

Dialogue Between Judges

The Court of Justice of the European Union and Other International Courts

24-25 September 2015, University of Geneva
Jean Monnet Doctoral Workshop – Call for Papers

The *Centre d'études juridiques européennes* of the University of Geneva, Jean Monnet Centre of excellence, organises a doctoral workshop, under the direction of professor Christine Kaddous, on the topic « *Dialogue between Judges. The Court of Justice of the European Union and Other International Courts* ».

Background

The relationship between the Court of Justice of the European Union and other international Courts raises several questions. Is the Court of Justice bound by decisions rendered by other international courts? May the Court ignore these decisions? Or by contrast is there any obligation for the Court to take them into consideration? And if the answer is positive, to what extent is it the case? One might in particular think of decisions taken by judicial bodies established by international agreements to which the European Union is party, such as the EFTA Court or the WTO dispute settlement mechanism, but also think of the judgements rendered by the European Court of Human Rights (ECtHR) or the judgements and opinions of the International Court of Justice (ICJ).

The word dialogue includes the idea of “exchange”. It is then also worth examining whether these other international courts “refer to” or “take into consideration” decisions rendered by the Court of Justice of the European Union, in order to assess the level of interaction between courts embedded in different legal systems. It comes to analysing the question whether international courts ignore or utilize decisions of the Court of justice of the European Union and, if applicable, how they interpret them for the settlement of the disputes before them.



Judicial dialogue may take other forms, which go beyond references and the taking into account of the case law of other courts.

All these elements are to be included in the reports which will contribute to clarify the issues related to the topics listed hereafter. If the case law at stake is particularly rich, it is possible to consider narrower topics limited to one or more areas of substantive law. This might be the case for the topics linked to the EFTA Court or the ECtHR and to their respective case law (competition, internal market freedoms, family reunification, equal treatment between men and women, transsexuals, media plurality, same-sex couples, etc.)

- I. The Court of justice of the European Union and the case law of other international courts
 - CJEU – case law of the EFTA Court
 - CJEU – case law of the WTO Dispute Settlement Body
 - CJEU – case law of the ECtHR
 - CJEU – case law of the ICJ

- II. International Courts and the case law of the Court of justice of the European Union
 - EFTA Court – case law of the CJEU
 - WTO Dispute Settlement Body– case law of the CJEU
 - ECtHR – case law of the CJEU
 - ICJ – case law of the CJEU

Submission of Proposals

The *Centre d'études juridiques européennes* of the University of Geneva is pleased to welcome PhD students and young researchers to the workshop to which professors and practitioners active in the relevant fields will participate.

Paper proposals of 3000 characters (approximately one page) are to be submitted in English or French. The questions above (under Background) are raised in order to guide the reflections.

The paper proposals along with a CV and a motivation letter should be submitted to Sandy Kirsch (person of contact) no later than 5 June 2015. Her email address is Sandy.Kirsch@unige.ch.

Selection of Paper Proposals

A committee composed of university professors will select the paper proposals. The decisions will be taken in June 2015.

Confirmed participants are expected to provide complete drafts of their papers, of between 30'000 - 60'000 characters, in electronic form at the latest by 7 September 2015.

The final version of the papers shall be submitted at the latest by 10 November 2015 for publication in the « Geneva Jean Monnet Working Papers », on the website of the *Centre d'études juridiques européennes*.

Course of the doctoral workshop

The workshop will take place on 24-25 September 2015 at the University of Geneva. The selected papers will be presented either in English or French and will be discussed with the invited professors and practitioners.

Organizational Aspects

The *Centre d'études juridiques européennes* will cover the travel costs (up to a maximum of CHF 275.-) and all meals for the PhD students and young researchers selected. The cost of accommodation in Geneva (approximately CHF 110.- to 160.- for one night) shall be borne by the participants or by their affiliation University.

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