CONTENTS

Contributors xi
Table of Cases xv
Table of Conventions and Statutes xlix
Acknowledgements li
Abbreviations liii

- 1 Introduction 1
 AMREI MÜLLER AND HEGE ELISABETH KJOS
 PART I Judicial Dialogue in Domestic Courts
- 2 Judicial Dialogue on International Human Rights Law in Poland and Eastern Europe 27
 IZABELA SKOMERSKA-MUCHOWSKA
- 3 Horizontal Judicial Dialogue on Human Rights: The Practice of Constitutional Courts in South America 67
 MICHAEL FREITAS MOHALLEM
- 4 The Supreme Court of Canada's Transnational Judicial Communication on Human Rights (1982–2014): An Empirical Assessment 114
 GIANLUCA GENTILI AND ELAINE MAK
- Ideological Barriers to Judicial Dialogue: A Study of the Laws Establishing Sharīʿah Courts in Malaysia and Nigeria 153
 AZIZAT O. AMOLOYE-ADEBAYO
- 6 Complementary Protection and Domestic Courts: The Extent, Method, Purpose and Effects of Judicial Dialogue 173
 NAOMI HART

7 The Construction of Same-Sex Families in Western Europe through Legislative and Judicial Dialogues: The Role of National Legislatures and Supranational Courts
 216
 DANIELE GALLO AND MATTEO M. WINKLER

Reports on Practice: Domestic Judges

- 8 Engaging in Judicial Dialogue: Some Reflections from the United Kingdom Supreme Court 253

 THE RIGHT HONOURABLE LORD CARNWATH OF NOTTING HILL
- 9 Engaging in Judicial Dialogue: The Practice of the German Federal Constitutional Court 258
 ANDREAS PAULUS
- 10 Judicial Dialogue: The Experience of Italy
 RAFFAELE SABATO
 267

PART II Judicial Dialogue in the European Court of Human Rights

- 11 The ECtHR's Engagement with German and Russian Courts' Decisions: Encouraging Effective Cooperation to Secure ECHR Rights 287

 AMREI MÜLLER
- Encouraging Judicial Dialogue: The Contribution of Human Rights NGOs' Briefs to the European Court of Human Rights 339
 LAURA VAN DEN EYNDE

Reports on Practice: ECtHR Judges

- 13 Dialogues between the Strasbourg Court and National Courts 401 LUIS LÓPEZ GUERRA
- 14 The ECtHR's Use of Decisions of Domestic Courts from States Not Involved in the Case and of Other Council of Europe Bodies 410 ERIK MØSE
- 15 The ECtHR' Use of Decisions of International Courts and Quasi-Judicial Bodies 419 ANGELIKA NUBBERGER

PART III Normative and Theoretical Appraisals

- 16 From Judicial Dialogue to Cosmopolitan Norms:
 Enhancing Democracy in Globalised States 435
 CLARA MARSAN-RAVENTÓS
- 17 Dialogue or Interaction? A Non-Cosmopolitan Reading of Transjudicial Communication 467

 LUCA PASQUET
- 18 Conclusion 504
 AMREI MÜLLER

Annex 1: Transnational Judicial Dialogue: Concept,
Method, Extent and Effects (Guiding Questions
to National Judges) 529
Annex 2: Transnational Judicial Dialogue: Concept,
Method, Extent and Effects (Guiding Questions
to ECtHR Judges) 535
Select Bibliography 543
Index 555