

International Conference  
**Judicial Independence in a  
Globalized Legal Culture**  
The Use of Foreign and Transnational  
Precedents by National Supreme Courts

6 June 2015  
9:00am  
Università Bocconi  
Room B  
via Sarfatti 25, Milan



**Università Commerciale  
Luigi Bocconi**

Angelo Sraffa  
Department of Legal Studies



**Alma Mater Studiorum**  
School of Political Sciences



**University Of Cambridge**  
Centre for Public Law



מִשְׁכַּן שַׁחַר  
THE HEBREW UNIVERSITY OF JERUSALEM  
**Sacher Institute**  
Faculty of Law



From 4 June until 6 June 2015, the International Association of Judicial Independence and World Peace will hold a conference in Bologna and Milan. The organizers of the Conference are Università di Bologna, Università Bocconi, the University of Cambridge Centre of Public Law, the Hebrew University of Jerusalem Faculty of Law, Sacher Institute.

4-5 June 2015  
Università di Bologna

First Session **Globalized Culture of Judicial Independence; Foreign Cases in National Courts**

Second Session **American Perspectives**

Third Session **European and South American Experience**

Fourth Session **Views from Additional Perspectives**

Fifth Session **Discussion on the Amendments of Mt. Scopus International Standards of Judicial Independence**

**6 June 2015**

**Università Bocconi**

**9:00am**

**Welcome Addresses**

**Stefano Liebman** Dean School of Law,  
Università Bocconi

**Giuseppe Franco Ferrari** Università  
Bocconi, Co-Chair of the Conference

**Arianna Vedaschi** Università Bocconi,  
Co-Chair of the Conference

**Shimon Shetreet** The Hebrew University of  
Jerusalem, Co-Chair of the Conference

**9:30am**

Sixth Session **Amendments of Mt. Scopus**

**International Standards of Judicial**

**Independence II: Global Code of Judicial**

**Ethics**

Chair **Maimon Schwartzchild** University of  
San Diego

Discussants **Shimon Shetreet** The Hebrew  
University of Jerusalem

**Keith Uff** Birmingham Law School,  
University of Birmingham

**11:00am**

**Coffee break**

**11:30am**

Seventh Session **Concluding Remarks**

Chair **Arianna Vedaschi** Università Bocconi

Discussants **Daniela Cavallini** Università di  
Bologna

**Giuseppe Franco Ferrari** Università  
Bocconi

**Wayne McCormack** The University of Utah

**Shimon Shetreet** The Hebrew University of  
Jerusalem

**Fryderyk Zoll** Universität Osnabrück

**For information:**

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Registration online required at  
[www.unibocconi.it/eventi](http://www.unibocconi.it/eventi)





**Faculty of Political  
Science  
University of Bologna**



**Università Commerciale  
Luigi Bocconi**

**Department of Legal Studies,  
Bocconi  
University of Milan**



**Hebrew University of  
Jerusalem**

**Sacher Institute  
Faculty of Law**



**University of Cambridge**

**Centre for Public Law**



**International Association of Judicial Independence and World Peace  
International Project on Judicial independence**

**International Conference on**

**Judicial independence in a Globalized Legal Culture: The Use of  
Foreign and Transnational Precedents by National Supreme Courts**

**Bologna and Milan, 4 June - 6 June 2015**



# Bologna Program

Thursday, 4 June 2015

Venue: Faculty of Political Sciences, Strada Maggiore 45, Bologna, Room: Aula Poeti (1st floor)

## 14:30-15:00 Registration

## 15:00-15:30 Welcome Addresses

Chair: Prof. Daniela Cavallini, *University of Bologna*, **Co Chair of the Conference**

Prof. Giuseppe Di Federico, *University of Bologna*

Prof. Shimon Shetreet, *Hebrew University of Jerusalem*, **Co Chair of the Conference**

Prof. Giuseppe Ferrari, *Bocconi University Milan*, **Co Chair of the Conference**

## 15:30-17:00 First Session: Globalized Culture of Judicial Independence; Foreign Cases in National Courts

Prof. Keith Uff, *University of Birmingham*: **Recourse to foreign cases in English Court**

Prof. Em. Hans Jurgen Ahrens, *Osnabruck University and Judge (retd.) Appellate Court of Celle, Lower Saxony*: **Reluctant Citation of Foreign Decisions by Federal Supreme Courts**

Prof. Shimon Shetreet, *Hebrew University of Jerusalem*: **Impact of International Jurisprudence on Top Domestic courts: The Impact of The European Court of Human Rights in Judicial Independence Cases**

## 17:00-17:30 Coffee Break

## 17:30-19:00 Second Session : American Perspectives

Chair: David Casson, *Former Honorary Secretary, Society of Public Teachers of Law, UK, Former Judge, Immigration Appeal Tribunal, UK*

Prof. Wayne McCormack: *Professor of Law, University of Utah*, **To ignore or not to ignore? The Breyer Scalia Debate on the Reliance on Foreign Law in American Courts**

Prof. Jonathan Entin, *Case Western Reserve University* **The Use of Foreign Law by the US Supreme Court**

Prof. Maimon Schwartzchild, *University of San Diego*, **For and (especially) Against Citing Foreign Law in US Courts, or Why Justice Scalia Has Good Reasons for Resisting It**



Free Dinner

(Night in Bologna HOTEL CAVOUR, Via Goito, 4, Bologna [www.cavour-hotel.com](http://www.cavour-hotel.com) )

**Friday, 5 June 2015**

**Venue: Faculty of Political Sciences, Strada Maggiore 45, Bologna, Room: Aula Poeti (1st floor)**

**9:00-10:30 Third Session: European and South American Experience**

Chair: Prof. Federico Carpi, *University of Bologna*

Prof. Daniela Piana, *University of Bologna*

Prof. Ada Pellegrini, *University of Sao Paulo*, **Conventionality control by the Brazilian Supreme Court: the case of civil arrest**

Prof. Giuseppe Ferrari, *Bocconi University Milan*, **Co Chair of the Conference**

Prof. Dr. Daniela Cavallini, *Università di Bologna, Bologna*, **State liability for judicial wrongs: the impact of the 2006 and 2011 rulings of the European Court of Justice. The debate in Italy.**

**10:30-11:00 Coffee Break**

**11:00-12:30 Fourth Session: Views from Additional Perspectives**

Chair: Eli Bentovim, *Senior Advocate ,Jerusalem*

Prof. Liu Hou, *Beihang University ,China*

Prof. Amnon Reichman, *University of Haifa*, **Comparative Citations of Top Courts: The Promise and Limits**

Prof. Fryderyk Zoll, *Osnabrück University, European Legal Studies Institute and Jagiellonian University of Krakow*: **Recourse to Foreign Decisions by Top Court: The Polish Perspectives**

Dr Teuta Vodo: **Judicial Independence in Albania: a Study of Institutional Shields and Political Interference**

Remarks: Dr. Sophie Turenne, *Fellow and Director of Studies in Law, Dean and Graduate Tutor, Murray Edwards College, University of Cambridge*

**12:30-13:00 Fifth Session: Discussion on the Amendments of Mt. Scopus International Standards of Judicial Independence**

Chair: Adv. Gian Andrea Danuser, *Senior Advocate, Zurich Switzerland*

Prof. Shimon Shetreet, *Hebrew University of Jerusalem*



Prof. Em. Hans Jurgen Ahrens, *Osnabruck University and Judge (retd.) Appellate Court of Celle, Lower Saxony: Report on the Decision of The Federal German Constitutional Court on Judicial Salaries*

Prof. Amnon Reichman, *University of Haifa, Report on the Findings of a Research on Court Administration and internal independence in Israel*

Remarks: Prof. Daniela Cavallini, *University of Bologna*

**13:00-14:00 Lunch Buffet**

**16:38 Train to Milan (arrival at 17:40)**

Social Dinner

Night in Milan Hotel d'Este - Viale Bligny, 23, Milan

## Milano Program

**Saturday, 6 June 2015**

**Venue: Bocconi University, Room B, via Sarfatti 25, Milan**

**9:00-9:30 Sixth Session: Milan Opening Session Welcome Addresses:**

Chair: Prof. Giuseppe Ferrari, *Bocconi University Milan*

Prof. Stefano Liebman, *Dean School of Law, Bocconi University, Milan*

Prof. Arianna Vidaschi, *University of Bocconi Milan*

Prof. Shimon Shetreet, *Hebrew University of Jerusalem*

**9:30-11:00 Seventh Session: Amendments of Mt Scopus International Standards of Judicial**

**Independence II**

Chair: Prof. Maimon Schwartzchild, *University of San Diego*

Prof. Shimon Shetreet, *Hebrew University of Jerusalem*

Remarks: Keith Uff, *Birmingham Law School University of Birmingham*

**11:00-11:30 Coffee Break**

**11:30-13:00 Eighth Session: Concluding Remarks**

Chair : Prof. Arianna Vidaschi, *University of Bocconi, Milan*

Prof. Shimon Shetreet, *Hebrew University of Jerusalem* , **Co-Chair of the Conference**

Prof. Daniela Cavallini, *University of Bologna*, **Co-Chair of the Conference**

Prof. Giuseppe Ferrari, *Bocconi University Milan*, **Co-Chair of the Conference**

Prof. Wayne McCormack, *University of Utah*

Prof. Fryderyk Zoll, *Osnabrück University*

**13:00 Lunch**

**Sightseeing in Milan**