

Deference to Foreign Sovereign Submissions

Following up on my previous post here, the United States Supreme Court granted certiorari on January 12, 2018 in *Animal Science Products, Inc. v. Hebei Welcome Pharmaceutical Co.* (No. 16-1220). The grant was limited to the following question presented:

Whether a court may exercise independent review of an appearing foreign sovereign's interpretation of its domestic law (as held by the Fifth, Sixth, Seventh, Eleventh, and D.C. Circuits), or whether a court is "bound to defer" to a foreign government's legal statement, as a matter of international comity, whenever a foreign government appears before the court (as held by the opinion below in accord with the Ninth Circuit).

For some of my thoughts on this question, offered well in advance of this case, see [here](#).