES

INTEREST OF *AMICI CURIAE*[1]

Amici curiae consist of 141 international legal scholars, including former judges and justice officials, deans of law schools, and law professors and law scholars. A full identification of each *amicus* appears in the Appendix.

Amici assert the inherent right to life of the unborn and recognize Mississippi's interest in limiting access to abortion on demand. *Amici* are concerned with preserving the principle of state-level freedom to tailor abortion regulations.

Amici believe it is beneficial for the Court to take into consideration the international legal context, including how a decision of the Court might be understood in relation to other State practices.

Amici write to inform the Court that there is no international human right to abortion, and that international law is predicated on an understanding of the unborn child as a rights-holder. They also seek to inform the Court about the existence of a general standard of international practice among the minority of States that allow elective abortion, limiting abortion on demand to pregnancies of twelve weeks' gestation.

---

[1] Under Rule 37.6, *amici curiae* affirm that no counsel for a party authored this brief in whole or in part and that no person other than *amici* and their counsel made a monetary contribution to the preparation or submission of this brief. The parties have filed blanket consents to the filing of *amicus* briefs in support of either or no party.

SUMMARY OF THE ARGUMENT

If the Court chooses to consult international law in this case, it will find there is no treaty that recognizes a so-called human right to abortion, nor has such a right been established through customary law. To the contrary, the practice across all regions demonstrates a consistent State prerogative to protect unborn life. Nor has any international court declared the existence of an international right to abortion, even in regions with the most permissive abortion regimes. Third-party actors seeking to invent a new right to abortion err when interpreting key international instruments, such as the Convention on the Elimination of Discrimination against Women, the Rome Statute, and the International Conference on Population and Development. The clear language in those documents defies any attempt to repurpose them to create an international human right to abortion.

On the other hand, provisions recognizing the unborn child as a rights-holder can be found in many international human rights instruments, including the American Convention on Human Rights, the United Nations Convention on the Rights of the Child, and the International Covenant on Civil and Political Rights. Most States choose to exercise the prerogative to protect unborn life by regulating abortion much more strictly than in the United States. Even in the minority of States that permit elective abortions, most specify a gestational limit of twelve weeks. That limit is more restrictive than Mississippi's Gestational Age Act, which allows elective abortion until fifteen weeks' gestation, and then permits abortion only for medical emergencies or severe fetal abnormality.

ARGUMENT

If the Court chooses to consider international law in this case, it will find that human rights law and the pattern of State practice do not recognize a so-called right to abortion. To the contrary, the law recognizes unborn children as rights-holders and affirms the prerogative of sovereign States to protect their lives by regulating abortion even more restrictively than the Mississippi Gestational Age Act[2] challenged here.

I. WHATEVER ROLE INTERNATIONAL LAW PLAYS IN EVALUATING ABORTION REGULATIONS IN THE UNITED STATES, IT OFFERS NO BASIS FOR THE EXISTENCE OF A HUMAN RIGHT TO ABORTION.

At times, the Court consults international law to interpret the U.S. Constitution. Should the Court find it useful to consider international law in this case, it will find no authority for a human right to abortion.

A. International law can be instructive in evaluating abortion and its regulation.

At times the Court has referred to international law as "instructive" or persuasive authority in reaching decisions on a variety of constitutional matters, including the death penalty[3] and the nature

---

[2] *See* H.B. 1510, Miss. Laws 2018 (codified at Miss. Code Ann. § 41-41-191) [hereinafter *Gestational Age Act*].

[3] *Roper v. Simmons*, 543 U.S. 551, 575–76 (2005) (recounting "the overwhelming weight of international opinion against the juvenile death penalty," calling it "proper" and "instructive" to consider international law when interpreting that amendment).

of certain due-process rights.[4] Members of the Court have taken note of international law when inquiring whether a right is "deeply rooted" in history and tradition,[5] even finding that certain rights are not deeply rooted "in the tradition of other nations."[6]

Some members of the Court have questioned the propriety of consulting international law when interpreting the Constitution, rejecting the premise "that American law should conform to the laws of the rest of the world."[7] They have cited instances where

---

[4] *See, e.g., Lawrence v. Texas*, 539 U.S. 558, 573 (2003) (noting the claim of a right to engage in private homosexual conduct was not "insubstantial in Western civilization" because that right was recognized by the European Court of Human Rights).

[5] *Washington v. Glucksberg*, 521 U.S. 702, 721 (1997). *See, e.g., Obergefell v. Hodges*, 576 U.S. 644, 704 (2015) (Roberts, C.J., dissenting) (warning that the Court's approach to same-sex marriage could invalidate laws banning polygamy because, "from the standpoint of history and tradition," plural unions "have deep roots in some cultures around the world").

[6] *United States v. Windsor*, 570 U.S. 744, 808 (2013) (Alito, J., dissenting) (also noting that the Netherlands in 2000 was the first country to allow same-sex marriage).

[7] *Roper*, 543 U.S. at 624 (Scalia, J. dissenting). *See also Foster v. Florida*, 537 U.S. 990 (2002) (Thomas, J., concurring in denial of *certiorari*) (noting the Court "should not impose foreign moods, fads, or fashions on Americans"). *But see Printz v. United States*, 521 U.S. 898, 977 (1997) (Breyer, J., dissenting) (contending the experience of other nations may "cast an empirical light on the consequences of different solutions to a common legal problem").

the Court has been inconsistent in its practice, especially in its abortion jurisprudence.[8]

As argued throughout this brief, international law can be instructive on the nature of abortion and its regulation. The consensus of human rights law and State practice confirms the absence of any global right to abortion, and the recognition that unborn children are rights-holders worthy of State protection.

B. Abortion is not a human right under either conventional or customary international law.

Under the primary sources of international law—treaties and custom[9]—States have no duty to legalize abortion because it is not recognized as a human right.

With regard to treaties, abortion advocates can point to no international treaty that contains language referencing abortion,[10] nor any reference

---

[8] *See Roper*, 543 U.S. at 625–26 (Scalia, J., dissenting) (noting that jurisprudence has made the U.S. "one of only six countries that allow abortion on demand until the point of viability").

[9] *See Statute of the International Court of Justice*, art. 38(1)(a)-(b), June 26, 1945, 59 Stat. 1031, T.S. No. 993 (defining the primary sources of international law as treaties and custom).

[10] *See* Christina Zampas & Jaime M. Gher, *Abortion as a Human Right—International and Regional Standards*, 8 HUM. RTS. L. REV. 249, 280 (2008) (writing as senior advisor to a major international abortion-rights group, and acknowledging the Maputo Protocol, a regional instrument of the African Union, as the only international agreement that treats abortion as a human right).

that can be interpreted as recognizing the right to take the life of an unborn child. No such instrument exists.

Nor has any so-called right to abortion been established through customary international law, as United Nations (U.N.) officials have acknowledged.[11] To the contrary, most States prohibit or restrict abortion,[12] reflecting a standard of practice at odds with any claim of a customary right to abortion.

Recent evidence of State practice rejecting a global abortion right can be seen in the 2020 Geneva Consensus Declaration on Promoting Women's Health and Strengthening the Family, signed by government representatives from thirty-four States across the globe.[13] That declaration reaffirms that "there is no international right to abortion, nor any international

---

[11] *See, e.g.*, *Several Aspects of Sexual, Reproductive Health—Providing Information, Using Contraception, Abortion—Should Be "Decriminalized," Third Committee Told*, U.N. Press Release GA/SHC/4018 (Oct. 24, 2011) (statement to the U.N. General Assembly by Anand Grover, U.N. Special Rapporteur for Health, that there is "no international law on the matter [of abortion]").

[12] *See* Center for Reproductive Rights, *The World's Abortion Laws* (2021) (major abortion-rights group identifying 117 countries that prohibit abortion or permit it on narrow grounds), https://maps.reproductiverights.org/worldabortionlaws [hereinafter *CRR Statistics*].

[13] *See Geneva Consensus Declaration on Promoting Women's Health and Strengthening the Family* (October 2020), https://usun.usmission.gov/geneva-consensus-declaration-on-promoting-womens-health-and-strengthening-the-family/ [hereinafter *Geneva Declaration*].

obligation on the part of States to finance or facilitate abortion, consistent with the long-standing international consensus that each nation has the sovereign right to implement programs and activities consistent with their laws and policies."[14] Such assertions make clear there has been no emergence of a right to abortion by way of custom.

Nor has any international court ever declared the existence of a global right to abortion. To the contrary, the European Court of Human Rights rejected the concept under the European Convention on Human Rights. In *A, B & C v. Ireland*, the European Court unambiguously decided that Article 8's right to privacy, which protects individual personal autonomy, "cannot … be interpreted as conferring a right to abortion."[15] The court also held that Ireland's nearly full abortion ban in existence at that time "struck a fair balance between the right of the [women] to respect for their private lives and the rights invoked on behalf of the unborn."[16]

---

[14] *Geneva Declaration*.

[15] *A, B & C v. Ireland*, no. 25579/05, 2010-VI Eur. Ct. H.R. 210 (2008), paras. 214, 227, 246, 249 (judging Ireland's abortion ban).

[16] *A, B & C v. Ireland*, para. 241. The court reiterated that "[a] broad margin of appreciation" is given to European states in regard to abortion prohibitions, given the "acute sensitivity of the moral and ethical issues raised by the question of abortion" and "the importance of the public interest at stake," in this case the public interest being "the protection accorded under Irish law to the right to life of the unborn." *Id.* at para. 233.

The European Court's legal determinations about Article 8 mean that a woman's right to autonomy cannot, "*per se*, suffice to justify an abortion in terms of Convention requirements."[17] Moreover, the European Court has since reaffirmed the principle that there is no legally enforceable international right to abortion.[18]

Therefore, in the absence of any treaty or custom, it is clear that international law does not recognize a so-called human right to abortion.

C. Oft-cited international instruments cannot be fairly understood as recognizing a global human right to abortion.

Despite an absence of support in treaty and customary law, some groups and advisory bodies have tried to reinterpret international law to include a right to abortion. Third-party actors, however, lack the authority to redefine international legal norms, which are created between sovereign States.

Three noteworthy international instruments in this area require specific discussion.

---

[17] Grégor Puppinck, *Abortion and the European Convention on Human Rights*, 3(2) IRISH J. LEGAL STUD. 142, 145–46 (2013).

[18] *See, e.g.*, European Court of Human Rights, *Factsheet—Reproductive Rights* (February 2021) (citing relevant abortion cases, none of which establish a State duty to legalize abortion), https://www.echr.coe.int/documents/fs_reproductive_eng.pdf.

1. The Convention on the Elimination of Discrimination against Women.

The Convention on the Elimination of Discrimination against Women (CEDAW)[19]—signed but not ratified by the United States—was adopted by the U.N. General Assembly in 1979 after decades of work by a U.N. Commission.[20] The treaty is often mentioned by advocates in support of the effort to create an international right to abortion.

A review of CEDAW's language reveals that it does not contain the word "abortion," or any equivalent term, nor does it articulate any concept of "reproductive rights" or advocate for the termination of pregnancies. To the contrary, Article 12(2) of the Convention places an obligation on States to "ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation."[21]

---

[19] *Convention on the Elimination of All Forms of Discrimination Against Women*, 1249 U.N.T.S. 13 (1979) [hereinafter *CEDAW*].

[20] *See* United Nations Human Rights Office of the High Commissioner, *Introduction to CEDAW*, https://www.ohchr.org/EN/ProfessionalInterest/Pages/CEDAW.aspx.

[21] *CEDAW*, art. 12(2). Article 16 ensures women "[t]he same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights." *CEDAW*, art. 16(1)(e). This does not give women a right to space out their children by terminating their lives through abortion.

Although CEDAW recognizes no right to abortion, advocates who desire to expand abortion access often reference statements on the topic made within reports of CEDAW's treaty-monitoring body.[22] That committee, however, was granted no authority to bind States Parties or to reinterpret the treaty's text. As such, its "suggestions and general recommendations" have no power to create international law.[23]

2. The Rome Statute.

The Rome Statute[24]—neither signed nor ratified by the United States—went into force in 2002, forming the International Criminal Court.

While drafting the Rome Statute, abortion advocates stirred controversy by proposing a new crime—"enforced pregnancy"—which some worried could eventually be used to force States to legalize abortion domestically.[25]

---

[22] *See* Barbara Stark, *The Women's Convention, Reproductive Rights, and the Reproduction of Gender*, 18 DUKE J. GENDER L. & POL'Y 261, 272 (2011) (citing CEDAW committee reports).

[23] CEDAW provides that its treaty-monitoring committee shall "report annually" to the United Nations and may "make suggestions and general recommendations" based on "reports and information received." *CEDAW*, art. 21.

[24] *Rome Statute of the International Criminal Court*, opened for signature July 17, 1998, 2187 U.N.T.S. 90 [hereinafter *Rome Statute*], https://www.icc-cpi.int/resourcelibrary/official-journal/rome-statute.aspx.

[25] *See* Kristen Boon, *Rape and Forced Pregnancy Under the ICC Statute: Human Dignity, Autonomy, and Consent*, 32 COLUM. HUM. RTS. L. REV. 625, 637–40 (2001) (discussing the debate).

The treaty's final compromise language includes the offense of "forced pregnancy"; however, the crime's definition explicitly rejects any international obligation to decriminalize abortion.[26] Specifically, the final definition states, "'Forced pregnancy' means the unlawful confinement of a woman forcibly made pregnant, with the intent of affecting the ethnic composition of any population or carrying out other grave violations of international law. *This definition shall not in any way be interpreted as affecting national laws relating to pregnancy*."[27] Thus, it is clear this provision neither requires any State to legalize abortion nor serves as a basis for creating an international right to abortion.[28]

3. The International Conference on Population and Development.

As with the above instruments of international law, foundational U.N. documents of political will between governments also contain no right to abortion, and demonstrate continued State insistence on the protection of sovereignty in this area.

---

[26] *See* Corte Constitucional [Constitutional Court], Sala Plena, mayo 10, 2006, Sentencia C-355/ 2006, Gaceta de la Corte Constitucional (t. Tercero) (Colom.) (explaining that the Rome Statute expressly rejected any legal obligation to decriminalize abortion).

[27] *Rome Statute*, art. 7(2)(f) (emphasis added).

[28] *See* Milan Markovic, *Vessels of Reproduction: Forced Pregnancy and the ICC*, 16 MICH. ST. J. INT'L L. 439, 445–46 (2007) (discussing the limits of the crime under the ICC).

The U.N. organized the International Conference on Population and Development (ICPD) in Cairo in 1994, with thousands of participants from U.N. agencies, governments, and intergovernmental and non-governmental organizations. The following year in Beijing, the U.N. held the Fourth World Conference on Women. These conferences produced two documents agreed by U.N. Member States that are often cited by those advocating for an international right to abortion: the ICPD Programme of Action,[29] and the Beijing Declaration and Platform for Action.[30] In fact, neither of these non-binding documents can or do create a right to abortion.

The ICPD, which contains the first (and to date only) accepted definition of "sexual and reproductive health" and related terms, affirms in its Preamble that the ICPD "does not create any new international human rights," but merely affirms "the application of universally recognized human rights standards."[31] The Beijing Declaration and Platform for Action does not deviate from the definitions agreed in the ICPD.

The non-binding Cairo and Beijing outcome documents offer mixed statements on abortion. Some portions of the documents recognize the practice of

---

[29] *Report of the International Conference on Population and Development*, U.N. Doc. A/CONF.171/13/Rev.1, U.N. Sales No. 95.XIII.I8 (1995) [hereinafter *ICPD*].

[30] *Report of the Fourth World Conference on Women*, U.N. Doc. A/CONF.177/20/Rev.1, U.N. Sales No. 96.IV.13 XIII.I8 (1996) [hereinafter *Beijing Declaration*].

[31] *ICPD*, para. 1.15.

abortion.[32] Other portions qualify abortion with provisos, such as those encouraging governments to make "every attempt … to eliminate the need for abortion" and to "take appropriate steps to help women avoid abortion."[33] Most significant, the ICPD frames the discourse on abortion in the context of the sovereign right of States to make decisions regarding abortion. It provides that "[a]ny measures or changes related to abortion within the health system can only be determined at the national or local level according to the national legislative process."[34]

Not only are the Cairo and Beijing documents non-binding, but the United States' position, as noted by Vice President Albert A. Gore, Jr., during opening statements at the ICPD, did not support the creation of an international right to abortion:

> [T]he United States does not seek to establish a new international right to abortion, and we do not believe that abortion should be encouraged as a method of family planning. We also believe that policy-making in these matters should be the province of each Government, within the context of its own laws and national circumstances,

---

[32] *See, e.g., Beijing Declaration*, at 40 (encouraging states to "consider reviewing laws containing punitive measures against women who have undergone illegal abortions").

[33] *See, e.g., ICPD*, paras. 7.24 and 8.25; *accord Beijing Declaration*, para. 106(k).

[34] *ICPD*, para. 8.25.

> and consistent with previously agreed human rights standards.[35]

Other States expressed similar sentiments and formal reservations about the language of "sexual and reproductive health and reproductive rights" in the Programme of Action, rejecting the inclusion of abortion in the definition.[36] This position against abortion as a right has been consistently reaffirmed across all U.N. fora by a variety of Member States.

In sum, international law does not recognize a right to abortion by treaty or custom. To the contrary, as the next section discusses, both conventional and customary international law support the obligation of States to protect unborn children as rights-holders.

II. States Have the Sovereign Right Under International Law to Protect the Lives of the Unborn, and Most States Restrict Abortion More Heavily Than Mississippi.

Should the Court find it useful to consider international law in this case, it will find there exists a positive obligation to safeguard the unborn as rights-holders. Consistent with that obligation, the majority of countries reject abortion on demand. Indeed, no standard international viability criterion exists that would prevent legislatures from limiting abortion after fifteen weeks. On the contrary, in the minority of countries where abortion on demand is legal, the general standard is to restrict it to the first

---

[35] *ICPD*, at 177.

[36] *ICPD*, at 133–48.

trimester. At fifteen weeks, Mississippi's Gestational Age Act is more permissive than most gestational limits in countries with abortion on demand.

A. The unborn are rights-holders under international law, and States have a sovereign right to protect their lives.

Several international and regional agreements support the sovereign prerogative and strong interest of States, in accordance with their national context, to protect the lives of the unborn.

1. The American Convention on Human Rights.

The American Convention on Human Rights (ACHR)[37]—signed but not ratified by the United States—was drafted in 1969 by the Organization of American States and entered into force in 1978. It seeks "to consolidate in this hemisphere … a system of personal liberty and social justice based on respect for the essential rights of man."[38]

This regional agreement contains the clearest and most emphatic recognition of the right to life for the unborn in international human rights law.[39] Most

---

[37] *American Convention on Human Rights*, O.A.S.T.S. No. 36, 1144 U.N.T.S. 123 (adopted November 21, 1969, entered into force July 18, 1978) [hereinafter *ACHR*].

[38] *ACHR*, preamble.

[39] *See* Paolo G. Carozza, *The Anglo-Latin Divide and the Future of the Inter-American System of Human Rights*, 5 NOTRE DAME J. INT'L & COMP. L. 153, 164 (2015) (noting its clear language).

significant, Article 4(1) declares that "[e]very person has the right to have his life respected. This right shall be protected by law and, in general, *from the moment of conception*. No one shall be arbitrarily deprived of his life."[40] In this way, the ACHR recognizes an obligation to protect the unborn both before and after the point of viability.[41]

Although the United States has not ratified the ACHR, it also has not withdrawn its signature, and no official statements have been made against becoming a party to the Convention. Thus, under the interpretative methodology of the Vienna Convention on the Law of Treaties, the United States might be bound by the treaty under customary international law.[42] If so, it has at least a minimal legal duty to "refrain from acts that would defeat the object and purpose" of the Convention,[43] which would support efforts by Mississippi and other states to reduce the number of elective abortions.

---

[40] *ACHR*, art. 4(1) (emphasis added).

[41] Even under controversial rulings of the Inter-American Court of Human Rights, interpreting Article 4's language to apply "at the moment when the embryo becomes implanted in the uterus," *see Artavia Murillo et al. ("In Vitro Fertilization") v. Costa Rica*, Inter-Am. Ct. H.R. (ser. C) no. 257, para. 264 (Nov. 28, 2012), the unborn are entitled to protection well before the point of viability.

[42] *See Vienna Convention on the Law of Treaties*, 31–32, May 22, 1969, 1155 U.N.T.S. 331, art. 18 [hereinafter *VCLT*].

[43] *See* Lori F. Damrosch and Sean D. Murphy, INTERNATIONAL LAW: CASES AND MATERIALS 134–35 (6th ed. 2014) (explaining the binding effects under the Vienna Convention when a State signs an agreement without ratification).

2. The United Nations Convention on the Rights of the Child.

The U.N. Convention on the Rights of the Child (UNCRC)[44]—signed but not ratified by the United States—was drafted in 1989 based on the 1959 U.N. Declaration of the Rights of the Child (UNDRC).[45]

Like its predecessor, the Preamble of the UNCRC affirms that "the child … needs special safeguards and care, including appropriate legal protection *before as well as after birth*," without reference to viability.[46] This preambular language is useful in interpreting the definition of "child" throughout the treaty.[47]

Article 1 defines a "child" as "every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier."[48]

---

[44] *United Nations Convention on the Rights of the Child*, 1577 U.N.T.S. 3 (adopted 20 November 1989, entered into force 2 September 1990) [hereinafter *UNCRC*].

[45] *See* Thomas Finegan, *International Human Rights Law and the "Unborn": Texts and Travaux Préparatories*, 25 TUL. J. INT'L & COMP. L. 89, 111 (2016) (discussing the history of the UNCRC).

[46] *UNCRC*, Preamble, para. 6 (emphasis added).

[47] Some commentators argue the UNCRC's preambular language is inoperable because a compromise resulted in placing an interpretative statement in the *travaux préparatoires* that, "in adopting this preambular paragraph, the Working Group does not intend to prejudice the interpretation of article 1 or any other provision of the Convention by State parties." Finegan, *supra* note 45, at 113–14. Professor Finegan compellingly rebuts the untenable position of those commentators. *See id*. at 114–21.

[48] *UNCRC*, art. 1.

While this definition provides an upper limit as to who is a child, it does not provide a lower limit on when the status of "child" attaches. This definition and the preaumbular language affirm that the unborn are included in the definition of "child" in the UNCRC and entitled to all rights attached to that status.

Most notable, Article 6 of the UNCRC establishes the obligation of States to "ensure to the maximum extent possible the survival and development of the child."[49] Thus, because the term "child" includes unborn children, the UNCRC treats the unborn as rights-holders worthy of protection by the State.

3. The International Covenant on Civil and Political Rights.

The International Covenant on Civil and Political Rights (ICCPR)[50]—signed and ratified by the United States—was drafted in 1966 and entered into force in 1976. As with CEDAW, the ICCPR is often referenced by abortion advocates due to like-minded positions[51] taken by its treaty-monitoring body (the Human

---

[49] *UNCRC*, art. 6.

[50] *International Covenant on Civil and Political Rights*, 999 U.N.T.S. 171 (adopted December 1966, entered into force 23 March 1976) [hereinafter *ICCPR*].

[51] *See, e.g.,* Human Rights Committee, *Concluding Observations on the Fourth Periodic Report of Ireland*, para. 9, U.N. Doc. CCPR/C/IRL/ CO/4 (Aug. 19, 2014) (advocating under the ICCPR for the decriminalization of abortion in certain cases).

Rights Committee), which has no power to reinterpret the treaty or to bind States Parties.[52]

A review of the ICCPR's language reveals no discussion of abortion or reproductive rights. To the contrary, Article 6(1) declares, "Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life."[53] Further, Article 6(5) protects the lives of unborn children by requiring that the sentence of death "shall not be carried out on pregnant women."[54] The fact that the States intended this language to protect the unborn is evident in the *travaux préparatoires*[55] of the ICCPR, which hold that "the death sentence should not be carried out on pregnant women … *to save the life of an innocent unborn child*."[56] Thus, the ICCPR provides further authority for States to safeguard the unborn.

---

[52] *See ICCPR*, arts. 28–45 (setting out duties of the Committee). *See also* Finegan, *supra* note 45, at 123 (detailing the "generally accepted" position that the Human Rights Committee's work does not form part of binding international human rights law).

[53] *ICCPR*, art. 6(1).

[54] *ICCPR*, art. 6(5).

[55] In accord with the guidance on interpreting treaties within the Vienna Convention, the *travaux préparatoires* are considered a "supplementary means of interpretation." *VCLT*, art. 32.

[56] *Report of the Third Committee to the 12th Session of the General Assembly*, A/3764 § 118, 5 Dec. 1957 (emphasis added).

4. Other international agreements that protect the unborn as rights-holders.

Several other instruments also provide support to the unborn as rights-holders under international law.

First (and similar to the ICCPR), Article 6(4) of the Geneva Protocol Relating to the Protection of Victims of Non-International Armed Conflicts[57] protects "pregnant women or mothers of young children" from the death penalty.[58] In addition, Article 16 of the Geneva Convention Relative to the Protection of Civilian Persons in Time of War[59] protects "expectant mothers" (along with "the wounded and sick, as well as the infirm"), making them "the object of particular protection and respect" during wartime.[60] These articles—contained within humanitarian treaties now considered by many to be sources of customary international law—evince a distinct intent to protect the rights of the unborn.

---

[57] *Geneva Protocol Relating to the Protection of Victims of Noninternational Armed Conflicts*, 1125 U.N.T.S. 609 (adopted June 8, 1977, entered into force December 7, 1978) [hereinafter *Protocol II*].

[58] *Protocol II*, art. 6(4).

[59] *Geneva Convention Relative to the Protection of Civilian Persons in Times of War,* 75 U.N.T.S. 287 (adopted August 12, 1949, entered into force October 21, 1950) [hereinafter *Geneva Convention*].

[60] *Geneva Convention*, art. 16.

Moreover, the European Court of Human Rights has not excluded the unborn from the scope of rights protected under the European Convention on Human Rights, even when national legislation allows for abortion.[61] On that basis, the European Court has recognized that States can have a legitimate interest in protecting morals and limiting abortions.[62]

Finally, some scholars believe that the unborn are rights-holders under the Universal Declaration of Human Rights, drafted in 1948 and considered foundational in international human-rights law.[63]

In sum, key regional and international documents provide States a strong basis for regulating abortion and for protecting the unborn as rights-holders.

---

[61] *See* Puppinck, *supra* note 17, at 147–52 (discussing *Vo v. France*, [G.C.], no. 53924/00, 2004-VIII Eur. Ct. H.R. 67, 8 July 2004, at para. 75, and other cases affirming this principle).

[62] *See Odièvre v. France*, no. 42326/98, 38 Eur. Ct. H.R. Rep. 43, 13 February 2003, at paras. 3, 45.

[63] *See, e.g.,* Finegan, *supra* note 45, at 93–100 (discussing the *Universal Declaration of Human Rights*, G.A. Res. 217 (III) A (Dec. 10, 1948)). Professor Finegan argues that the use of the terms "everyone" and "all" in Article 3 ("Everyone has the right to life, liberty and security of person"), Article 6 ("Everyone has the right to recognition everywhere as a person before the law"), and Article 7 ("All are equal before the law….") "must be understood in light of the preamble's invocation of "all members of the human family" and Article 1's declaration that "[a]ll human beings are born free and equal in dignity and rights." *Id.*

B. Most States choose to protect the lives of the unborn by denying abortion on demand and placing strict restrictions on access to abortion services.

With ample support in international law to protect the lives of the unborn, most States exercise their prerogative to regulate abortion more strictly than in the United States. Indeed, through the lens of comparative national law, Mississippi's abortion regime is more permissive than in most countries.

A comparative view of national abortion laws demonstrates that the United States is out of step with most countries, currently ranking among the most permissive in the world. A recent United Nations study found that only thirty-four percent of countries permit abortion solely based on a woman's request.[64] Further, only eight States allow abortion without restriction as to reason after twenty weeks' gestation: the United States, Canada, China, Iceland, the Netherlands, North Korea, Singapore, and Vietnam.[65] Most of these States permit abortion on demand at any gestational age.

---

[64] United Nations Dep't of Economic and Social Affairs, Population Division, *World Population Policies 2017: Abortion laws and policies – A global assessment: Highlights* (2020) (ST/ESA/SER.A/448), 1 [hereinafter *U.N. World Population Policies*].

[65] *See* Angela Baglini, *Gestational Limits on Abortion in the United States Compared to International Norms*, CHARLOTTE LOZIER INSTITUTE (2014), https://lozierinstitute.org/internationalabortionnorms/. *See also CRR Statistics, supra* note 12.

The majority of States exercise their prerogative under international law to heavily restrict access to abortion by way of narrow grounds, gestational limits, and other requirements. According to the Center for Reproductive Rights (CRR)—a global advocacy group seeking to make abortion an international human right—117 countries either prohibit abortion entirely or permit the practice only on narrow grounds.[66] In this category, 24 countries prohibit abortion altogether, with some allowing for limited exceptions to save the life of the mother under the criminal-law principle of necessity.[67] The other 93 countries permit abortion only on the grounds of saving the mother's life, preserving her health, or in cases of rape, incest, or fetal impairment.[68]

These statistics clearly demonstrate that abortion is not an international right and that most countries regulate abortion more heavily than in Mississippi.

C. The minority of States that choose to allow elective abortion impose a standard gestational limit of twelve weeks, which is more restrictive than Mississippi's Gestational Age Act.

While most States do not allow purely elective abortions, even in the minority of States that do, most specify a gestational limit of twelve weeks. This is more restrictive than Mississippi's Gestational Age

---

[66] *See CRR Statistics*, *supra* note 12.

[67] *See id.*

[68] *See id.*

Act, which allows elective abortion until fifteen weeks' gestation, and then permits abortion only for medical emergencies or severe fetal abnormality.

Within the international context there exists a variety of national approaches to regulating abortion. Notably, most countries with legalized elective abortion choose to specify gestational limits.[69] According to a recent U.N. study, of those States that allow abortion on demand, 82 percent specify some gestational limit,[70] with 84 percent of those States legislating a limit less than 12 weeks' gestation.[71]

Further, Western States with highly permissive abortion laws, such as France, Italy, Germany, Spain, Norway, and Switzerland, have a gestational limit of fourteen weeks or earlier for abortion on demand, allowing later exceptions only on restricted medical grounds.[72] This illustrates the inverse relationship between the timing of a State's gestational limit and the restrictiveness of the corresponding grounds for abortion. Thus, those States with earlier gestational limits are also more permissive in allowing abortion on demand.[73]

In sum, there is no international legal basis—neither on the books nor in practice—to claim the existence of a right to abortion in general, let alone to

---

[69] *See U.N. World Population Policies*, *supra* note 64, at 1.

[70] *See id.* at 11.

[71] *See id.* at 12.

[72] *See CRR Statistics*, *supra* note 12.

[73] *See id.*

foreclose State legislatures from establishing limits to abortion after fifteen weeks' gestation. Consistent with international law principles, Mississippi has a strong interest in protecting the rights of the unborn by limiting elective abortion. Further, Mississippi's Gestational Age Act is comparable to, and in fact, more permissive than, the laws of most States that allow abortion on demand. Thus, from the perspective of international law, Mississippi's decision to exercise its prerogative to regulate abortion in this way is consistent with the principle of state-level freedom to tailor abortion laws.

CONCLUSION

For the foregoing reasons, *Amici* request that this Court uphold Mississippi's Gestational Age Act. The statute is harmonious with the principles contained within the U.S. Constitution. Further, it is consistent with international norms accepted by the United States that affirm the sovereign prerogative of States to protect unborn life from conception, not viability.

Respectfully submitted,

LIGIA CASTALDI
BRIAN SCARNECCHIA
AVE MARIA SCHOOL OF LAW
707 Vineyards Blvd.
Naples, FL 34119
(239) 687-5300
lcastaldi@avemarialaw.edu
bscarnecchia@avemarialaw.edu

STEPHEN M. KRASON
FRANCISCAN UNIVERSITY OF STEUBENVILLE
1235 University Blvd.
Steubenville, OH 43952
(740) 283-3771
skrason@franciscan.edu

ANTONY B. KOLENC
Counsel of Record
106 S. Harwood St.
Dallas, TX 75201
(214) 243-1781
antony.kolenc@untdallas.edu

July 27, 2021

APPENDIX

APPENDIX

LIST OF *AMICI CURIAE*

Former Judges and Justice Officials

1. **Changho Ahn**, Esq., Former Justice of the Constitutional Court of Korea, 2012 – 2018 (Republic of Korea)

2. **Rodolfo Barra**, Doctor of Juridical Sciences, Former Vice President of the Supreme Court of Argentina, 1990 – 1993 (Argentina)

3. **Giovanni Bonello**, Former Judge of the European Court of Human Rights, 1998 – 2010 (Malta)

4. **Tonio Borg**, Dr., Former Deputy Prime Minister, 2004 – 2012, Former Minister for Justice of Malta, 2003 – 2008 (Malta)

5. **José Luis Cea**, Juris Scientiae Doctor, Former President of the Chilean Constitutional Tribunal, Professor at the Pontificia Universidad Católica de Chile (Chile)

6. **Zbigniew Cieślak**, Prof. Dr. hab., Justice of the Constitutional Tribunal of the Republic of Poland, 2006 – 2015, Emeritus Professor of the Cardinal Wyszyński University (Poland)

7. **Rosalinda Cruz de Williams**, Court Judge, Constitutional Chamber, 2009 – 2012 (Honduras)

8. **Vincent A. De Gaetano**, Chief Justice Emeritus, Malta, 2002 – 2010, Former Judge and Section President of the European Court of Human Rights, 2010 – 2019 (Malta)

9. **Seunggyu Kim**, Esq., Former Minister of Justice of Korea, 2004 – 2005, Former Director of National Intelligence Service of Korea, 2005 – 2006 (Republic of Korea)

10. **Kurian Joseph**, Former Justice of the Supreme Court of India, 2013 – 2018 (India)

11. **John Larkin**, QC, Former Attorney General for Northern Ireland, 2010 – 2020 (Northern Ireland)

12. **Rafael Nieto Navia**, Doctor of Law and Economic Sciences, Former President of the Interamerican Court of Human Rights, 1987 – 1989, Former Member of the U.N. Criminal Tribunals for the former Yugoslavia, 1997 – 2005, and Rwanda, 1999 – 2003 (Colombia)

13. **Marisol Peña**, Former President of the Chilean Constitutional Tribunal, Professor, Pontificia Universidad Católica de Chile (Chile)

14. **Maria Lourdes Sereno**, Former Chief Justice of the Supreme Court of the Philippines, 2012 – 2018 (Philippines)

15. **Arnd Uhle**, Dr., Professor of Public and Constitutional Law, University of Leipzig, Germany; Judge at the Constitutional Court of Saxony (Germany)

16. **Jorge Vanossi**, Juris Scientiae Doctor, Former Minister of Justice, 2002, Universidad de Buenos Aires (Argentina)

Deans of Law Schools

17. **Gabriel Bocksang**, Ph.D., Dean of Law School, Pontificia Universidad Católica de Chile (Chile)

18. **Ignacio Covarrubias**, Doctor of Laws, Professor and Dean of Law School, Universidad Finis Terrae (Chile)

19. **John Czarnetzky**, J.D., Dean of Law School, Ave Maria School of Law (United States)

20. **Eric Enlow**, Dean and Professor of Law, Handong International Law School (South Korea)

21. **Nicholás Etcheverry**, Ph.D. in Law, Professor and Former Dean of Universidad de Montevideo School of Law (Uruguay)

22. **Manuel García-Mansilla**, Doctor of Laws (c), Professor and Dean of Law School, Universidad Austral (Argentina)

23. **Hee-Eun Lee, Ph.D.**, Associate Dean and Professor of Law, Handong International Law School (South Korea)

24. **José Ignacio Martínez**, European Ph.D., Professor and Dean of Law School, Universidad de los Andes (Chile)

25. **Etienne Montero**, Former Dean of Law School, Université de Namur (Belgium)

26. **Susana Mosquera**, European Ph.D., Professor and Vice Dean of Law School, Universidad de Piura (Peru)

27. **Stefan Mückl**, Prof. Dr. iur. Dr. iur. can., Vice Dean School of Canon Law, Pontifical University of the Holy Cross (Italy)

28. **Orlando Poblete**, Esq., Former Dean of Law and President, Universidad de los Andes (Chile)

29. **Rafael Santa María**, Doctor of Laws, Dean of Law School, Universidad Católica San Pablo (Peru)

30. **Paweł Sobczyk**, Prof. Dr. hab., Dean of the Faculty of Law and Head of the Chair of Constitutional Law University of Opole (Poland)

Professors of Law and Law Scholars

31. **Max Silva Abbot**, Juris Scientiae Doctor, Universidad San Sebastián (Chile)

32. **Juana Acosta**, Doctor of Law, Prof. and Director of the Legal Clinic, Universidad de la Sabana (Colombia)

33. **Christiaan W.J.M. Alting von Geusau**, Ph.D., Professor of Law and Rector, ITI Catholic University (Austria)

34. **Julio Alvear**, Ph.D., Philosophy and Law, Professor, Universidad del Desarrollo (Chile)

35. **Glauco Barreira Magalhães Filho**, Ph.D., Universidade Federal do Ceará (Brazil)

36. **Jorge Barrera**, Juris Scientiae Doctor (c), Universidad de Chile (Chile)

37. **Rodrigo Otávio Bastos Silva Raposo**, Ph.D., Professor, Universidade Federal do Maranhão (Brazil)

38. **Soledad Bertelsen**, Juris Scientiae Doctor, Universidad de los Andes (Chile)

39. **Francesco Saverio Bertolini**, Professor of Constitutional Law, University of Teramo (Italy)

40. **Alberto Bianchi**, Doctor of Laws, Universidad de Buenos Aires, Professor, Universidad Austral (Argentina)

41. **Adriano Broleza**, Ph.D., Professor, Pontifícia Universidade Católica de Campinas (Brazil)

42. **Janet Epp Buckingham**, Prof. Dr., LL.D., Trinity Western University (Canada)

43. **Gabriela Carpio**, Doctor of Law (c), Professor, Universidad Católica San Pablo (Peru)

44. **Jose Carlos Chavez-Fernandez Postigo**, Ph.D., Associate Professor, Universidad Católica San Pablo (Peru)

45. **Juan Cianciardo**, Juris Scientiae Doctor, Professor of Law, Vice-Dean of Postgraduate Studies and Innovation in Education, University of Navarra (Spain)

46. **Mario Correa B.**, Doctor of Laws, Professor, Pontificia Universidad Católica de Chile (Chile)

47. **Roberto José Cruz**, Doctor of Laws, Universidad Isabel I (Spain)

48. **David Delgado Ramos**, Juris Scientiae Doctor, Professor of Constitutional Law, King Juan Carlos I. University (Spain)

49. **Francisco Javier Díaz Revorio**, Prof. Dr. Dr. h.c. mult., Professor of Constitutional Law, University of Castilla-La Mancha (Spain)

50. **María Marta Didier**, Doctor of Laws, Professor, Universidad Católica de Santa Fe (Argentina)

51. **Xavier Djon**, Em. Professor, Faculté de Droit, Université de Namur (Belgium)

52. **Carmen Dominguez**, Ph.D. in Law, Professor, Pontificia Universidad Católica de Chile (Chile)

53. **Gunnar Duttge**, Dr., Professor of Medical and Criminal Law, University of Göttingen (Germany)

54. **Alvaro Ferrer, Esq.**, LL.M., Professor and Secretary General, Universidad Finis Terrae, in his official capacity as Executive Director of *amici*, **Comunidad y Justicia** (Chile)

55. **María Inés Franck**, Esq., Professor, Universidad Católica (Argentina)

56. **Zuzanna Gądzik**, Dr., Associated Professor, Chair of the Criminal Law, Catholic University of Lublin (Poland)

57. **Ricardo Gaiotti Silva**, Masters of Law, Professor, Claretiano Centro Universitário (Brazil)

58. **Angela Vidal Gandra Da Silva Martins**, Doctor, Philosophy of Law, Mackenzie University (Brazil)

59. **Ives Gandra Da Silva Martins**, Ph.D., Founder and President Emeritus CEU Law School (Brazil)

60. **Gabriela Garcia Escobar**, Professor, Universidad Panamericana (Mexico)

61. **Jeremy I. Gatdula**, Juris Scientiae Doctor, Professor, School of Law and Governance, University of Asia and the Pacific (Philippines)

62. **Maria Gattinoni**, LL.M., Universidad Austral (Argentina)

63. **Milton Gonçalves Vasconcelos Barbosa**, Ph.D., Professor, Universidade Federal do Piauí (Brazil)

64. **James Gould**, Ph.D., Lecturer, Barrister, University of Plymouth (United Kingdom)

65. **Alicja Grześkowiak**, Prof. Dr. hab., Emeritus Professor of the Catholic University of Lublin, Member Ordinaria of the Pontifical Academia Pro Vitae, 2002 – 2021, Senator of the Republic of Poland and Speaker of the Senate, 1997 – 2001, Vice Speaker of the Senate, 1991 – 1993 (Poland)

66. **Mark Hill**, QC, Professor, Centre for Law and Religion, Cardiff University (United Kingdom)

67. **Christian Hillgruber**, Dr., Professor of Constitutional Law, University of Cologne (Germany)

68. **Sławomir Hypś**, Dr., Associated Professor, Chair of Criminal Law, Catholic University of Lublin (Poland)

69. **Ana Maria Idarraga**, LL.M., Professor, Universidad de la Sabana (Colombia)

70. **Vieroslav Juda**, Juris Dr., Ph.D., Department of Constitutional Law and Theory of Law, Matej Bel University (Slovakia)

71. **Augustine Richard Kakeeto**, Centre for Social Justice and Ethics, The Catholic University of East Africa (Kenya)

72. **Chan Jin Kim**, Ph.D. in Law, Attorney at Law, Former Professor, University of Washington, Former Member of National Assembly (Korea)

73. **Il-Su Kim**, Dr.iur, Attorney at Law, Professor, Korea University, Former President of Korea Institute of Criminology (Korea)

74. **Winfried Kluth**, Dr., Professor of Public Law, University of Halle-Wittenberg (Germany)

75. **Luciano Laise**, Doctor of Laws, Researcher, Consejo Nacional de Investigaciones Científicas y Técnicas (Argentina)

76. **Peter Lewisch**, DDr., Professor of Criminal law and Criminology, University of Vienna (Austria)

77. **Andrés López**, Juris Scientiae Doctor, Universidad de la Sabana (Colombia)

78. **Nicolas Luco**, J.D., LL.M., Professor of Civil Procedure and Legal Ethics, Pontificia Universidad Católica de Chile (Chile)

79. **Raul Madrid**, Ph.D., Professor of Law and Philosophy, Pontificia Universidad Católica de Chile (Chile)

80. **Juan Martínez Otero**, Juris Scientiae Doctor, Professor of Administrative Law, University of Valencia (Spain)

81. **Raymundo Martinez de la Torre**, Universidad Anáhuac (Mexico)

82. **Sofia Maruri Armand-Ugón**, Senior Lecturer in Human Rights Law, Universidad de Montevideo (Uruguay)

83. **Juan Alonso Tello Mendoza**, Juris Scientiae Doctor, Lecturer of Law, University of Barcelona (Spain)

84. **Caterina Milo**, Ph.D., Lecturer, University of Exeter (United Kingdom)

85. **Pedro Montano y Gómez de Alía**, Doctor Europues in Law, Professor, Universidad de Montevideo (Uruguay)

86. **Gabriel Mora**, Ph.D. in Law, Professor, Universidad Austral (Argentina)

87. **Guillermo A. Morales Sancho**, Juris Scientiae Doctor, Assistant Professor of Constitutional Law, University of Navarra (Spain)

88. **Rafael Navarro-Valls**, Ph.D. in Law, Prof. Emeritus Universidad Complutense de Madrid (Spain)

89. **Dilyan Nikolchev**, Prof. Dr., Sofia University (Bulgaria)

90. **Juan Alfredo Obarrio Moreno**, Juris Scientiae Doctor, Professor of Roman Law, Universidad de Valencia (Spain)

91. **Hernán Olano García**, Dr. MSc. Ph.D., Professor and President UNICOC Institución Universitaria Colegios de Colombia (Colombia)

92. **Cristobal Orrego**, Ph.D. in Law, Professor of Jurisprudence, Pontificia Universidad Católica de Chile (Chile)

93. **Pier Paolo Pigozzi**, Juris Scientiae Doctor, Universidad Finis Terrae (Chile)

94. **Anatoliy Pchelintsev**, Dr. iur., Professor of the Russian State Humanitarian University (Russia)

95. **Francisca Pérez Madrid**, Juris Scientiae Doctor, Professor of Law, University of Barcelona (Spain)

96. **Roberto Pinheiro Campos Gouveia Filho**, Ph.D., Professor, Universidade Católica do Pernambuco (Brazil)

97. **Martin Píry**, Juris Dr., Ph.D., Department of Administrative Law, Matej Bel University (Slovakia)

98. **Ricardo Ramírez-Calvo**, Professor, Universidad de San Andrés (Argentina)

99. **Giovanna Razzano**, Professor of Public Law, University La Sapienza (Italy)

100. **Jean Marques Regina**, Visiting Professor, Universidade Luterana do Brasil, Vice President for International Relations, Instituto Brasileiro de Direito e Religião (IBDR) (Brazil)

101. **Ignacio de la Riva**, Doctor of Law, Professor of Law, Pontificia Universidad Catolica (Argentina)

102. **Neville Rochow**, QC, Associate Professor of Law (Adjunct), Adelaide Law School (Australia)

103. **Maria Grazia Rodomonte**, Juris Scientiae Doctor, Associate Professor of Public Law, University La Sapienza (Italy)

104. **Ana Luiza de Morais Rodrigues Braga**, Masters of Law, Universidade São Judas (Brazil)

105. **Juan Pablo Andrade Rojas**, Titular Professor of Human Rights, Titular Professor of Political Theory, Academic Coordinator of the Bachelor in Law Program, Universidad Panamericana (México)

106. **Marcus Paulo Rycembel Boeira**, Ph.D., Professor, Universidade Federal do Rio Grande do Sul (Brazil)

107. **Estela Sacristán**, Juris Scientiae Doctor, Universidad Austral (Argentina)

108. **Victor Sales Pinheiro**, Ph.D., Professor, Universidade Federal do Pará (Brazil)

109. **Rafael Cabellero Sánchez**, Juris Scientiae Doctor, Professor of Administrative Law, University Complutense (Spain)

110. **Pablo Sánchez-Ostiz Gutiérrez**, Dr., Professor of Penal Law, University of Navarra (Spain)

111. **Alfonso Santiago**, Doctor of Laws, Professor, Universidad Austral (Argentina)

112. **William Saunders**, Juris Doctor, Professor and Director of the Center for Human Rights, The Catholic University of America (United States)

113. **Vanja-Ivan Savić**, Dr., Associate Professor, University of Zagreb (Croatia)

114. **Patrick Sensburg**, Member of the German Parliament and Professor of Public and European Law, University of Applied Sciences for Police and Public Administration in North Rhine-Westphalia (Germany), Visting Professor at the University of Vienna (Austria)

115. **Luis Alejandro Silva**, Ph.D., Professor of Constitutional Law, Universidad de los Andes (Chile)

116. **Marcel Edvar Simões**, Ph.D., Professor, Universidade Paulista (Brazil)

117. **Eugenio Simón Acosta**, Juris Scientiae Doctor, Professor of Tax Law, University of Navarra (Spain)

118. **Fernando Simón-Yarza**, Ph.D., Professor of Constitutional Law, University of Navarra (Spain)

119. **Maria Eugenia Simón-Yarza**, Juris Scientiae Doctor, Professor of Tax Law, University of Navarra (Spain)

120. **Elton Somensi de Oliveira**, Ph.D., Professor, Pontifícia Universidade Católica do Rio Grande do Sul (Brazil)

121. **Marcin Stębelski**, Associate Professor at the Faculty of Law and Administration, University of Warsaw, Chair of Constitutional Law (Poland)

122. **Richard Stith**, Juris Scientiae Doctor, Universidad San Sebastián (Chile)

123. **Dongyiel Syn**, Ph.D., Professor of Law, Hankyong National University (South Korea)

124. **José Tadeu de Barros Nóbrega**, Masters of Law, Professor, Universidade Paulista (Brazil)

125. **Venceslau Tavares Costa Filho**, Ph.D., Professor, Universidade Federal do Pernambuco (Brazil)

126. **Regina Beatriz Tavares da Silva**, Ph.D., Professor, Centro Universitário 7 de Setembro (Brazil)

127. **Li-Ann Thio**, Ph.D., Provost Chair Professor, Faculty of Law National University of Singapore (Singapore)

128. **Fernando Toller**, Ph.D. in Law, Professor, Universidad Austral (Argentina)

129. **Thomas Traub**, Senior Lecturer in Law, Federal University of Applied Administrative Sciences, Brühl (Germany)

130. **Giuseppe Valditara**, Ph.D., Professor of Roman Law, University of Turin (Italy)

131. **Trilce Valdivia Aguilar**, Universidad Católica San Pablo (Peru)

132. **Maria Aleksandra Vanney**, Ph.D., Professor, University Nicolaus Copernicus (Poland)

133. **Filippo Vari**, Ph.D., Full Professor of Constitutional Law, Università Europea di Roma (Italy)

134. **Thiago Rafael Vieira**, Visiting Professor at Universidade Luterana do Brasil, President and CEO, Instituto Brasileiro de Direito e Religião (IDBR) (Brazil)

135. **Rafael Vieira de Azevedo**, Ph.D., Professor, Universidade Federal do Rio Grande do Norte (Brazil)

136. **Leonardo Villanueva**, Law Professor, Universidad Católica Boliviana "San Pablo" (Bolivia)

137. **Krzysztof Wąsowski**, Dr., Association Professor, Law Institute of the Academy of Military Art (Poland)

138. **Marcin Wielec**, Habiletated Dr., Head of the Chair of Criminal Procedure, Cardinal Wyszyński University, Director of the Judicature Institute (Poland)

139. **Felipe Widow**, Ph.D. in Philosophy and Law, Professor, Universidad Católica de Chile (Chile)

140. **Pilar Zambrano**, Juris Scientiae Doctor, Professor of Philosophy of Law, University of Navarra (Spain)

141. **Álvaro Zegarra**, Ph.D. in Law, Professor of Law, Universidad de Piura (Peru)