Contents

List	of Figures	page xi
List	of Tables	xiii
List	of Contributors	XV
Ackr	nowledgements	xvii
Tabl	le of Cases	xix
Tabl	le of Legislation	xxxiii
Tabl	le of International Instruments	xli
List	ofAbbreviations	xlv
	Chapters by Theme	
1	An Introduction to Foreign Judges on Domestic Courts Anna Dziedzic	1
	PART I RATIONALES, MOTIVATIONS AND DESIGN	
	DOMESTIC DRIVERS	
2	My Reflections as a Foreign Judge in the Commonwealth Mabel M. Agyemang	33
3	Judges from Other Common Law Jurisdictions on the Hong Kong Court of Final Appeal Joseph Fok	41
4	Foreign Judges in Liechtenstein's Courts Peter Bußjäger	56
5	The SICC, International Judges and International Commercial Dispute Resolution Anselmo Reyes	71

6	Foreign Judges in the Macau Special Administrative Region of China: An Emblem and a Guarantee of the 'One Country, Two Systems' Principle Paulo Cardinal	88
	INTERNATIONAL INFLUENCES	
7	Foreign Judges in the Constitutional Courts of Bosnia-Herzegovina and Kosovo: 'Mission Impossible'? Constance Grewe	103
8	A Judiciary 'Suspended' in Transition? A Case Study of Portuguese Judges in East Timor Sapna Reheem Shaila	124
9	Foreign Judges in International Corruption Missions in Central America Carlos Arturo Villagrán Sandoval	140
10	Mixed Composition in International Criminal Justice: History, Justifications and Challenges Harry Hobbs	159
	PART II IMPLICATIONS AND IMPACT	
	FIRST-HAND ACCOUNTS	
11	Impartial Adjudicators? The Role of Foreign Judges in Seychelles Mathilda Twomey	181
12	What Is It to Be an Academic French Female Judge in Andorra? Some Personal Thoughts about a Unique Experience Laurence Burgorgue-Larsen	200
13	Foreign Judges on Domestic and Regional Courts: The Difference between What Matters and What Seems to Matter Dennis Byron	219
14	Foreign Judges in National Courts in the Commonwealth Karen Brewer	233
15	Reflections David Baragwanath	242
	JUDICIAL IDENTITY AND THE JUDICIAL ROLE	
16	Colonial-Era Mixed Courts, the Compensation of Foreigners for Wrongful State Acts and the Emergence of International Judges as Guarantors of Individual Rights Michel Erpelding	250
17	Forging a Judicial Identity: The Colonial Legal Service Paul Swanepoel	268

Contents

18	Domestic Criticisms of Foreign Judges: The Case of Hong Kong Simon N. M. Young	284
19	Judicial Mobilities: Travelling Judges in the Pacific Anna Dziedzic	300
	ADJUDICATION, ACCOUNTABILITY AND INDEPENDENCE	
20	Foreign Judging and Securing Judicial Independence in the Anglo Caribbean Tracy Robinson	3 2 4
21	Importing Justice: Foreign Judicial Appointments in Southern Africa Rachel Ellett	345
22	Foreign Judges on Domestic Courts in the MENA Region: Challenges and (Missed) Opportunities Siraj Khan	369
23	Foreign Judges on the Gambian Bench: Implications for Judicial Independence and the Rule of Law Satang Nabaneh	392
24	The Syariah Factor: One of the Many Challenges for 'Foreign' Judges in the Courts of Brunei Darussalam Ann Black	409
25	Foreign Judges: Adjudicating Papua New Guinea's 'Home-Grown' Transformative Constitution Bal Kama	427
26	Shaping the Legal Landscape: Foreign Judges in the Federated States of Micronesia Gonzaga Puas	447

Chapters by Region

AFRICA

11	Impartial Adjudicators? The Role of Foreign Judges in Seychelles Mathilda Twomey	page 181
21	Importing Justice: Foreign Judicial Appointments in Southern Africa Rachel Ellett	345
23	Foreign Judges on the Gambian Bench: Implications for Judicial Independence and the Rule of Law Satang Nabaneh	392
	ASIA	
3	Judges from Other Common Law Jurisdictions on the Hong Kong Court of Final Appeal Joseph Fok	41
5	The SICC, International Judges and International Commercial Dispute Resolution Anselmo Reyes	71
6	Foreign Judges in the Macau Special Administrative Region of China: An Emblem and a Guarantee of the 'One Country, Two Systems' Principle Paulo Cardinal	88
8	A Judiciary 'Suspended' in Transition? A Case-Study of Portuguese Judges in East Timor Sapna Reheem Shaila	124
18	Domestic Criticisms of Foreign Judges: The Case of Hong Kong Simon N. M. Young	284
24	The Syariah Factor: One of the Many Challenges for 'Foreign' Judges in the Courts of Brunei Darussalam Ann Black	409
	CARIBBEAN AND CENTRAL AMERICA	
9	Foreign Judges in International Corruption Missions in Central America Carlos Arturo Villagrán Sandoval	140
13	Foreign Judges on Domestic and Regional Courts: The Difference between What Matters and What Seems to Matter Dennis Byron	219
20	Foreign Judging and Securing Judicial Independence in the Anglo Caribbea Tracy Robinson	n 324

EUROPE

4	Foreign Judges in Liechtenstein's Courts Peter Bußjäger	56
7	Foreign Judges in the Constitutional Courts of Bosnia-Herzegovina and Kosovo: 'Mission Impossible'? Constance Grewe	103
12	What Is It to Be an Academic French Female Judge in Andorra? Some Personal Thoughts about a Unique Experience Laurence Burgorgue-Larsen	200
	MIDDLE EAST	
22	Foreign Judges on Domestic Courts in the MENA Region: Challenges and (Missed) Opportunities Siraj Khan	369
	PACIFIC	
19	Judicial Mobilities: Travelling Judges in the Pacific Anna Dziedzic	300
25	Foreign Judges: Adjudicating Papua New Guinea's 'Home-Grown' Transformative Constitution Bal Kama	427
26	Shaping the Legal Landscape: Foreign Judges in the Federated States of Micronesia Gonzaga Puas	447
	CROSS JURISDICTIONAL	
1	An Introduction to Foreign Judges on Domestic Courts Anna Dziedzic	
2	My Reflections as a Foreign Judge in the Commonwealth Mabel M. Agyemang	33
10	Mixed Composition in International Criminal Justice: History, Justifications and Challenges Harry Hobbs	159
14	Foreign Judges in National Courts in the Commonwealth Karen Brewer	233
15	Reflections David Baragwanath	242

16	Colonial-Era Mixed Courts, the Compensation of Foreigners for Wrongful State Acts and the Emergence of International Judges as Guarantors	
	of Individual Rights Michel Erpelding	250
17	Forging a Judicial Identity: The Colonial Legal Service Paul Swanepoel	268
Ind	ex	46