



**Hiil Law of the Future Conference 2008  
Peace Palace (Academy Building), The Hague  
October 23-24**

We are delighted to welcome you to Hiil's 2008 Law of the Future conference, which this year is devoted to the theme 'The Changing Role of Highest Courts in an Internationalising World'. The present document contains a full, up-to-date programme of the entire conference as well as information on some practical matters.

**Security and identification**

As a security measure, all visitors to the Peace Palace are required to present a valid ID upon entrance to the premises. As the location of our conference venue, the Academy Hall, is adjacent to the central building we respectively urge you to bring your passport or you will be refused entry.

As the security check at the gate can take some time, we kindly request you to be present at the Peace Palace gate no later than 9 AM. The conference will begin at **09:30AM** sharp. After you have received your security clearance we kindly request you to proceed to the Academy Building.



## **OPENING PLENARY SESSION**

### **Thursday, October 23**

**08:00**

Registration desk open

**09:30 – 09:40**

Introduction by Dr. Sam Muller, Director of the Hague Institute for the Internationalisation of Law

**09:40 – 10:00**

Keynote Address by Dr. Ernst Hirsch Ballin, Minister of Justice of the Netherlands

**10:00 – 10:15**

Keynote Address by Justice Willibrord Davids, President of the 'Hoge Raad' of the Netherlands

**10:45 – 17:15**

*Parallel workshops (programme listed below).*

**17:15 – 18:30**

Reception at conference venue

**19:00 – 21:30**

Conference dinner at '*Brasserie Berlage*' (transportation is provided for)

## **CLOSING PLENARY SESSION**

### **Friday, October 24**

**10:00 – 12:15**

Parallel workshop sessions (programme listed below)

**13:50**

Assemble for group photo beneath the stairs in the main auditorium

**14:00 – 14:20**

Reports by workshop Chairs

## **PANEL DISCUSSION**

**What has been or should be the role of national judiciaries, in particular highest courts, in the process of the internationalization of law and the increasing interconnectedness between national legal systems?**

**14:20 – 14:30**

Introduction to final panel discussion by Dr. Sam Muller, Director of the Hague Institute for the Internationalisation of Law

**14:30 – 15:15**

Brief introductory statements by each individual panellist

**15:15 – 16:00**

Moderated panel Discussion

**16:00 – 16:15**

Coffee break

**16:15 – 17:00**

Audience discussion



## WORKSHOP 1

### What is the role of Highest Courts in maintaining legal unity in the internationalising world of today?

#### Thursday, October 23

**09:30 – 10:15**

Opening plenary session (programme listed above)

**10:45 – 11:00**

Introduction by Professor John Bell  
*Professor of Law, Pembroke College, Cambridge*

**11:00 – 11:30**

Lord Bingham of Cornhill  
*Former Senior Law Lord, United Kingdom*

**11:30 – 12:30**

Discussion

**12:30 – 14:00**

Lunch

**14:00 – 14:30**

Professor H. Patrick Glenn  
*Peter M. Laing Professor of Law, McGill University*

**14:30 – 15:30**

Discussion

**15:30 – 16:00**

Justice Michel Bastarache  
*Counsel Heenan Blaikie LLP, former judge of the Supreme Court of Canada*

**16:00 – 16:15**

Coffee break

**16:15 – 17:15**

Discussion

**17:15 – 21:30**

Reception and dinner (programme listed above)

#### Friday, October 24

**10:00 – 10:30**

Professor Jeremy Waldron, *Professor of Law, New York University Law School*

**10:30 – 12:00**

Discussion

**12:00 – 12:15**

Concluding thoughts by  
Professor John Bell  
*Professor of Law, Pembroke College, Cambridge*

**12:15 – 14:00**

Lunch and group photo

**14:00 – 17:00**

Final plenary and concluding panel discussion



## WORKSHOP 2

**Is the separation of powers a measure of judicial legitimacy that can successfully accommodate the exigencies of a globalised world, or does judicial internationalisation compel us to find additional or novel paradigms for anchoring this legitimacy?**

### Thursday, October 23

**09:30 – 10:15**

Opening plenary session (programme listed above).

**10:45 – 11:00**

Introduction by Justice Olivier Dutheillet de Lamothe  
*Member of the Constitutional Council of France*

**11:00 – 11:30**

Professor Eyal Benvenisti  
*Professor of Human Rights, Tel Aviv University*

**11:30 – 12:30**

Discussion

**12:30 – 14:00**

Lunch

**14:00 – 14:30**

Professor Mark Tushnet  
*Professor of Law, Harvard Law School*

**14:30 – 15:30**

Discussion

**15:30 – 16:00**

Professor Otto Pfersmann  
*Professor of Law, University of Paris*

**16:00 – 16:15**

Coffee break

**16:15 – 17:15**

Discussion

**17:15 – 21:30**

Reception and dinner (programme listed above).

### Friday, October 24

**10:00 – 10:30**

Dr. Elaine Mak,  
*Associate Professor, Erasmus University Rotterdam*

**10:30 – 11:00**

Discussion

**11:00 – 11:30**

Professor Mitchel Lasser  
*Professor of Law, Cornell Law School*

**11:30 – 12:00**

Discussion

**12:00 – 12:15**

Concluding thoughts by  
Justice Olivier Dutheillet de Lamothe  
*Member of the Constitutional Council of France*

**12:15 – 14:00**

Lunch and group photo

**14:00 – 17:00**

Final plenary and concluding panel discussion



## WORKSHOP 3

**In what ways do national courts to engage in transjudicialism, what processes, mechanisms and practices exist and how are these processes, mechanisms and practices likely to develop?**

### Thursday, October 23

**09:30 – 10:15**

Opening plenary session (programme listed above)

**10:45 – 11:00**

Introduction by  
Professor Robert Post  
*Professor of Law, Yale Law School*

**11:00 – 11:30**

Justice Guy Canivet  
*Member of the Constitutional Council of France*

**11:30 – 12:00**

Justice Maureen Harding Clark  
*Judge of the High Court of Ireland*

**12:00 – 12:30**

Discussion

**12:30 – 14:00**

Lunch

**14:00 – 14:30**

Justice Ajit Prakash Shah  
*Chief Justice Delhi High Court, India*

**14:30 – 15:30**

Discussion

**15:30 – 16:00**

Justice Benjamin Odoki  
*Chief Justice Supreme Court of Uganda*

**16:00 – 16:30**

Discussion

**16:30 – 16:45**

Coffee break

**16:45 – 17:15**

Mr. Marc de Vries  
*Chief Editor of Caselex case-law service*

**17:15 – 21:30**

Reception and dinner (programme listed above)

### Friday, October 24

**10:00 – 10:30**

Judge Robert Henry  
*Judge of Tenth Circuit Court of Appeals, United States*

**10:30 – 11:00**

Professor William Duncan  
*Deputy Secretary-General  
Hague Conference on Private International Law*

**11:00 – 12:00**

Discussion

**12:00 – 12:15**

Concluding thoughts by  
Professor Robert Post  
*Professor of Law, Yale Law School*

**12:15 – 14:00**

Lunch and group photo

**14:00 – 17:00**

Final plenary and concluding panel discussion