



Max Planck Institute
for Social Anthropology



CULTURAL DIVERSITY IN THE COURTROOM - JUDGES IN EUROPE FACING NEW CHALLENGES

AGENDA

18 - 19 November 2021

The Spanish Judicial School – Escuela Judicial
Consejo General del Poder Judicial
Ctra Vallvidrera 43-45 017 Barcelona



With financial support from the Justice
Programme of the European Union

DESCRIPTION

This training workshop aims to create a platform to address cultural (including religious) diversity and the challenges it poses to judicial institutions (prosecutors, judges and court staff) throughout Europe today. It follows a survey conducted among judges from 14 European countries by the European Network of Councils of the Judiciary (ENCJ) in cooperation with the Law & Anthropology Department of the Max Planck Institute for Social Anthropology (Halle, Germany). The survey revealed a clear demand for appropriate training as well as a need for cooperation with non-legal experts with knowledge of diverse sociocultural backgrounds. The training addresses these two dimensions. Guided by a team consisting of an experienced judge or legal scholar and an academic with the relevant sociocultural expertise, participants will discuss and intensively work on selected cases in these subject areas:

- **labour law** (headscarf prohibitions at the workplace)
- **criminal law** (cultural defence arguments)
- **family law and asylum/immigration law** (family relations clashing with human rights protection)

Training cases and additional training materials for each of these subject areas will be provided electronically in advance. Each participant will be asked to submit a summary of an exemplary case from his or her jurisdiction to one of these subject areas based on their own practical experience.

The question of accommodation of religious and cultural diversity is an integral part of the reality of judicial practice in each Member State of the European Union. This training offers a unique opportunity to conduct comparative legal exercises and to engage in discussions among practitioners from different EU countries on delicate questions they increasingly face in their daily practice.

The learning objectives of this seminar are an increased awareness of and sensitivity to cultural diversity, and a comparative exploration of how this can be incorporated into the practical life at court/the public prosecutor's office as well as into judgments, leading to better legal outcomes. Participants will learn how to access relevant sources of information/expertise on issues of cultural diversity and gain familiarity with a range of techniques that facilitate reflection on cultural diversity and how it can be incorporated into individual decision-making processes. The training complements existing trainings on 'law in context' on a national level by providing practical exercises on how to grasp diverse lived realities and normative worldviews in increasingly plural societies. In addition, participants have the unique opportunity to directly engage with academics and to learn about the current state of social scientific research about law and diversity.

Note:

Due to the COVID-pandemic, all participants are asked to provide a valid certificate of vaccination or recovery.

PROGRAMME

Phase I:

29 October – 12 November: Preparatory Phase

29 October 2021	REGISTRATION DEADLINE (EJTN OSP system email) WORKING GROUP REGISTRATION DEADLINE (Link provided in the OSP registration from) Training cases and materials are available on the e-learning platform of the EJTN https://training.ejtn.eu/login/index.php
29 October – 12 November	Participants familiarize themselves with training cases and materials in those fields of law they are interested in and prepare a 1-page case summary (a template is provided on the platform) for one of the four fields of law that are offered.
12 November 2021	Deadline for case submission by participants.

[SEMINAR WEBPAGE LINK WITH DOCUMENTATION](#)

Phase II:

Thursday, 18 November 2021

07.45	<i>Meeting point AYRE GRAN VIA HOTEL – shuttle bus to the venue</i>
08.45-09.00	<i>Arrival and Registration of Participants</i>
09.00-09.15	Welcome and Introduction José María ASENCIO GALLEGO , Head of Area in the External and Institutional Relations Department at Spanish Judicial School Arno VINKOVIC , Project manager EJTN Marie-Claire FOBLETS , Director of the Department of Law & Anthropology, Max Planck Institute for Social Anthropology, Halle, Germany Katharina STEININGER , Activity coordinator and member of the sub-working group Human and Fundamental Rights, EJTN

<p>9.15-10.30</p>	<p>Opening Session</p> <p>“Diversity in Legal Education and Practice”</p> <p>“Law, Anthropology and Diversity”</p>	<p>Emanuel TOWFIGH EBS University, Wiesbaden, Germany</p> <p>Larissa VETTERS and Marie-Claire FOBLETS Department of Law & Anthropology, Max Planck Institute for Social Anthropology, Halle, Germany</p>
<p>10.30 – 11.00</p>	<p>Group Photo and Coffee Break</p>	
<p>11.00 – 13.00</p>	<p>Breakout Sessions</p> <p>Working on case studies together with a trainers’ team.</p>	<p>Working Groups on:</p> <ul style="list-style-type: none"> ➤ Labour Law <p>Mark EMERTON Judge of the Employment Tribunals, England and Wales</p> <p>Eugenia RELAÑO PASTOR Associate researcher at the MPI for Social Anthropology, Department of Law & Anthropology, Halle, Germany</p> <p>Beate ANAM Researcher at the MPI for Social Anthropology, Department of Law & Anthropology, Halle, Germany</p> <ul style="list-style-type: none"> ➤ Criminal Law <p>Ilenia RUGGIU Professor at the Department of Jurisprudence, University of Cagliari, Italy</p> <p>Harika DAUTH Associate researcher at the MPI for Social Anthropology, Department of Law & Anthropology, Halle, Germany</p> <p>Larissa VETTERS Researcher at the MPI for Social Anthropology, Department of Law & Anthropology, Halle, Germany</p> <ul style="list-style-type: none"> ➤ Family Law & Asylum/Immigration Law <p>Marleen MAES Judge of the Council of Alien Law Litigation, Belgium</p> <p>Marie-Claire FOBLETS, Director of the Department of Law & Anthropology, Max Planck Institute for Social Anthropology, Halle, Germany</p> <p>Imen GALLALA-ARNDT Associate researcher at the MPI for Social Anthropology, Department of Law & Anthropology, Halle, Germany</p>

		Federica SONA Researcher at the MPI for Social Anthropology, Department of Law & Anthropology, Halle, Germany
13.00 -14.00	Lunch	
14.00 -16.00	Breakout Sessions and discussions with trainers continued	
16.00 – 16.30	Coffee Break	
16.30 – 17.30	Presentations of further resources	ILLUSTRATIONS: <ul style="list-style-type: none"> • The U.K. Equal Treatment Benchbook • The EJTN-MPI Casebook • The CURED I Project • Cultural Tests
17.30	End of First Day – shuttle bus to the city centre	
21.00	<u>Official Dinner Arume Restaurant</u> Carrer d'En Botella, 11, 13, 08001 Barcelona	

Friday, 19 November 2021

07.45	<i>Meeting point AYRE GRAN VIA HOTEL – shuttle bus to the venue</i>	
08.45-09.00	<i>Arrival and Registration of Participants</i>	
09.00-11.00	Breakout Sessions continued	Preparation of Reports from the Working Groups
11.00-11.30	<i>Coffee Break</i>	
11.30-13.00	Concluding Plenary Session	Reports from the Working Groups Discussion of Working Group Findings Conclusions and Outlook Evaluation
13.00	<i>End of the Seminar</i> Departure of Participants 1 direct shuttle bus from the venue to the airport 1 shuttle bus from the venue to AYRE GRAN VIA HOTEL	

SPEAKERS

Beate ANAM

Researcher at the MPI for Social Anthropology, Department of Law & Anthropology, Halle, Germany

Jonathan BERNAERTS

Associate researcher at the MPI for Social Anthropology, Department of Law & Anthropology, Halle, Germany

Harika DAUTH

Associate researcher at the MPI for Social Anthropology, Department of Law & Anthropology, Halle, Germany

Mark EMERTON

Judge of the Employment Tribunals, England and Wales

Marie-Claire FOBLETS

Director of the MPI for Social Anthropology, Department of Law & Anthropology, Halle, Germany

Imen GALLALA-ARNDT

Associate researcher at the MPI for Social Anthropology, Department of Law & Anthropology, Halle, Germany

Marleen MAES

Judge of the Council of Alien Law Litigation, Belgium

Eugenia RELAÑO PASTOR

Associate researcher at the MPI for Social Anthropology, Department of Law & Anthropology, Halle, Germany

Ilenia RUGGIU

Professor at the Department of Jurisprudence, University of Cagliari, Italy

Federica SONA

Researcher at the MPI for Social Anthropology, Department of Law & Anthropology, Halle, Germany

Katharina STEININGER

Judge, seconded to the Department of Criminal Law of the Austrian Ministry of Justice; Austrian representative in the EJTN Sub Working Group Human and Fundamental Rights

Emanuel TOWFIGH

Holder of the Chair in Public Law, Empirical Legal Research and Law & Economics, EBS University, Wiesbaden, Germany

Larissa VETTERS

Researcher at the MPI for Social Anthropology, Department of Law & Anthropology, Halle, Germany

Arno VINKOVIC

European Judicial Training Network, Brussels, Belgium

European Judicial Training Network
123, rue du Commerce
B-1000 Bruxelles

Phone +32 2 280 22 42
Fax +32 2 280 22 36
Mail ejtn@ejtn.eu

www.ejtn.eu

