



International Association of Judicial Independence and World Peace

in cooperation with



University of Potsdam



Hebrew University of Jerusalem



Potsdam School of Jewish Theology



Center for Jewish Studies

International Project on Judicial Independence

International Conference on Judicial Independence –A Cornerstone of Democracy

Potsdam, 14 – 16 February 2020

Conference Program

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About the Institutions

The International Association of Judicial Independence and World Peace

(www.jiwp.org) was founded in 1982 and is one of the most reputed international organizations, which unites distinguished academics, practicing lawyers, competent experts in law and leading judges around the world. The work of the Association is focused on drafting international standards of judicial independence, supporting a culture of judicial independence in all states, promoting the ideals of peace, democracy, freedom and liberty by strengthening and maintaining judicial independence in all its aspects.

The Association participated in drafting a number of international documents which are now recognized in many jurisdictions of the world: The New Delhi Minimum Code of Judicial Independence (in cooperation with the International Bar Association, New Delhi, 1982), The Montreal Declaration on the Independence of Justice (Montreal, 1983), The Mt Scopus International Standards of Judicial independence 2008, and the Bologna Milano Global Code of Judicial Ethics 2015.

The Association's outstanding contribution to the advancement of judicial Independence was evidenced by its candidacy for the Nobel Peace Prize in 2013. The nomination honored the Association's realization of the International Project on Judicial Independence, which is the result of its almost 40 years of efforts in the pursuit of judicial independence.

The International Association of Judicial Independence and World Peace and its members introduced innovative concepts of judicial independence clarifying significant components essential for liberty, democracy, human rights and effective world trade. This was achieved by means of major international conferences in partnership with eminent international organizations and the drafting of international standards and declarations. The concepts include the independence of the individual judge, substantive and personal, the institutional or collective independence of the judiciary as a whole, the internal judicial independence of the judge vis-a-vis his colleagues and his superiors, the principle of fair reflection of society, or judicial diversity and proper considerations and procedures for judicial selection and the careful demarcation of lines between the judiciary and the other branches of government.

The research works of the members of the association have been published in four books on judicial independence and the fifth book will be published in 2020. All books have been published by Brill Nijhoff.

The University of Potsdam

is a public university in the Berlin-Brandenburg region of Germany. It is situated across four campuses in Potsdam and Brandenburg. Some faculty buildings are part of the New Palace of Sanssouci, which is known for its UNESCO World Heritage status. The University of Potsdam is one of the leading institutions of higher studies in Germany.

The Center of Jewish Studies

is an institution of Abraham Geiger College at the University of Potsdam. For the details please see <https://www.abraham-geiger-kolleg.de/academic-excellence/center-for-jewish-law/>

University of Potsdam School of Jewish Theology

For the University of Potsdam School of Jewish Theology please see <https://www.juedischetheologie-unipotsdam.de/en/index.html>

The Hebrew University of Jerusalem

Founded in 1918 and opened officially in 1925, it is Israel's premier university as well as its leading research institution. The Hebrew University is ranked internationally among the 100 leading universities in the world and first among Israeli universities.

Conference Co-Chairs

Professor Shimon Shetreet, LLB, LLM, MCL, DCL

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Conference Subjects

The main themes of the Conference will be:

1. Judicial Independence and Democracy
2. Measuring Justice and Rule of Law
3. The Role of the Judge in Jewish Law
4. Justice and Technology, Artificial Intelligence and Judicial Decisions
5. Deliberation on Amendments on Mt. Scopus International Standards of Judicial Independence, and the Bologna Milano Global Code of Judicial Ethics

Judicial Independence and Democracy:

In recent months and years, serious challenges have emerged to the judicial system and the position of the judiciary and the rule of law in numerous countries. These challenges took place in countries with different system of governments in different parts of the world. We have witnessed these challenges in such countries as Turkey, Poland, Hungary, U.S.A., Romania, Israel and Venezuela.

These challenges took the form of legislative amendments regarding the judiciary and the administration of justice, attempts by the executive to gain control over judges' appointments and courts, introducing the reduction of the retirement age of judges as a way to remove judges from office and blunt political attacks on specific judges and on the judiciary as a whole. These challenges require careful study.

Measuring Justice and Rule of Law:

The conference will continue the discussion and analysis of the standards to measure justice and the rule of law, and to develop indicators of the justice system and democracy. This includes measuring quality, effectiveness, efficiency and integrity of the judicial process and the judiciary. These indicators are being used in international reports such as the IMF and in recent years by EU Reports of the European Commission (see the annual EU Justice Scoreboard below). It is widely recognized that an efficient, independent and impartial justice system is essential for economic growth on the domestic level, and is also essential for Economy and Trade on the international level.

1. EU Report on: Strengthening Trust, Mobility and Growth within the European Union, 2014.
2. EU Justice Scoreboard, 2019: https://ec.europa.eu/info/sites/info/files/justice_scoreboard_2019_factsheet_en.pdf

3. IMF Report on Italy, 2013:
<https://www.imf.org/external/pubs/ft/scr/2013/cr13299.pdf>
4. European Commission for the Efficiency of Justice (CEPEJ), Report on “European Judicial Systems – 2018 Edition (2016 data). Efficiency and Quality Justice”, 2018:
<https://rm.coe.int/rapport-avec-couv-18-09-2018-en/16808def9c>

The Role of the Judge in Jewish Law:

One of the ancient judicial systems in human history is the justice system established by Moses. It has developed over the centuries by continued study and decision making of rabbis and "Poskim". The Jewish law in its different layers – the bible, the Mishna, the Talmud and the writings of the rabbis – provide, in detail, rules regarding judicial ethics, procedural fairness, evidentiary rules and the rights of the accused. The conference will include a discussion of the role of the judge in Jewish law.

Justice and Technology, Artificial Intelligence and Judicial Decisions:

Artificial intelligence is being used in many fields of life. It now begins to be employed in the courts to address the challenges facing the courts including managing vast amounts of information and judicial decision making. AI has been used more in criminal cases, but now it begins to be used also in civil cases. Current applications help Australian family law judges in their decision making. The conference will include the discussion of this aspect of justice and technology.

For background analysis of AI in courts see:

Jonah Wu, AI Goes to Court: The Growing Landscape of AI for Access to Justice, 2019:
<https://medium.com/legal-design-and-innovation/ai-goes-to-court-the-growing-landscape-of-ai-for-access-to-justice-3f58aca4306f>

The advance of digital technology has had substantial impact on justice and on judicial ethics. Attention will have to be placed on the study of online justice, remote justice and the recourse to social media by judicial officers, as well as the code of ethics relative to digital realities.

Deliberation on Amendments on Mt. Scopus International Standards of Judicial Independence, and the Bologna Milano Global Code of Judicial Ethics:

In the course of the conference, discussions will be conducted on proposals for an amendment of the Mt. Scopus International Standards of Judicial Independence, and the Bologna Milano Global Code of Judicial Ethics, as will be presented to the participants.

Other topics regarding judicial independence will also be discussed, including amongst other recent developments of judicial independence.

Conference Program

Friday 14.02.2020:

13:00 **First opportunity for registration**, Location: Campus Griebnitzsee, Building 1

14:00 – 14:30 **Opening address**

Prof. Dr. **Oliver Guenther**, President, University of Potsdam

15:30 – 17:00 **Guided tour of Sanssouci Palace**, Location: Maulbeerallee, 14469 Potsdam

19:00 **Dinner at Drachenhaus Restaurant**, Maulbeerallee 4, 14469 Potsdam

Keynote Speech: Prof. Dr. Dres. h.c. **Angelika Nußberger**, former Vice-President of the ECtHR, Professor at the University of Cologne.

Saturday 15.02.2020:

Location: Campus Griebnitzsee, Building 1

8:30 **Registration, Location**

9:00 – 10:30 **Opening session**

Chair: Prof. Dr. **Thorsten Ingo Schmidt**, Chair in Public Law, Especially Constitutional Law, Administrative Law and Local Government Law; University of Potsdam, Conference Co-Chair

Opening remarks:

- Prof. Dr. **Christian Bickenbach**, Dean of the Faculty of Law of Potsdam University
- Prof. **Shimon Shetreet**, Hebrew University, President, International Association of Judicial Independence and World Peace, Co-chair of the conference
- Prof. Dr. **Thorsten Ingo Schmidt**, Co-chair of the conference

Keynote Speech: Prof. **Vincent Anthony de Gaetano**, Former Justice of the ECtHR, Vice-President of Section. Chief Justice Emeritus of Malta:

“The Judiciary in Malta in comparative Perspective”

10:30 **Coffee break**

11:00 – 12:30 **Second session – Contemporary Challenges of the Judiciary**

Chair: Adv. **Gian Andrea Danuser**, Senior Advocate, Zurich, General Secretary, International Association of Judicial Independence and World Peace

- Dr. **Pui Yin Lo** - Barrister at Law, Hong Kong University (*by video conference*):
“The Challenges facing the Judiciary in Hong-Kong”

- Adv. **Richard Barton**, Partner, Procopio, Cory, Hargreaves & Savitch Law Firm, San Diego, USA:
“The Independence of Administrative Judges”
- **Keith Uff**, Barrister, Birmingham:
“Recent Developments in the United Kingdom”
- Prof. **Giuseppe Franco Ferrari**, University of Bocconi, Milan:
“Recent Developments on the Italian High Council of Magistrature “

12:30 – 14:00 Lunch

14:00 – 15:30 *Third session – Justice and Technology: Artificial Intelligence and the Justice System*

Chair: Prof. **Shimon Shetreet**, Greenblatt Professor of Public and International Law, Hebrew University of Jerusalem, President, International Association of Judicial Independence and World Peace.

Lead lecture: **Lord Thomas of Cwmgiedd**, Vice President European Law Institute, former Lord Chief Justice of England and Wales:

“Artificial Intelligence and the Judiciary”

- Prof. **Michael Antonov**, University of Saint Petersburg:
“Artificial Reason: Ethical and Legal Accountabilities in Delivering Justice”
- Prof. **Daniela Piana**, University of Bologna:
“Justice and Artificial Intelligence”
- Prof. Dr. **Alexander Trunk**, Institute of East European Law, Kiel University:
“The Relationship between „formal“ procedural Law and informal Elements”

15:30 – 16:00 Coffee break

16:00 – 17:30 *Fourth session – Judicial Independence and democracy*

Chair: Prof. Dr. Dr. h.c. **Fryderyk Zoll**, Professor, Jagiellonian University of Cracow.

Keynote speech: Hon. **Tassaduq Hussain Jilani**, Former Chief Justice of Pakistan, Judge ad-hoc of the ICJ:

“The judiciary and Democracy”

- Prof. **Sebastian Constantin Spinei**, Lucian Balga University, Sibiu Romania:
“Justice in Romania: The Subtle Deviation”
- Prof. Dr. Dr. h.c. **Fryderyk Zoll**, Professor at the Jagiellonian University of Cracow and University of Osnabrück:
“The struggle for Judicial Independence: Lesson from Poland”

- Prof. Dr. **Elwira Macierzyńska**, Kozminski University, Warsaw:
“The Good, the Bad and the Ugly: The Independence of the Judiciary and Rhetoric – The Polish Case”
- Dr. **Wafik Moustafa**, Chairman of Conservative Arab Network, London

18:00 – 19:00 Possibility for Refreshments at the hotel

19:00 Departure for Berlin

19:30 – 23:30 Social program in Berlin: Boat Tour, Location:

Sunday 16.02.2020:

9:00 – 10:30 *Fifth session: The Judge in Jewish Law*

Chair: Adv. **Richard Barton**, Partner, Procopio, Cory, Hargreaves & Savitch Law Firm, San Diego, USA

- Prof. **Gideon Libson**, Frieda and Solomon B. Rosenzweig Chair in Law, Hebrew University of Jerusalem:
“The King and the judge in Jewish Law”
- Professor Dr. **Francois–Xavier Licari**, University of Lorraine:
“The Role of the Judge in Jewish Law”
- Prof. **Shimon Shetreet**, Greenblatt Professor of Public and International Law, Hebrew University of Jerusalem, President, International Association of Judicial Independence and World Peace:
“Judicial Independence and Impartiality in Jewish law”

10:30 – 11:00 Coffee break

11:00 – 12:30 *Concluding Session*

Chair: Prof. Dr. **Thorsten Ingo Schmidt**, Co-Chair of the conference

- Prof. **Shimon Shetreet**, President of the International Association of Judicial Independence and world Peace:
“Future plans of JIWP”

General Discussion

12:30 – 13:00 Distribution of certificates

13:00 – 14:00 Lunch with subsequent individual departure

Conference Venue



The greater part of the conference will be held on campus at the university of Potsdam.

Details of the venue of the conference and directions

The venue and first meeting point of the conference will be at the main building of our „Griebnitzsee“ campus. This is where the academic discussions will be held on Saturday and Sunday. There will be guides to help with the directions to the other venues once the participants have registered at Griebnitzsee.

Please find the directions to the „Griebnitzsee“ campus by following the link

<https://hpi.de/en/the-hpi/organization/directions.html>

Directions to Campus "Griebnitzsee" of the University of Potsdam

The main building is pinpointed at the following link:

www.openstreetmap.org/?mlat=52.39273&mlon=13.12702#map=19/52.39276/13.12688

Original directions written by Hasso-Plattner-Institut (<https://hpi.de/en/the-hpi/organization/directions.html>)

Arrival from the Berlin Airports

- From **Tegel Airport** take **bus line 109**, destination Bahnhof Zoo, to **S Charlottenburg** (travel time approx. 15 min). Switch to **S-Bahn line S7**, destination Potsdam-Hauptbahnhof, and travel to **Potsdam-Griebnitzsee** (travel time approx. 20 min). Total travel time approx. 50 min; ticket for zones ABC required.
- From **Schönefeld Airport**, there is a **footpath** leading to the S-Bahn station **S Flughafen Berlin-Schönefeld DB** (approx. 400 m). From the station, take **Regionalbahn RB14**,

destination Nauen, to **S+U Friedrichstraße** or **Regionalexpress RE22**, destination Ro-Blau, to **S Wannsee**. Switch to **line S7**, destination Potsdam-Hauptbahnhof, and travel to **Potsdam-Griebnitzsee**. Total travel time 65 to 85 min; ticket for zones ABC required.

- Taxi rides from either airport cost approx. 60 Euros and take 45 to 60 minutes.

Arrival by Train

At Griebnitzsee metropolitan train (S-Bahn) station:

- From **Berlin central station** take S-Bahn line S7, destination Potsdam-Hauptbahnhof, and travel to Potsdam-Griebnitzsee (travel time approx. 35 min), alternatively take RB21/22 (travel time approx. 20 min); ticket for zones ABC required.
- From **Berlin Zoologischer Garten** take S-Bahn line S7, destination Potsdam-Hauptbahnhof, and travel to Potsdam-Griebnitzsee (travel time approx. 25 min), alternatively take RB21/22 (travel time approx. 20 min); ticket for zones ABC required.
- From **Potsdam central station** take S-Bahn line S7, destination Ahrensfelde, to Potsdam-Griebnitzsee (travel time approx. 10 min); ticket for zone C required
- **Taxi rides** from either station cost between approx. 60 Euros and take approx. 45 minutes. A taxi ride from Potsdam central station takes around 15 minutes and will cost approx. 20 Euros.

Arrival by Car

In your **car** navigation system enter **August-Bebel-Str. 89**, 14482 Potsdam.

- From the A 10 (Berlin beltway), change onto the A115 at the intersection "Dreieck Nuthetal".
- Leave the A115 at the Potsdam-Babelsberg exit (dual exit!) and continue in the direction of Potsdam-Babelsberg.
- Follow Nuthestraße towards the city center ("Zentrum") and exit at Wetzlarer Straße (Medienstadt Babelsberg).
- Turn right, pass the BMW car dealer and turn left in the direction of Babelsberg.
- At the next intersection (Großbeerenstraße/Wetzlarer Straße) keep going straight onto August-Bebel-Straße.
- After a little less than 1.5 km, just past the HPI Academy (a mansion on your right hand side with a well-kept garden, which you are sure not to miss) turn right onto the parking space. At the end of it is the campus" main building.

Hotels

The only hotel nearby is the hotel Seminaris Avendi. Booking is possible at www.seminaris.de/en/hotels/potsdam/seminaris-avendi-hotel-potsdam.

Seminaris Avendi Hotel Potsdam
Rudolf-Breitscheid-Straße 190
14482 Potsdam
Germany

☎ +49 331 7091 0

✉ info.pot62@seminaris.com

We recommend to book a hotel situated along the train line „S 7“ connecting Berlin to Potsdam. Hotels close to either Potsdam main station or Berlin Zoo station („Bahnhof Zoologischer Garten“) guarantee good connections to all of the venues.

The higher density of hotels can probably be found around Bahnhof Zoo, which is also closer to the airports than Potsdam. If one wouldn't mind a little walk to the train stations, the hotels „Am Jägertor“ in Potsdam and „Zoo“ in Berlin would likely offer a pleasant stay. The closest hotels to the train stations would be the „B&B Hotel“ and the „Mercure Hotel Potsdam City“ for Potsdam and the „Aletto Hotel Kudamm“, the „Motel One Berlin-Ku'Damm“ and the „Waldorf Astoria“ for Berlin.

In any case, we recommend to compare prices, as the rates differ (sometimes substantially) depending on the date of stay.

Conference Contacts

In case, any questions should arise, please do not hesitate to contact our coordinators. They will gladly be of assistance.

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Social Program

Friday Social Program

On Friday there will be a guided tour of the UNESCO World Heritage Sanssouci Palace (below), the most famous Hohenzollern Palace. It is kept in the style of Rococo and sometimes referred to as “Prussian Versailles”.



Afterwards there will be a dinner at the Drachenhaus Restaurant (below) besides the Sanssouci Pleasure Gardens.



Saturday Social Program

On Saturday a boat tour on the “Philippa”, a salon boat in the style of the twenties, will take place. During the cruise of central Berlin, dinner will be served.

