

Oslo Seminar on the Use of Judicial Decisions in International Law

12 June 2017

Organized by the Department of Private Law, University of Oslo, and PluriCourts - Centre for the Study of the Legitimate Roles of the Judiciary in the Global Order

Time and date: 12 June 2017, 9.00-17.00

Venue: in [Domus Media](#), Karl Johans gate 47, Kjerka (2nd floor, Westwing)

09.00-09.10 Welcome and Opening Statements: Mads Andenæs and Johann Ruben Leiss, University of Oslo

09.10-10.30 First Session: The Systemic Relevance of Cross-citation

Chair: Andreas Føllesdal (University of Oslo, PluriCourts)

Andreas L. Paulus (Richter des Bundesverfassungsgerichts, University of Göttingen) *The Use of Judicial Decisions of International Courts and Tribunals by the German Federal Constitutional Court: Crossing Borders?*

Mads Andenæs (University of Oslo) *The Use of Judicial Decisions in International Law: From Fragmentation to Convergence*

10.30-10.45 Coffee break

10.45-12.00 Second Session: Cross-citation – Between Justification of Authority and Law-shaping

Chair: Mads Andenæs (University of Oslo)

Zuzanna Godzimirska (University of Copenhagen, iCourts) *Discursive Legitimation of International Courts: Judicial Decisions as Justifications for the Exercise of Authority*

Letizia Lo Giacco (University of Lund) *Judicial Citation as a Law-shaping Technique*

12.00-13.00 Lunch

13.00-14.30 Third Session: Judicial Decisions and Legal Sources

Chair: Geir Ulfstein (University of Oslo, PluriCourts)

Johann Ruben Leiss (University of Oslo) *The Systemic Relevance of Article 38(1)(b) ICJ Statute for International Adjudication*

Matthew William Saul (University of Oslo, PluriCourts) *The Use of Judicial Decisions in the Determination of Jus Cogens*

Sondre Torp Helmersen (University of Oslo) *Why Judicial Decisions Have More Weight Than Scholarship*

14.30-14.45 Coffee break

14.45-16.00 Fourth Session: The Use of Judicial Decisions in Specialized Fields of International Law

Chair: Johannes Hygen Meyer (University of Oslo)

Henner Gött (University of Göttingen) *The Use of Judicial Decisions in International Labour Law*

Joanna Nicholson (University of Oslo, PluriCourts) *The Use of Judicial Decisions in International Criminal Law*

Yuliya Chernykh (University of Oslo) *The Use of Judicial Decisions on Contract Validity and Interpretation in Investment Treaty Arbitration*

16.00-16.15 Coffee break

16.15-17.00 Closing session

Reflections and Summing up: Andreas L. Paulus (Richter des Bundesverfassungsgerichts, University of Göttingen)

Participants:

Andenæs, Mads (University of Oslo)

Chernykh, Yuliya (University of Oslo)

Føllesdal, Andreas (University of Oslo, PluriCourts)

Godzimirska, Zuzanna (University of Copenhagen, ICourts)

Gött, Henner (University of Göttingen)

Helmersen, Sondre Torp (University of Oslo)

Johansen, Stian Øby (University of Oslo)

Leiss, Johann Ruben (University of Oslo)

Letizia Lo Giacco (University of Lund)

Meyer, Johannes Hygen (University of Oslo)

Nicholson, Joanna (University of Oslo, PluriCourts)

Paulus, Andreas L. (Richter des Bundesverfassungsgerichts, University of Göttingen)

Saul, Matthew William (University of Oslo, PluriCourts)

Ulfstein, Geir (University of Oslo, PluriCourts)



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