



**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)

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