CIHS- Faculty of Human Sciences and Humanities.

Degree in International Relations.

Final degree project.

´´Judicial diplomacy: a comparative analysis of the conduct of International and National Courts. ´´

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Acronym list:

Association of Southeast Asian Nations: ASEAN.

Court of Justice of the European Union: CJEU.

East African Community: EAC.

East African Court of Justice: EACJ.

European Convention of Human Rights: ECHR.

European Court of Human Rights: ECtHR.

European Union: EU.

German Constitutional Court: GCC.

International Organizations: II.OO.

Justice Affairs Diplomacy: JAD.

Non-Governmental Organization: NGO.

Non-State Actors: NSA.

Supreme Court of Canada: SCC.

Treaty of function of the European Union: TFEU.

Treaty of the East African Community: TEAC.

Treaty of the European Union: TEU.

United States of America: U.S.

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Chapter 1: Methodology and theoretical aspects:

1. Summary:

The following final degree project will be about how the International and National Courts affect judicial diplomacy. It will first establish a general framework to define judicial diplomacy, and what it is. Then it will indicate a state of the issue, followed by research questions and the objectives to reach. The methodology to follow will be a comparative analysis of the effects on judicial diplomacy of International and National Courts. In the National Courts, the Courts of Japan, Canada and Germany will be analyzed. In the International Courts, the influence of the European Court of Human Rights, the Court of Justice of the European Union, and the East African Court of Justice.

Key words: Courts, diplomacy, judicial diplomacy, comparative analysis, and conduct.

2. Purpose and motives:

The purpose of this Final Degree Project is to cast a light upon how the Judiciary Power of the State, whose main purpose is to interpret and execute the law, can influence the international society. Furthermore, it will show the influence of different National and International Courts in the decision-making process in diplomatic relations by States. The motives for this Project are the little research in this field, the importance of it, and to show how this power of the State is also an actor in the international society. The justification of this project is to show that not only the Executive power of the State can impact internationally, but also the Judiciary can, even if it is only able to do so with the maximum respect to the law and the division of powers.

3. State of the issue:

Judicial diplomacy is not a very researched topic in the field of International Relations. Nowadays, the Academia´s research has been focused on the newer International Courts, or the top Courts of States. The focus of this area of research is in how Courts achieve legitimacy or gain influence, and the different practices they use as institutions of a certain State. Geographically, in the National Courts, the analyses focus on Asia, with Europe being the second most analyzed region by literature. Although the research is few, many authors point out that this practice, although of a complicated nature to describe because of the separation of powers, is growing increasingly. Judicial actors know that they need to legitimize themselves, now more than ever, and to engage with the public is one of the best ways to do so.

For this analysis, here are the different definitions that the Academia uses:

3.1. What is diplomacy?

The concept of diplomacy has been given different meanings throughout History. It is better understood as a polysemic concept, whose meaning varies depending on the historical context and actors involved. However, for a better understanding of reality, concepts are essential. For this reason, this section will try to give a definition of what diplomacy might be.

Traditionally, it has been defined as how political entities conduct their external relations through peaceful methods. The classical definitions emphasize diplomacy as an instrument for managing relations between States by negotiation, communication, and representation. Therefore, diplomacy can be defined as the practice through which

political actors pursue their interests in the international sphere by dialogue through accredited agents governed by rules, customs and institutional continuity, aimed at facilitating communication and preventing disputes (Oreja & Rupérez, 2020). Its nature is of communication, being always involved in the transmission of messages, interpretation of intentions and the management of perceptions (Gregory, 2008).

However, the concept of diplomacy has expanded from this classical definition. Globalization, technological change, and the importance of public opinion have challenged the classical definition that limited diplomacy in a government-to-government interaction. For this, diplomacy must be understood as a broader set of practices, which involve multiple actors, which must be built up from the classical definitions that attribute to its core the peaceful means of external action (Marín, 2002). Furthermore, diplomacy is still oriented towards long-term relationship management and credibility (Gilboa, 2008), even if today encompasses traditional state-centered interactions and newer forms of engagement (Priego, 2014.), with conceptual coherence defined by its peaceful character (Oreja & Rupérez, 2020).

For this, a concept of diplomacy that can include all the characteristics that have been indicated is: **the practice by which state actors that can exert international influence, implement external objectives through structured interaction and communication, aiming to manage and sustain long-lasting relationships in a peaceful manner, aimed to a nation-State.**

3.2. What is public diplomacy?

The emergence of the concept of public diplomacy comes from the recognition that international relations are not shaped only by political elites, but also through public opinion, social perceptions, and legitimacy beyond formal State institutions (Gregory, 2008; Gilboa, 2008). It is better understood as an expansion of the diplomatic practice (Priego, 2014); thus, a political instrument used by States, International Organizations and Non-State Actors to build and manage relationships and encourage the national interest of States abroad. This is oriented in a long-term engagement that emphasizes credibility (Gregory, 2008).

Public diplomacy is aimed at influencing perceptions and attitudes in ways that support the foreign policy of States. This is done through traditional media, digital platforms, cultural exchanges, and educational initiatives, in a credible and interactive

manner (Gilboa, 2008). Its focus is on publics, targeting foreign societies directly, which reflects the transformation in international relations, answering the structural changes in the international system (Gilboa, 2008).

It is also the principal mechanism through which soft power, the ability to shape the preference of others through attraction, is exercised. This perspective implies that the objective of public diplomacy is about creating environments in which political objectives are more likely to be accepted or supported. It shapes narratives and perceptions, relying on non-coercive forms of influence (Nye, 2008), in a multidirectional manner (Gregory, 2008).

However, inside the shaping of the narratives, public diplomacy is also linked to legitimizing and justifying the actions of States in international politics. This shows that public diplomacy is a tool that contributes to the construction of international legitimacy and framing political action withing shared principles and values (Manfredi Sánchez, 2011).

Therefore, a concept of public diplomacy that includes all these characteristics would be the **set of communication and practices through which state actors engage foreign publics to foster understanding and build long-term relationships, through peaceful means, as a means to boost their national interest.**

3.3. What is judicial diplomacy?

The concept of judicial diplomacy emerges from the observation that courts increasingly interact with actors outside their immediate judiciary function, such as other courts or legal professionals. Squatrito (2020) defines judicial diplomacy as non-adjudicative, and court-organized interactions with external audiences. These interactions include seminars or institutional visits, explicitly indicating that there are practices outside the judicial decision-making. For this author, judicial diplomacy always takes place outside judicial decision-making, but it is conducted by these institutions.

In its nature, judicial diplomacy is a relational process through which Courts engage in judicial diplomacy to shape how they are perceived. For Squatrito, it is a political process in which courts attempt to position themselves in a specific institutional environment, with the objective to the construction of legitimacy. In this sense, this author´s focus is on International Courts that might lack the direct democratic authorization that National Courts have. The target here is the whole of society, to

legitimize these institutions. However, this is a peculiarly followed topic in the literature, as Kalantzis (2025) also addresses this need of International Courts to justify their authority in our actual system of global governance and protect their institution.

Other authors using the concept ´´judicial diplomacy´´, indicate that courts are not passive institutions, but actors that can engage beyond their domestic legal context. This engagement might be done through judicial comparativism, which is the practice of citing foreign law to engage with transnational judicial communities. Therefore, judicial diplomacy is also defined as a method for courts to participate in global legal conversations and enhance their status and influence in the global legal community (Law, 2015). The target in Law´s definition is only the legal audience, but not the whole society; with the purpose for the Court to be seen as sophisticated and modern.

The definition given by Rado (2020), is the international and extrajudicial activities of courts and judges. He emphasizes that they are often organized by courts, having judicial diplomacy an important institutional character as judicial diplomacy must remain connected to the authority of the judicial institution itself. But in its definition, the purpose of it is mostly to encourage professional networking.

Davies (2020) also conceptualizes judicial diplomacy in an extrajudicial sense, defining it as the engagement of judges with foreign and international audiences outside the courtroom. This engagement might involve activities such as speeches or visits to international forums. However, this author is cautious about this set of practices, as they might raise normative and constitutional concerns with respect to judicial independence and accountability.

Therefore, to give a definition of judicial diplomacy, this project will use the following: **the different practices conducted by any judicial power in an institutionalized way, outside of decision-making, through which they try to engage a certain foreign community, with the purpose of increasing their influence globally.**

3.4. Is judicial diplomacy related to public diplomacy?

Judicial diplomacy, according to the concepts analyzed before, is related to public diplomacy. However, not a single author directly indicates that it is a subtype of public diplomacy, but that it uses the same communication logic. However, it can be stated that judicial diplomacy relates and derives from public diplomacy, from a perspective of legal studies (Silva Forte, 2022), being a derivation of public diplomacy. Silva Forte, who uses

the same concept of judicial diplomacy as Squatrito (2021), understands that judicial diplomacy shares public diplomacy´s focus on communication and legitimacy-building through interaction with non-State audiences. Furthermore, the practices that Squatrito describes on the analysis correspond to the core elements that define public diplomacy, such as the use of persuasion rather than coercion, mostly used in public diplomacy.

The recent analysis of Kalaintzis (2025) supports that judicial diplomacy is related to public diplomacy, which must be situated within the transformation of diplomacy from the State-centric model that allocates it in the executive power. The analysis emphasizes that diplomacy includes non-traditional actors and practices, which must follow a common guideline of foreign policy established by the executive power, which tends to be a long-term one. However, other authors, such as Law (2015) and Rado (2020), focus on the fact that their concept of judicial diplomacy is oriented towards the legal community. These approaches then indicate that not all judicial diplomacy is oriented towards the whole public, not being able to be equated with public diplomacy.

As a conclusion, it can be said that public diplomacy is related to public diplomacy, but that it differs between scholars. However, it has to always be outside the decision-making process, and in an institutionalized way. It can never compromise the independence of judges, as internationally, the General Assembly of the United Nations adopted in 1985 the ´´*Basic Principles on the Independence of the Judiciary*´´. Thus, international diplomacy is related to public diplomacy in most cases, especially when trying to legitimize different international Courts, but always in a way that maintains independence with executive power. In this sense, authors have shown that this phenomenon is of an anomalous nature, as it is contrary to the separation of power (Lee & Ip, 2020). In this way, it can be stated that judicial diplomacy is not ´´inside´´ judicial diplomacy, but that it operates within the logic of public diplomacy.

4. Objectives and questions:

Although all the different contributions that have taken place in this field, there are still questions to answer. The main question that this project will try to answer is ´´**Why is the behavior of courts, regarding judicial diplomacy, different if they are national or international?**´´ This question is still not answered, but first, different objectives will tried to be reached for a complete and thorough analysis of judicial diplomacy, to then do a comparative analysis of both. This has not been done by any literature of judicial

diplomacy and therefore is still an unanswered question. The focus of this Final Degree Project will be the analysis of the different judicial diplomacy practices that have not been answered yet. It will focus on how national and international courts act, but, more importantly, how judicial actors engage. How their practices are different, which audiences they try to reach, and their different intentions of them. The objectives of this Final Degree Project will be the analysis of the cases of some of the most relevant Courts internationally, and their practices of judicial diplomacy. Also, the project will show the relevance of these Courts internationally in protecting the rights of minorities and pushing forward democratic values.

Within the first part of the second chapter of the Final Degree Project, the objectives are:

1- The description of the most common judicial diplomacy practices of Japanese courts.
2- The description of the judicial diplomacy practices of the German Federal Court.
3- The description of the judicial diplomacy practices of the Supreme Court of Canada.

The decision to analyze these courts is because of the more holistic overview they might offer of the judicial diplomacy practices around the world.

Within the second part of the first chapter of the Final Degree Project, the objectives, regarding the judicial diplomacy practices of International Courts, are:

1- The description of the most common judicial diplomatic behavior of the European Court of Human Rights.
2- Description of the judicial diplomatic practices of the Court of Justice of the European Union.
3- The practices of the East African Court of Justice regarding its judicial diplomacy.

The decision to analyze these international courts is because of the importance of the first two in literature, as they are the most reviewed ones. The importance of the third resides in its novelty, as it was funded in 2001. Furthermore, the competence and structure of the three of them will be indicated, for a more complete analysis of these more unknown courts.

Then, the comparative analysis will be done, using the most similar system of comparison. The objective of this analysis is to bring an answer to the question answered before, as well as to analyze why the chosen courts establish these relations. This shows how they are different, and why, even being both judicial organs, act in diverse ways, as it has not been answered yet. It will be divided into three parts as well, which are:

1- The different practices the courts engage in.
2- The different audiences they try to reach.
3- Purpose and intention of the courts.

5. Methodology:

The comparison methodology, focusing on the most similarities one, between the impact of National and International Courts. The focus will be primarily on the similarities, and then how they impact on the diplomatic relation of Nation-States. Comparative analysis is a scientific method which uses the structured attempt of different sociopolitical phenomena to identify different regularities and patterns across political units. It is one of the basic scientific methods that is used to establish empirical relationships among variables when the number of cases is too small to allow statistical analysis and when the experimental method is not possible (Lijphart, 2008).

It is an attempt to overcome the restricted number of cases that political phenomena might have, seeking to overcome this limitation by increasing the number of comparable observations, reducing the number of variables, or strategically selecting the cases (Lijphart, 2008). Comparative analysis highlights the structural similarities among these political units, which, according to Scmitter (2009), is the most viable method for identifying patterns of similarity and differences.

However, this scientific method needs conceptual discipline, comparative analysis must first define the cases, before assessing the variation that it might have. Nevertheless, this definition process should not fall to an extent where the concept is stretched in an incoherent way that it might lose its defining attributes (Sartori, 1991). Within the comparative method itself, the ´´method of difference´´ and the ´´method of similarities´´ are the main different methods that exist. The reason to choose one or another differs in the effects that the different variables might have, and how similar the conceptualization and definition of the processes are (Lipjphart, 2008).

For these reasons, this Final Degre Project will use this methodology of analysis, as the definition of the practices and behaviors that has been established before fall under the same definition of judicial diplomacy. Furthermore, the method use will be the most similarities one, as it will highlight the different Courts behavior, as they all are social actors outside the executive branch of the State. It will first address the different practices the Court and the judicial actors engage in that might have in common, the audiences they try to reach, and finally the purpose and intention of the judicial diplomatic practices that the Courts do.

For this, the Final Degree Project will have four distinct parts in its analysis, which will be:

1- The judicial diplomacy of National Courts. Here, to grant a global vision of the different judicial diplomatic practices that take place around the world, this analysis will use three different regional areas to do so. Specifically, it will focus on the description and analysis of the judicial diplomacy of Canada, Germany, and Japan. In this way, a more holistic analysis will be done, and it will show how two different legal systems, Case law and Continental, behave in judicial-diplomatic terms. Also, it will show how various parts of the world, Asia, North America and Europe, interact globally. Each of these countries will be its own chapter.
2- The judicial diplomacy of International Courts. Because of the singularity and complexity of these International Actors, their material, territorial, and temporary competence will be first indicated, along with a brief indication of its procedural rules. Then, its judicial diplomacy practices will be indicated. Specifically, the focus will be on the ECtHR, the CJEU and the EACJ. The reason is that they are the most researched and analyzed courts when it comes to judicial diplomacy, but also that they provide some examples of the most successful attempts of International Cooperation the world has ever seen.
3- Comparison analysis between them. This analysis will be fragmented into three parts, an analysis of the different practices, of the audiences they are all trying to reach and the intention and motives of the different courts.
4- Conclusion.

6. Theoretical framework:

Following the three main schools of thought for International Relations, it will first be stated why Realism is not the best option to analyze judicial diplomacy. Then it will be stated why Constructivism is not the best option either, to then indicate why Liberalism is the best one.

Realism conceptualizes International Relations as a system dominated by sovereign States acting as unitary actors in an anarchic environment, and frames diplomacy as an instrument of statecraft that serves to pursuit national interests (Antunes & Camisão, 2018). Judicial diplomacy´s focus is the external action of courts, who are not sovereign actors or instruments designed to maximize State power in the international sphere, who derive their authority on constitutional legitimacy. This assumption from where the authority of the Judicial power receives its power is contrary to the realist perspective, which entails that diplomacy receives its authority from State sovereignty (Hoffman, 2003). Furthermore, most judicial diplomacy is operated through non-coercive mechanisms, and not from material capabilities and coercion as Realism entails (Antunes & Camisão, 2018).

On the other side of the spectrum, Constructivism is not the ideal theory to analyze judicial diplomacy either. The constructivist emphasis is on the shared ideas, norm diffusion, identities, and intersubjective meanings rather than material power alone (Pérez, 2018). However, the judicial diplomacy literature focuses on how judicial practices are conducted (Law, 2015). Furthermore, constructivism is applied mostly to the identity projection by States, mostly by their Executive power, through channels such as public diplomacy (Fassihi et al., 2022). Judicial diplomacy´s aim is at maintaining legal authority and legitimacy across overlapping legal orders, with an emphasis on institutional credibility rather than identity definition.

For these reasons, the theoretical framework that will be used in this Final Degree Project is within the Liberalism school of thought of International Relations. Liberalism assumes that international politics reflects patterns of cooperation and conflict in the International Society, as such is preferred by States (Moravcsik, 1992). This school of thought emphasizes freedom, democracy, rule of law and limits on power, with conflict being able to be mitigated through cooperation, institutionalization and international commerce, or the importance of Non-State Actors (Abad Quintanal, 2019), such as

International Courts. Furthermore, and in relation to the concepts that were stated above, liberalism theory is associated with soft power and legitimacy, as liberalism conceptualizes influence as something that operates through attraction, legitimacy, and shared norms (Canyurt, 2025), just like judicial diplomacy.

7. Timeframe:

The judicial diplomacy analyzed in this study focuses on the contemporary period. The literature that will be used does not analyze judicial diplomacy in the 19th century or early diplomacy, and it also does not treat it as a feature of classical diplomacy. Although there is some literature on 19th century judicial diplomacy, the base of most of these articles is of a historical one and not fitting within the definition or theoretical framework of judicial diplomacy given earlier, and mostly within the French and British Empires.

As Law (2015) indicates, the post-Cold War era has witnessed an unprecedent increase in transnational judicial interaction, particularly in East Asia, and that judicial diplomacy is a recent phenomenon. Furthermore, Davies (2020), indicates that it is a contemporary practice, along with Nicola (2021), who places judicial diplomacy as a recent practice in a changing post-Cold War global order. For these reasons, the core temporal focus of this research will be from the 1990´s until 2025.

8. Structure:

The following final degree project will be based around three chapters. The first chapter is the methodology and theoretical aspects. The second one will be about the description of the different judicial diplomacy practices of national and international courts. The third and concluding chapter will be comparative analysis using the most similar method between the two types of courts, and a brief conclusion of it. To finish this final degree project, the bibliography will be indicated using the APA style of citation.

Chapter 2: Descriptive analysis:

1: Judicial diplomacy of national courts.

1.1: Judicial diplomacy of Japanese national courts.

Japan´s judicial diplomacy behaves itself as an institutionalized and long-term sets of practices through which Japanese judicial actors engage with foreign courts. Japanese courts engage in judicial diplomacy systematically, particularly within Southeast Asia (Yoshimatsu, 2024). These long-term practices show that this engagement is based on repeated interaction and continuity, evolving over time (Yoshimatsu, 2024), designed to allow relationships to deepen (Lee & Ip, 2020).

Entering their practices, the most common one is judicial comparativism, with courts engaging extensively with foreign legal materials. In Japan´s case, the most used ones are German and U.S. constitutional jurisprudence, but the citing of other Asian jurisdictions is increasing. The citing includes also the study, citation, and internal discussion of foreign judgments, facilitated by institutional resources, such as comparative law units within the judiciary. It is important to mention that, even if they are cite, these comparative analyses are not part of the *ratio decidendi* of the judicial decisions (Law, 2015).

In the Japanese's case, the function of judicial comparativism serves as a practice through which they present themselves as credible interlocutors in global and regional conversations. Especially, the main traditions that influence the Japanese judicial actors are German and U.S. constitutional traditions, being symbolic and institutional traditions on how they conceptualize the judiciary role. However, they do not subordinate themselves to only one model, but rather they selectively engage with foreign jurisprudence in an autonomous manner (Law, 2015).

Aside from judicial comparativism, and its motives, Japan´s judicial organs also attend regularly international conferences and forums that facilitate interaction with foreign counterparts. These forums, especially the Asia-Pacific ones, bring together courts to discuss judicial reforms, and enable sustained interaction over time, allowing Japanese judicial actors to build relationships and reinforce professional and deontological norms across the region (Yoshimatsu, 2024). These networks function as sites of diplomacy, with Japanese engagement presenting itself as a contributor to the

construction on this regional judicial community, with a position of prominence and respect.

The Japanese efforts are mostly localized in Southeast Asia, being institutionalized as such. The cooperation project they have with Southern Asian countries unfold over extended periods of time. One example of these practices are the partnerships between Japanese judicial training institutions and their counterparts in ASEAN countries, but other involve repeated advisory missions focused on improving court efficiency and professionalism (Yoshimatsu, 2024). All these practices are framed within the JAD of the Japanese government, which aims to promote fundamental values such as the rule of law throughout the international community. However, although it is an initiative laid out by the government, these practices are conducted by judicial institutions (Yoshimatsu, 2024).

However, the most important practice that JAD enabled is the technical assistance that it brough to ASEAN countries. These practices have supported major milestones in the region, which are shown below:

Table 1
Japan's Legal Technical Assistance to Southeast Asian States

Country	Start of Support	Major Outcomes of Assistance
Vietnam	1994	Civil Procedure Code (2004, 2010 & 2015), Bankruptcy Law (2004 & 2014), Civil Code (2005 & 2015), Civil Judgment Execution Law (2008 & 2014), State Compensation Law (2009 & 2017), Administrative Procedure Law (2010), Criminal Procedure Code (2015)
Cambodia	1996	Civil Procedure Code (2006), Civil Code (2007)
Laos	1998	Civil Code (2020)
Indonesia	1998	Intellectual property rights & a mechanism to improve legal consistency in business-related laws (2021)
Myanmar	2013	Introduction of mediation

Source: Yoshimatsu, 2024.

Furthermore, these practices done by Japan are particularly prominent, as they promote shared professional rules across the region. The text emphasizes that training

programs create opportunities for sustained dialogue and socialization, which empower Japanese judicial actors to communicate Japan´s institutional values and practices to their regional counterparts (Lee & Ip, 2020).

Another set of practices that have been developed through the time to foster these legal exchanges are the translation and dissemination of legal materials. Authors frame these actions as prerequisites for effective translation interaction, with Japan making legal materials accessible to foreign audiences (Law, 2015). Furthermore, these translations lay out the foundations for comparative studies across the different jurisdictions (Lee & Ip, 2020).

Japanese judicial diplomacy is situated within broader regional engagement strategies, but maintains its judicial character, not transforming judicial actors into executive actors, and grounding these practices to judicial functions. This is explicitly done by its emphasis on rule-of-law promotion and legal infrastructure (Yoshimatsu, 2024). However, it is not purely altruistic, as it is shaped and promoted by considerations of influence, reputation, and leadership (Law, 2015).

1.2: **Judicial diplomacy of the German Constitutional Court:**

The focus of the analysis will be, the German Constitutional Court; as its practices and legal reasonings are one of the most followed worldwide (Law, 2015). Germany has one of the most influential Constitutional courts in the world, especially after the Second World War and the promulgation of the Fundamental Law of Bonn in 1949 (Basic Law for the Federal Republic of Germany, 1949). This is why the judicial diplomacy of German courts is mostly clearly articulated through the external activities of the German Federal Constitutional Court, positioned at the apex of the German constitutional system. Its engagement abroad Germany´s territory it is a deliberate and institutional practice aimed to managing influence (Meyer, 2021).

The Court, which operates in a context of interdependence between Constitutional, European Union and Public International Law, tries to use its judicial diplomacy as a response to compete for influence. Its practices allow it to communicate its constitutional position, preserving its autonomy while participating in transnational judicial conversations. The interactions that the Courts engage in are through different references in the decision-making instruments the Court has, such as references or reasoned engagement with the jurisprudence of the European Court of Human Rights, and through extrajudicial channels, like meetings or conferences (Meyer, 2021).

Within the practices, one of their objectives is to affirm the Constitutional Court´s role as the ultimate interpreter of the German Basic Law. However, the practices are varied and meticulous, such as structured exchanges with judges from supranational courts, like the Justice Court of the EU, and promoting mutual understanding with them. Furthermore, their engagement with bilateral meetings with foreign constitutional courts, multilateral judicial forums and international judicial networks are a core component of their judicial diplomacy. As an example, between 1998 and 2019, the German Federal Constitutional Court has participated in 137 meetings, and repeatedly in different countries, as shown in the image below:

Fig. 2 Frequency of FCC meetings with delegations from countries worldwide, 1998–2019

Source: Meyer, 2021.

These visits are diverse in format and purpose. They are institutionalized engagements, such as participation in judicial conferences; while others are informal and relational, with study visits and bilateral exchanges. This indicates that the German Constitutional Court´s judicial diplomacy operates through multiple reinforcing practices that sustain long-term relationships; especially with Civil Law Courts, which account to a 72,3% of interactions that fit within the definition of judicial diplomacy (Meyer, 2021). This fits withing the competition for the influence that the Academy states between the American constitutional model and the German one (Law, 2015).

The different practices are regular, with the Court´s engagement occurring consistently, routinized, and stable. It is institutionalized and embedded within the Court´s broader understanding of its role in a transnational legal order. Its communicative dimension, which includes its judgments, public statements and institutional presence, function as it signals to different external audiences of its position as supreme interpreter of Germany´s constitution. This dimension is also aimed at foreign audiences that observe the constitutional reasoning (Meyer, 2021). Of especial importance are the different press releases the Court engages in, that are used to enhance openness and transparency over certain court rulings (Meyer, 2020).

The content of the legal reasoning signals openness to engagement while asserting the constitutional position of the Court. Furthermore, it frames its constitutional claims

acknowledging the reasoning of other courts, even if it reaches other conclusions for the German case that they might be analyzing. This shows how its judicial diplomacy communicates disagreement, without escalating into conflict (Meyer, 2021).

However, the Court´s diplomatic practices are always secondary to its adjudicative function, without compromising its impartiality or constitutional fidelity. The Court does so by avoiding political alignment or policy advocacy. For these reasons, the Court shapes its judicial diplomacy´s keen sense of constitutional identity, with its external engagement purpose being to communicate it (Meyer, 2021). However, it always restrains itself to preserve its autonomy, grounding itself in the necessary judicial independence it needs to have for the Rule of Law (Squatrito, 2020).

1.3: **Judicial diplomacy of the Supreme Court of Canada:**

The most accomplished and acclaimed practices of judicial diplomacy in Canada is conducted by its Supreme Court. The Supreme Court of Canada is the judicial actor most embedded in transnational judicial interaction in Canada, consisting of regular, institutionalized, and multifaceted practices. The practices are directed towards foreign courts, international judicial networks, and global legal audiences, contributing to build the Supreme Court of Canada´s authority and legitimacy beyond its national legal system (Rado, 2020a).

In the context of its extrajudicial judicial diplomacy activities, it involves the different judicial organs in representation, communication and relationship-building across borders, conducted independently of executive diplomatic channels (Rado, 2020a). For these reasons, the Supreme Court of Canada has maintained long-term bilateral relationships, and a regular interaction, with different Courts of Continental and Case law tradition.

In the Anglo-Saxon tradition of Case law, its regular interaction with the Supreme Court of the United States of America, the Supreme Court of the United Kingdom or the Supreme Court of New Zealand are the most common ones. As in the period from the year 2000 to the year 2016, 270 interactions that can be considered as judicial diplomacy between the Courts of the United States and Canada were held (Rado, 2020a). In the Continental law system, the most prominent examples of judicial diplomacy of the Supreme Court of Canada were with the French Cour de cassation and Conseil d´État, and the Federal Constitutional Court of Germany. However, the total number of interactions between these Courts with the Supreme Court of Canada, add to a total of twelve interactions in the same period that was indicated above (2000 to 2016) (Rado, 2020a).

It is important to note that these different interactions involve official delegations, meetings, and joint participation in international judicial events, with the regularity of these contacts indicating that bilateral engagement has become a recognizable component of the Supreme Court of Canada´s judicial diplomacy. The most common way for the Canadian judicial diplomacy to be conducted is through multilateral judicial networks and associations that the different magistrates join individually, and that the Court may also act institutionally. Participation in these forums is the key mechanism through which

the SCC maintains visibility and influence as a Western Democracy within global legal communities (Rado, 2020a).

Another important practice is the judicial training and the capacity-building cooperation of the court, alongside other Canadian judicial actors. The judicial training that is framed inside these judicial diplomacy practices, is structured in programs that aim to support different judicial institutions abroad. Some of these practices include judicial education seminars, or judicial ethics. However, there are also exchange programs and study visits, in which foreign judges visit Canadian judicial institutions and engage with Canadian judges; and it also happens the other way around, with Canadian judges going abroad with trips to do these interactions with foreign judges (Rado, 2020a).

Furthermore, in the capacity-building cooperation of the Supreme Cout of Canada, they have the faculty to offer their insight in different legal initiatives. These cooperative initiatives are mostly connected to broader the rule of law, judicial independence, or Court administration, being of a technical assistance nature, which are integrated in the different seminars the Canadian judicial organs participate in (Rado, 2020a).

All these different initiatives contribute to disseminate different Canadian legal practices and jurisprudence. The judges perceive them as opportunities to share experiences and learn from different legal systems, enhancing the international visibility of the Supreme Court of Canada´s case law practices (Rado, 2020a). However, the use of non-domestic legal sources in the sentences of the court is also a widespread practice of the Supreme Court (Rado, 2020b).

These citation practices are mostly centered around cites of foreign judgements, foreign statutes, and international legal instruments. They are particularly used in constitutional cases and reflect an established judicial culture of openness and awareness of transnational legal debates, situating the Court within a broader international conversation and member of a community of the different democratic constitutional courts around the world (Rado, 2020b).

However, this engagement varies across time and among the different judges, some engaging more with foreign sources than others, but their judicial discretion is exercised within the Supreme Court´s institutional framework. The literature emphasizes that the Court behaves this way to enhance the reception of its judgments abroad, using

their judicial reasoning to operate as a communication practice that complements extrajudicial diplomacy (Rado, 2020b).

For all these reasons, Canada is referenced as an example of a legal system whose courts are perceived as credible and reliable (Nicola, 2021), with its Judicial Power rejecting the characterization of these judicial diplomacy practices as instruments of the Executive Power foreign policy (Rado, 2020a).

1.4: **Relation with the objectives:**

The objectives that have been indicated in the first chapter for this part have all been achieved. The judicial diplomacy of the Japanese courts has been addressed, as well as for the German Federal Constitutional Court and the Supreme Court of Canada. This has granted the Project a more holistic view, which indicates how different States in different continents interact in judicial diplomatic terms. It also casts a light for the answering of the question, as it recollects how national courts interact through judicial diplomacy, and what sets them aside individually.

2: **Judicial diplomacy of international courts:**

2.1: **Judicial diplomacy of the European Court of Human Rights:**

The ECtHR is an international judicial body established under the ECHR and integrated into the Council of Europe. Its main function is to supervise that the different national judgments it receives comply with the obligations they have assumed under the Convention (Kotzur, 2012). Its authority derives from the different international treaty laws, but the Court lacks coercive enforcement powers, depending on the different institutions of its member States (Madsen, 2016).

The competence of the ECHR is limited to the rights and freedoms that the Convention and its additional protocols cover. The Court has the faculty to determine which acts or omissions attributable to a State constitute a violation of those rights but cannot apply International Human Rights Law beyond the conventional framework. The competence of the Court is focused on assessing compliance, but not in substituting national authorities. This limitation of the competence is linked to the principle of subsidiarity, through which the primary responsibility for safeguarding Convention rights is held by domestic institutions, with the ECtHR intervening only when national mechanisms fail to provide an effective protection (Føllesdal, 2016).

One of the main factors that distinguishes the ECtHR of other International Courts is its availability of access. Individuals, NGO´s and associations may lodge different applications alleging violations of the Convention by a State party, if the admissibility requirements are satisfied. These requirements include territorial, temporal, and procedural limitations. The temporal limitation confines the Court´s competence to acts occurring after the Convention or its protocols have entered into force, while the territorial limitations limit their reviews to conducts of member States. Procedurally, applicants must exhaust all domestic remedies and comply with the time limitations before being able to access the Court, as codified in the Rules of Court (European Court of Human Rights, 2018).

The Court is composed of a judge of each High Contracting Party to the Convention, elected by the Parliamentary Assembly of the Council of Europe (Madsen, 2011). The Court can be formed through a single judiciary organ, through a tribunal, in chambers of seven judges or as a Grand Chamber composed of seventeen judges. Single judiciary organs might declare the admissibility of cases, with tribunals are competent to

decide repetitive cases. The Chamber examines the case after it has been admitted, and the Grand Chamber hears cases that seriously affect the interpretation of the Convention. Its proceedings consist of written phases and oral hearing if they are needed and gently enhance settlements between the parties. Also, the Grand Chamber can function as an appellation court if the different judgements of the Chambers allow so (European Court of Human Rights, 2018).

The execution of the sentences is entrusted to the Committee of Ministers of the Council of the Council of Europe, which monitors whether respondent States adopt the necessary measures to comply with the Court´s rulings, which relieve institutional cooperation. Therefor its effectiveness depends on interaction with different national authorities, limiting the direct enforcement capacity of the Court (Madsen, 2011).

Moving onto the different judicial diplomacy practices of the ECtHR, it must be firstly stated that they consist of a set of institutionalized, non-coercive and extra-adjudicative practices through which the Courts seek to manage authority and legitimacy through the European legal order. The practices respond to the fact that the Court´s jurisdiction is binding but it does not have direct enforcement capacity and depends on the acceptance held by the different members States. It emerges as a functional response to the institutional vulnerability that it has structurally (Madsen, 2014; Madsen, 2016).

For these reasons, the ECtHR engages in institutional dialogue with different courts. The most notable example is the Court´s dialogue with the Court of Justice of the EU, as it constitutes a paradigmatic example of judicial diplomacy through inter-court engagement. The dialogue is framed as a means of fostering mutual understanding and coherence between two autonomous legal orders, while explicitly avoiding claims of supremacy or subordination by the ECtHR (ECHR, n.d.). Its dialogue is rooted in shared characteristics and differences they have, as both are supranational and compulsory jurisdictions established to ensure respect for the law of their founding treaties. However, they differ in their relationship with the different national Courts, nature, and mission, with this judicial dialogue emerging as a necessary practice because of these differences (Spielmann, 2017).

There are also bilateral meetings and exchanges between judges of the ECtHR, the CJEU, and the General Court of the EU, which provide a forum for discussing shared concerns and clarifying misunderstandings outside the constraints of formal proceedings,

reinforcing trusts and mutual respect between the institutions (Spielmann, 2017). This shows that the judicial dialogue between the ECtHR and the CJEU is a judicial diplomacy practice that reflects the intention to avoid systemic conflict, preserving institutional autonomy and maintaining coherence in European human rights protection. The impact of this dialogue is visible in the resilience of the European legal systems (Spielmann, 2017; ECHR, n.d.).

Judicial diplomacy at the ECtHR is intricately linked to legitimacy management. Empirical research conducted by Dinas and Gonzalez-Ocantos (2021), shows that the Court is vulnerable to politicization, and lacks the coercive mechanisms to enforce its judgments to demonstrate its impartiality. For this, the practices of emphasizing subsidiarity, the margin of appreciation and engaging in restrained institutional communication can be understood as practices that signal respect for national autonomy while preserving the Court´s role as supervisor.

The actors involved in the judicial diplomacy of the ECtHR play a vital role in mediating the Court´s authority and legitimacy. These actors are not only the magistrates that compose this judicial organ, but the different elites that assess the procedural fairness, access, and institutional performance that function as intermediaries between the Court and the broad audiences their actions might influence (Creamer & Godzimirska, 2023). This shows that the judicial diplomacy of the Court is directed at the elites that function as strategic actors, who can translate the judicial authority into domestic acceptance.

The impact of these judicial diplomacy practices contributes to the durability of the Convention system by reducing the likelihood of an open defiance, and incrementing the compliance to the ECHR (Madsen, 2016). Furthermore, elite-oriented practices facilitate the diffusion of the Convention of the standards by embedding them into the national legal systems and cultures, as it cannot impose them through confrontation (Creamer & Godzimirska, 2023). Also, the different procedural practices that the Court is legally allowed to do, such as case prioritization or selective referral to the Grand Chamber, function as signals to States and communities regarding the Court´s priorities (ECtHR, 2018).

Other practices of the ECtHR include official statements, reports, and public-facing documentation that emphasize cooperation and respect for national legal orders. These efforts are embedded into the Court´s broader effort to gain legitimation through

presenting itself as a protector of human rights rather than as an external enforcer (Madsen, 2014). For carrying on this image, the Court has strategically used the margin of appreciation and subsidiarity, as it shows that it does not seek to replace domestic decision-making (Madsen, 2016).

Another central aspect of the Court is its engagement with national courts and legal professionals both in judicial interaction and extrajudicial interaction. Some of these activities include participation in judicial networking, conferences, and training activities with judges of members States to the Convention. These interactions contribute to the socialization of domestic judges into Convention standards, fostering a shared sensitivity over human rights norms and judgments. These practices are significant, as they cultivate relationships with domestic legal systems that translate the Strasbourg jurisprudence into national contexts (Creamer & Godzimirska, 2023), and create a feeling that it is a part of the common European legal enterprise, enhancing coherence within the European legal order and legal certainty to the authority of International Human Rights Law in Europe (Kalaintzis, 2025).

It can be concluded that the intention of these judicial diplomacy actions is to secure the conditions for its long-term effectiveness. As confrontational strategies are unlikely to succeed because of the absence of enforcement capacity, the Court´s authority is sustained primarily through these practices that bring legitimacy and elite support to the ECtHR. Judicial diplomacy then reflects an institutional response where the Court adopts its practices to preserve compliance and maintain its position (Dinas & Gonzalez-Ocantos, 2021).

2.2: **Judicial diplomacy of the Court of Justice of the EU:**

The Court of Justice of the European Union (CJEU) is the maximum judicial authority of the EU, with the function of ensuring that, as article 19(1) of the Treaty of the EU establishes, ´´It shall ensure that in the interpretation and application of the Treaties the law is observed´´ (UE, 2016). The Court is part of the institutional framework of the Union, exercising its jurisdiction only within the competences attributed to it by the Member States, as the article 5.2 of the TEU indicates, but the effectiveness of the Union law depends on the Court´s interpretative authority rather than on coercive enforcement (Olsen, 2015).

This jurisdictional organ is composed of the Court of Justice, the General Court and different specialized courts when established by Parliament and the Council. The members of the Court of Justice that exercise the jurisdictional function are elected in a one judge per Member State basis, assisted by General Advocate. This system of election serves both legal and political functions, which combines judicial independence with statal representation, reinforcing its acceptance by Member States (Sarrión, 2015). The members are appointed for terms of six years, which are renewable, and must possess the qualifications for appointment to the highest judicial offices in their home countries, as articles 253 and 254 of the TFEU estate (2018). There is also a partial renewal of judges and Advocates General every three years (Statute of the CJEU, 2008), and the election of the President and Vice-President from among all the judges.

The General Court is primarily competent to hear actions brought by natural or legal people, and certain actions brought by Member States against Union institutions, as provided in article 256 of the TFEU (2018). The General Court was established by the primary law of the EU as part of the judicial system of the EU, with the allocation of cases between the General Court and the Court of Justice being expressly regulated through primary law (Bux, 2017). Each member of the State elects two judges for the General Court, for period of 6 years too.

The different competences of the CJEU indicate its jurisdiction over infringement proceedings (TFEU, 2018), through which the Court determines whether a Member State has filed to fulfill obligations under EU law. Another competence of the Court is the preliminary ruling procedure, as established in article 267 of the TFEU (2018). This procedure provides national courts with the option to refer questions concerning the

interpretation of Union law or the validity of acts of Union institutions to the Court of Justice. If there is no national remedy under national law, the courts are required to make these references. In the end, it is a formal mechanism of judicial cooperation established by treaties, under which national courts and the CJEU interact within a structured legal framework defined by Union law (Nicola, 2018). The CJEU also reviews the legality of acts adopted by Union institutions as articles 263 to 265 of the TFEU give this organ the competence to examine these acts.

The exercise of these competences is procedurally regulated by the Rules of Procedure (2018), which indicates that the proceedings before the Court have a written and an oral phase, define role of the representation of parties, role of agents, lawyers and Advocates General, and how the evidences, hearings and forms and effects of judgments are held.

The judicial diplomacy of the CJEU consists of a series of institutional practices undertaken by the Court and its members outside the formal exercise of adjudicatory functions, through which the Court engages with other judicial actors for the maintenance of its position within the EU and in the broader international legal environment. These practices are mostly conducted by judges outside their judicial capacity and is oriented toward representation and maintenance of institutional relationships (Tatham, 2017).

Some of these practices include the institutional representation conducted by the President of the Court, and different judges with authorization, which participate in bilateral and multilateral meetings with different constitutional and supreme courts. These visits take form of official visits, reciprocal delegations, and participation in closed judicial conferences. Following the judicial diplomacy definition given above, these engagements are not part of adjudicatory proceedings, and do not involve the discussion of cases, but rather as exchanges of experience concerning judicial organization and the challenges faces by courts operating under conditions of multiple systems interacting together (Tatham, 2017; Spielmann, 2017).

These practices are coordinated through the Court´s administrative structures, its protocol and communication services (Tatham, 2017). The President plays a significant role in representing the institution externally, with individual's judges having a more closed sphere of action. Therefore, the institutionalization of its judicial diplomacy

distinguishes judicial diplomacy from networking and situates it firmly within the Court´s functions.

Another dimension of judicial diplomacy of the CJEU is its participation in judicial networks and educational activities. The Court hosts study visits and training programs from Member State´s judges and from States outside of the EU, as well as legal professional and court officials. These activities are designed to present the functioning of the Court, its procedural framework, and its role within the EU legal order. Through these participations in judicial networking and educational activities, the Court engages its institutional identity to external audiences, contributing to the Court´s external relations and international standing (Tatham, 2017).

This judicial networking is especially relevant in the engagement of the CJEU with the European Court of Human Rights. This interaction is shown through the different cases the CJEU does citing this judicial organ in its jurisprudence (Tatham, 2010), complementing it with meetings between judges (Spielmann, 2017). These interactions are aimed at maintaining mutual awareness and avoid institutional conflict between distinct legal orders. (Kalaintzis, 2025). Furthermore, the jurisprudence of this Court is a referential point for other courts, as it processes information through citing, emulating, and adapting the cases it receives. This dialogue relies mostly on the voluntary engagement of it by the different national courts but shows how the Court interacts in our everyday life (Tatham, 2010).

The intention of these practices is not to represent the EU externally, but it is focused on representing the Court as a judicial institution that fosters mutual understanding with other Courts and that can manage its external relations consistently. This engagement is framed in cooperation and dialogue terms, rather that authority ones (Tatham, 2017). These practices are coherent with Kalaintzis (2025) ideas on the engagement of international courts for preserving its autonomy and effectiveness, without exercising political power or engaging in State diplomacy. Especially, the CJEU does not step out its judicial role, but some of its decisions have had implications for external relations (Nicola, 2018).

The main actor involved in the CJEU judicial diplomacy is the President of the Court. This figure mostly acts on behalf of the institution in official settings. However, different judges may also participate in different diplomatic activities, subjected to the

pertinent authorizations they might need. One key characteristic is that they do not operate outside the institutional framework of the Court, and do not act individually, but represent the institution as a whole (Tatham, 2017).

The impact of the CJEU´s judicial diplomacy contributes to its visibility and recognition, facilitating the cooperation with other Courts. However, it is not shown that its effects have legal impact but helps to emphasize its role in relationship-building and institutional positioning (Tatham, 2017). Furthermore, the acts that fit into judicial diplomacy that the CJEU conducts have an impact on the Union´s foreign relations, particularly trade. Judicial diplomacy provides institutional channels through which the Court´s role can be communicated and understood by external actors (Nicola, 2018); as the CJEU plays a central role in defining the economic competences of the EU (Tatham, 2014), and its judicial diplomacy helps manage the relations of the Court with States that are not part of the EU.

2.3: **Judicial diplomacy of the East African Court of Justice:**

The East African Community (EAC) is a regional intergovernmental organization established by the Treaty of this organization (TEAC). Its Partner States are the Democratic Republic of Congo, Burundi, Kenya, Rwanda, Somalia, South Sudan, Uganda, and Tanzania. As article 2 of the TEAC establishes that it has legal personality. Article 5 indicating that the objectives of the Community is to include the development of policies and programs to widen and deepen the cooperation among Partner Sates in a wide range of areas, such as judicial or economic affairs. For these reasons, this article stipulates the intention of the Community to become a Customs Union, Common Market, Monetary union, and a Political federation (EAC, 1999).

The TEAC indicates in its article 9 the seven institutional organs that are part of the EAC, which include the Summit of Heads of State or Government, the Council of Ministers, the Coordination Committee, the Sectoral Committees, the EACJ, the East African legislative Assembly and the Secretariat. The Summit of Heads of State or Government is the supreme Executive organ of the Community (art.10), with the Council of Ministers functioning as the policy organ of the EAC (art. 14 TEAC.).

The institutional structure of the EAC follows article 9 of the TEAC, which lists the organs of the EAC. The East African Court of Justice is described as one of the principal organs of the organizations, with article 23 defining it as the judicial body responsible for ensuring adherence in the interpretation, application, and compliance with the Treaty. Its jurisdiction is defined in article 27 (1) of the TEAC (1999), which includes reviewing the legality of acts of the Partner States and the Community organs that are part of EAC. The following article, 28, allows Partners States to refer to the different disputes concerning the infringement of Treaty obligations or provisions to the EACJ. Article 29 grants the Secretary General authority to initiate proceedings against that Partner State to the Court for infringement and non-compliance with the treaty.

The Treaty, under article 30, gives the faculty to any person, physical or juridical to challenge the legality of the acts, directives, decisions or actions of Partners States or any o the organs that are part of the EAC, and refer them to the EACJ to declare its unlawfulness or infringement (EAC, 1999). However, the TEAC imposes a two-month period to bring those references, which the Court does not interpret in a flexible manner, and several cases have been dismissed on these procedural grounds (Kisakye, 2025).

Furthermore, the Court has also the capacity to exercise preliminary ruling jurisdiction under Article 34, with national courts or tribunals being able to request the interpretation of Treaty provisions or of different Community acts when such interpretation is necessary to decide a case (EAC, 1999). To give coherence to the Courts rulings, these interpretations and applications of the Treaty have precedence over decisions of national courts on similar matters, as article 33 indicates. EACJ also has advisory jurisdiction, as article 36 allows for different organs and Partner States to request advisory opinions on questions of Treaty Law.

After indicating briefly, the distinct functions of the EACJ, and the organization of which it is a part of, now the structure of the Court and functioning will be described. The Court is described in a 2-division system, the First Instance Division, and the Appellate Division (Art.23 TEAC). The Court has a maximum of fifteen judges in total, with ten assigned to the First Instance Division, and five to the Appellate Division (art.26 TEAC). Judges are appointed by the Summit if recommended by Partner States and meet the qualifications to be members of high judicial office or jurists of recognized competence (art.24(1) TEAC).

There are certain limits to how many judges the EAC can appoint with the recommendation of the same Partner State, as no more than two judges of the First Instance Division and one of the Appellate Division may be appointed on the recommendation of the same Partner State. The maximum term these judges can serve is 7 years and must retire at the age of 70 (article 25, TEAC). However, they can be removed from office, requiring action by the Summit following established procedures (EAC, 1999). Its procedural aspects show that procedures may be written or oral, and it is also allowed to issue interim orders by mandate of article 39 of the Rules of Procedure of the EACJ (EACJ, 2019).

The judicial diplomacy of the East African Court of Justice must be understood as a structured set of practices through which the Court, in its short lifespan since 1999, has constructed, defended, and consolidated its authority with the EAC. These practices are judicial and institutionally anchored and try to form a conscious construction of a supportive legal constituency in response to institutional vulnerability. In this sense, different judges have tried to convince other organs of the EAC, and the public, that the viability of the court is crucial. These efforts were part of the institutional effort to ensure the Courts relevance within the integration framework (Gathii, 2013).

The Registrar of the EACJ is especially important. This organ, who is a judicial officer of the Court, has administrative, procedural and registry related competences (TEAC, 1999). Its functions, as laid out by the Rules of procedure (2019), include the custody of Court´s records and seals, receiving and transmitting documents, notifying parties, and arranging hearings of the Court. However, Kisakeye´s work (2025) has shown the importance of this organ in judicial diplomatic terms. It is described as performing roles that extend beyond administration, such as acting as a public relations officer and being a negotiator on behalf of judges. It has been concluded that older Registrars achieved the permanent resident of the Court in Arusha, showing that many of the actions that different Registrars have done are connected to institutional viability.

Another key component of the EACJ judicial diplomacy is systematic professional capacity-building. These are conducted through workshops across partner States in which judges, court staff and, especially, the Registrar participated. This systematic capacity-building has been organized through a series of events, with the most relevant one being the Regional Practice Series that the East African Law Society organized. This event included practical litigation exercises, instructions on rules or procedure, and advocacy skills. The role of the Registrar in this event was extremely relevant from a judicial diplomatic point of view, as this official explained procedural requirements, deepened the knowledge on the exhaustion of local remedies, and encouraged the framing of cases in the terms of the Treaty (Kisakye, 2025).

These different practices have also been aimed at State Attorneys, with the purpose of making them acquainted with the Court´s jurisdiction and procedural framework. This has been done through moot court programs, to train the next generation of lawyers before the Court, viewing these platforms to deepen understand Public International Law principles (Kisakye, 2025).

Another institutionalized set of practices includes the aperture of sub-registries. Specifically, five were opened in 2012 in different partner States, with the purpose to bring justice closer, as they enable local filing and transmission to the Court in an easier manner, while reducing costs. These sub-registries have engaged in outreach at trade fairs and legal awareness events, as they are a 2-way communication channel that have distribute information material and explain its jurisdiction. Furthermore, the Court has stated that its intention has been to improve public knowledge of its mandate and exclusive access mechanism through them (Kisakye, 2025).

Judicial diplomacy has also been manifested in the communication of the Court´s institutional purpose, such as the emphasis on stability and integration, without departing from the judicial role, with the decision making not having to dismantle the Community (Kisakye, 2025). This authority building is reinforced through the diffusion of the jurisprudence along the national laws and policies, shaping the domestic legal discourse of the Partner States (Lando, 2018).

Another dimension of the EACJ´s judicial diplomacy is its engagement in questioning its jurisdictional identity within the regional legal order. The Court has declared and influences its authority in relation to human rights, because, although the Treaty does not explicitly grant the EACJ human rights jurisdiction, the Court has review cases of this matter. It has done this framing it in terms of rules of law and governance, rather than declaring itself as a human rights court (Milej, 2018). This is a reflection that allows the Court to engage with sensitive issues while avoiding institutional confrontation over formal jurisdictional expansion.

The Court also engages with State actors and EAC institutions, as its judicial empowerment involved building confidence with these actors, with judges developing extensive networks of users and supporters (Taye, 2020). Furthermore, the Court has relied many times on the core principles of Public International Law to strengthen these ties, and the foundation upon which the judicial diplomatic practices rest on. These practices reinforce the Court´s image as a competent and principled adjudicator (Ringera & Rubia, 2023).

However, the judicial diplomacy of the EACJ is constrained by the resources it has, which lead to operational difficulties. This leads to a limited enforcement capacity where judicial diplomacy is a key factor for voluntary compliance, as it is an authority enhancing complement (Possi, 2018).

2.4: **Relation with the objectives:**

The objectives indicated in the first chapter have been achieved. The rules of procedure of the Courts have been addressed to understand the importance of these Courts and their competences given by the Executive power of the States that are members to them. The description of these practices is clear, clean, and easy to understand the relationship between them and the greater question that this project is trying to answer.

Chapter 3: Comparative analysis:

1: Different practices the Courts engage in:

As highlighted before, now we are going to focus on the different practices and actors that the Courts engage in. First, the practices and actors of the international courts will be indicated, and then of the national courts.

In international courts, the inter-court dialogue is the central backbone of judicial diplomacy. The ECtHR, the CJEU and the EACJ engage in institutionalized interaction with other judicial bodies. Particularly important is the dialogue of the ECHR and the CJEU, being of a cooperative nature and not hierarchical (Madsen, 2014 & 2016). This is fostered through official visits, reciprocal delegations, and participation in closed judicial conferences with different High Courts (Tatham, 2017). All these interactions are carried outside judicial processes, focusing on institutional challenges and the functioning of multilevel legal systems. The dialogue with the ECtHR is reinforced by the jurisprudential referencing that the CJEU does, as it complements judicial interaction (Tatham, 2010; Kalaintzis, 2025). This inter-court dialogue can also be extrapolated to the EACJ, as it engages with different high Courts of its Partner States to consolidate its position within its area (Taye, 2020).

These courts also participate in judicial networks and multilateral forums. All three of them institutionalize their relations through regular engagement in conferences, associations, and professional exchanges. The ECtHR participates in judicial networking and training activities with judges that come from member States of the ECHR (Creamer & Godzimirska, 2023). This practice is also common in the CJEU, as it hosts study visits and training programs for judges from Member States and third countries (Tatham, 2017); as well as the EACJ, which engages in regional workshops that include litigation exercises and procedural training before this court (Kisakye, 2025).

Institutional representation through designated actors is also important. In the case of the CJEU, the President has a leading role in its external representation, as it participates in international engagements on behalf of the Court. Although individual judges might engage in diplomatic activities, they are subjected to authorization of the Court (Tatham, 2017). The ECtHR also has a central role that represents the Court institutionally, however, the President of the ECtHR is mostly focused on the relationships with the authorities of the Council of Europe (Procedimental rules of the ECtHR, 2018),

and also has the authority to do decision-making decisions (ECHR, 1950). In the EACJ, as in the CJEU, the Registrar emerges as a particularly significant judicial diplomatic actor. It performs functions that extend into public relations and negotiation, contributing to external engagement (Kisakye, 2025).

Continuing now with the judicial diplomatic practices of national Courts, the Japanese courts, the GCC and the SCC show that, although operating within different legal traditions, their judicial diplomatic practices converge around a set of practices and identifiable judicial actors. One of the most common practices is judicial comparativism and citation of foreign sentences. In the Japanese case, courts engage with foreign legal materials, especially German and US constitutional jurisprudence. However, these citations are not part of the ratio decidendi of the sentences but constitute a systematic engagement with transnational jurisprudence (Law, 2015). The references and engagement practices are conducted by the GFCC, especially the ECtHR and other supranational Courts, such as the CJEU (Meyer, 2021). However, these citation practices are not only common in these two courts, as the SCC also has an established culture of citing foreign judgments and international legal instruments, particularly in constitutional cases (Rado, 2020b).

These three courts also participate in bilateral and multilateral judicial meetings, attending international conferences and regional forums in a consistent manner. In the Japanese case, its presence is especially important in the Asian-Pacific context, where courts maintain sustained interaction (Yoshimatsu, 2024). The GFCC engages in these meetings with judges from the ECtHR and the CJEU, as well as bilateral meetings with different high Courts around the world. Between 1998 and 2019, the GCC has participated in 137 meetings abroad, showing the routinized character of these practices (Meyer, 2021). However, the SCC participated, between 2000 to 2016, in 270 interactions with the SCOTUS, 240 with the UKSC, and less often with civil law systems, such as France, only interacting nine times (Rado, 2020a).

Judicial training and capacity building is also a recurring pattern with these three courts, especially through International Organizations. In the Japanese case, its partnership with ASEAN members involves long-term cooperation projects, and structured training programs, embedded in the Justice Affairs Diplomacy frameworks, conducted by judicial institutions themselves (Lee & Ip, 2020). In the SCC case, this institution engages in structured judicial education seminars, exchange programs, and

study visits. These initiatives include incoming visits of foreign judges to Canadian Courts, and outbound visits by Canadian judged abroad (Rado, 2020a). In the German case, participation in study visits and forums also forms part of its broader judicial diplomatic engagement (Meyer, 2021).

Focusing now on the most prominent figures that play a visible role, the German case does not single out a specific office for these judicial diplomatic practices, as the Court coordinates these interactions (Meyer, 2021). In the Canadian context, the SCC has its individual's magistrates join the association in an individual manner, participating in the diplomatic engagements within the Court´s framework (Rado, 2020a). In Japan, the different courts participate through structured frameworks, but not through a core leadership that conducts these activities individually (Yoshimatsu, 2024).

After compiling these practices, it can be stated that international courts have a key figure that conduct these different judicial diplomatic practices. As in contrast to the national courts that are being herein analyzed, International Courts have this figure to conduct their external representation. Following the founding conducted by Alter, Helfer and Madsen (2016), which explains why the authority of the court is constructed and sustained through interactions with multiple audiences, especially governments, domestic courts, and legal professionals. These legitimation strategies are used to justify and stabilize their authority in contested political environments (Madsen, 2011), and these strategies involve broader institutional practices to communicate the Court´s role and reinforce its normative standing.

In the EACJ case, it is important to note that these practices were not informal or personal, but institutionalized efforts that are supported by court officials, which have to be situated within regional integration dynamics (Kisakye, 2025). For these efforts, especially in certain parts of Africa such as West, East, and South, show that international courts must navigate political resistance while trying to preserve judicial independence (Alter et al, 2016), with institutional figures being key communicators maintain the authority of the court. The European case is also similar, as research has shown that the authority of the ECtHR depends on domestic authority and supports of legal elites (Creamer & Godzimirska, 2025), as the engagement with lawyers and domestic lawyers contributes to embedding ECHR standards within national legal systems. However, in the case of the CJEU, the Court interacts with national courts, European institutions, and legal communities in broader institutional dialogues than the other international courts

(Tatham, 2010), because of the obligatory nature of its decisions based on the primary sources of Law of the EU.

On the other hand, all the different Court that have been analyzed here, engage in educational activities, especially judicial training. It shows how the different courts are active members that hold judiciary power, with knowledge and expertise that must be trespassed through practice. These programs ensure that legal actors understand how to access and use the resources of the Court (Gathii, 2013). It reinforces judicial authority, as enforcement deepens cooperation (Alter et al, 2016), which is especially important in international courts. In the national cases, these judicial networking facilitate regional cooperation and professional exchange, providing structured opportunities (Yoshimatsu, 2024), contributing to cross border legal learning and to the projection of judicial influence. However, judicial comparativism and citing seems more prominent in the case of national courts, as national courts do this to give more relevance to international ones (Law, 2015). In the cases of international Courts, these activities are not as prominent as in the case of national courts, who regularly do so (Rado, 2020a; Yoshimatsu, 2024), especially of international courts.

2: **Audiences these judicial diplomatic practices try to reach:**

The audiences courts try to reach are similar in national and international cases. In respect to Japan, Japanese courts try to reach judges from ASEAN State members, and from multiple jurisdictions. The audiences these judicial diplomatic practices target include foreign judges, regional judicial bodies such as the highest courts of the Asia-Pacific region, and professional legal communities that might influence these bodies (Yoshimatsu, 2024). In the case of the GCC, its main target is transnational constitutional networks and foreign courts. The Court´s participation within the transnational constitutional landscape targets mostly foreign constitutional courts, international judicial forums and scholars who engage in comparative constitutional dialogue (Meyer, 2021). In the Canadian case, the SCC target heavily judicial networks and associations, which function as organized spaces of sustained contact among members of different judiciaries, especially Common Law ones. The audiences that the SCC targets through these associations include foreign judges, and transnational judicial communities (Rado, 2020a).

Through these three cases, it can be argued that their main primary audiences are peer judicial institutions and transnational judicial networks, and in a lesser manner, scholars, and academic institutions. The audiences that they target are engaged towards professional exchange, within an institutionalized manner, with their emphasis on networks and associations, as Yoshimatsu (2024) and Rado do (2020a), showing that are part of established institutional structures. However, there are differences, as the Japanese case follows a regional orientation towards ASEAN (Yoshimatsu, 2024). The German case illustrates transnational constitutional orientation, which can be shown with the Japanese citation of its texts (Meyer, 2021). And in the Canadian case, it follows a multilateral judicial association orientation. But, in the three cases, the audience is defined by participation in organized judicial forums beyond their domestic legal system.

In the other hand, international courts target actors whose cooperation is necessary for the implementation and effectiveness of their jurisprudence. It has been pointed out that the authority of international courts depends on their interaction with multiple audiences, as they rely on acceptance, recognition and compliance by actors operating within member States of the International Organization they are a part of (Alter et al, 2016).

In the European human rights context, it is shown that trust in the ECtHR is connected to domestic judicial actors, as they play a decisive role, being one of its main audiences. The domestic judicial elites constitute a primary audience, as they are central to shaping trust in the Court, and embedding ECHR standards within national systems. However, its audience is broader, as it also includes BAR and professional legal communities, as they function as intermediaries in spreading these norms. Especially, the acceptance of the ECtHR jurisprudence is linked to the support by senior members of the legal community (Creamer & Godzimirska, 2023). But these are not only the relevant audiences, as the government legal officials and State representatives are important audiences too. In the ECtHR system, governments are respondent States who participate in the execution phase, with the State legal representatives being important as their engagement affects compliance (Alter et al, 2016). Another important audience that the ECtHR targets is the transnational legal academic communities, as the authority of the ECtHR is reinforced through engagement with transnational legal discourse (Madsen, 2011).

In the case of the CJEU, its main audiences are structured actors whose participation is central to the operation and diffusion of EU law. The most central audience consists of national courts of Member States of the EU. The EU legal order depends on national courts for the application and enforcement of EU law, with the CJEU being situated within a broader framework of institutional dialogue that include national judicial actors (Tatham, 2010), as operational partners in the implementation of EU law, who have to apply its jurisprudence in domestic proceedings (Alter et al, 2016). The CJEU, as the ECtHR does, also targets law practitioners and BAR associations, especially lawyers specializing in EU law, and legal advisers to institutions, as they function as intermediaries between supranational law and domestic law (Tatham, 2010). The third audience is the EU institutions, as the CJEU is part of the broader dialogue that involves the Union institutions, placing the Court in an institutional environment that is characterized by interactions between them (Tatham, 2010). The government of State members are also a core audience, with the infringement of EU law proceedings being important for their legislative activities (Alter et al, 2016).

The EACJ actions show that it directs its judicial diplomacy for a series of audiences, mostly within Partner States and regional institutions, which are structurally connected to the Court´s authority, visibility, and operation. The primary audiences are

professional legal communities of Partner States, as the Court has organized different workshops and training activities directed at legal practitioners, mostly with collaboration of the East African Law Society. The activities are targeted toward practicing lawyers, who litigate before domestic courts; but the EACJ also included the national State Attorneys and government legal officials of the Partner States. These efforts show how this niche audience was the most important one for the EACJ, as these actors represent the Partner States in proceedings before the EACJ. The second core audience are the domestic judges, but in a lesser way than State Attorneys, as their jurisprudence is only binding in certain aspects (Kisakye, 2025). A third set of audiences include the institutional landscape of the East African Community, showing that the judges and Registrar have tried to show the importance of a strong judiciary towards a more integrationist approach, as its judgments and proceedings influence the regional organization (Gathii, 2013). The fourth audience are the regional legal elites, as they promote the awareness of the Court among the regional audiences, contributing to the Court´s visibility and perceived relevance (Gathii, 2013).

To conclude this epigraph, it has been shown that international courts rely on a wider range of audiences, as they need compliance with their rulings to gain influence and create obligations for the member States (Alter et al, 2016.). However, there are similarities between both types of court. Both national and international courts address legal elites and members of foreign judiciaries to gain influence in domestic or foreign grounds. The importance of these audiences is the trust that domestic institutions place upon them.

3: **Purpose and intentions of the different courts:**

The Japanese intentions with their judicial diplomatic practices not only show the purpose of long-term patterns of engagement but aim to promote the rule of law in the Southeast Asian community (Yoshimatsu, 2024). However, the intentions are not merely technical legal cooperation, but to promote legal infrastructure abroad other nations. But nature is not purely altruistic, as they are shaped by considerations of influence and reputation, to compete for international influence and promote judicial independence (Law, 2015). The citations practices that engage with the constitutional jurisprudence of the United States of America and Germany, reflect historical constitutional influences and structural legal affinities, serving diplomatic functions and alignment with the ideas of these courts about openness, Western ideology, and transnational constitutional conversations (Law, 2015).

The practices constitute institutionalized engagement with foreign judicial communities to shape legal development and reinforces shared professional norms, with the intention to cultivate a regional judicial community with Japan occupying a position of prominence (Yoshimatsu, 2024).

The German case is a different one. The GCC has recognized the need to communicate their decisions more effectively to foster institutional reputation and legitimacy, being the main purpose of their judicial diplomacy (Meyer, 2020). For this, the professionalization of communication shows that the Court´s engagement with external audiences is institutionalized. The intention for this professionalization of communication, through the press releases conducted by their Press Office, is to ensure that the reasonings of the Court are understood and public (Meyer, 2020).

Furthermore, the judicial diplomacy of the GCC aims to strengthen its public support through its practices, increasing transparency and avoiding potential political evasion (Meyer, 2020). However, the central intentions with these practices is the preservation and communication of their constitutional autonomy, as the GCC operates in a dense normative environment, that puts it in the center of a transnational judicial dialogue, that helps the Court to be a part of the competition for international influence (Law, 2015).

The aims and objectives of the SCC judicial diplomacy are centered on global judicial participation, reputational positioning, and normative projection. As SCC is one

of the world's most initiative-taking actors in transnational judicial conversation, its aim is to be characterized as an integration approach (Rado, 2020a). The outwards orientation and the consistency of the engagement with foreign jurisprudence, shows its institutional approach, framing the Court as open to legal globalization, and facilitating integration within the global legal order (Rado, 2020a). As an example, the most cited international court is the ECtHR, showing the engagement of the SCC towards the defense of human rights and the intentions of the ECHR, although Canada is not a signatory to this treaty (Rado, 2020a). However, as Law (2015) indicates with courts engaging in judicial diplomacy, and Rado (2020a) ratifies in its empirical study, the SCC practices influence it in the reputational dimension, as it enjoys an excellent reputation in the global arena and is used as guidance (Rado, 2020).

Moving to the international courts, one of the ECtHR´s objectives is external engagement to preserve its authority under political backlash. The increasing political resistance that the Court has experimented with lately (Alten et al, 2016), has prompted the Court to adopt strategies to protect its institutional legitimacy through practices that can be considered of judicial diplomatic practices (Madsen, 2016). Trust building is another objective of the ECtHR, as it also affects another objective which is the management of its public perception (Creamer & Godzimirska, 2023; Dinas & Gonzalez Ocantos, 2021). Its authority depends on the perceptions of the legal communities of the different State members, mostly through its outreach activities (Creamer & Godzimirska, 2023), such as the different judicial dialogues and advisory opinions. This is also referenced in how the court appoints its judges, as the political and legal actors of the State members scrutinize the appointments, and have asked for more transparent reforms (Voeten, 2007).

In the other hand, the CJEU, shows that a foundational objective of its judicial diplomacy is the consolidation of the autonomy and supremacy of EU Law (Kelemen, 2016), while maintaining coherence with the ECtHR, as two different judiciaries with different competences (Spielmann, 2017). The practices also follow a European integration objective, as the CJEU has played a central role in shaping the Union´s perceived identity (Tatham, 2014), defining the Union´s competences in different international agreements and defining its external action (Tatham, 2010), but with a protective coat, as it ensures the external commitments it has joined. Furthermore, the judicial diplomacy conducted by the CJEU, which gives legal coherence as it acts as a it

acts as a court, enhances the Union´s credibility in international negotiations, as it helps to safeguard the credibility of the EU (Koops & Macaj, 2015).

The case of the EACJ is a different one. Its objectives are mainly oriented towards survival and consolidation. The treaty of the EAC did not envision for a strong and active judicial role in the integration of the different Partner States (EAC, 1999), not prioritizing its institutional autonomy (Gathii, 2013). The judicial diplomacy of the Court has been a way to create the authority its foundational papers have not given the court, and address the different threats that the Court had, such as financial insecurity (Kisakye, 2025). This objective is closely related to another one, which was securing political support and preventing institutional conflict.

The courtesy visits of the judges, and the lobby actions they engaged in towards the political leaders of the EAC, have reduced the interference and restructuring of the court (Kisakye, 2025). This is intricately linked to its practices with different legal elites, as it constructs legitimacy among legal communities. The EACJ cannot rely only on formal authority, having to cultivate social acceptance and having the community recognize the Court as a legitimate forum with authority (Kisakye, 2025). The Court also follows the integration objectives of the EAC Treaty (1999), justifying its relevance and projecting itself as indispensable in the East African integration (Kisakye, 2025).

It can be concluded that the three international courts use judicial diplomacy as a mechanism to consolidate and protect institutional authority, as they are not the power of a State. In these three courts, judicial diplomacy serves as institutional stabilization mechanism, as it helps to ensure that its authority is preserved, recognized, and undermined. Its legitimacy is reinforced through these practices, especially among legal elites, as they cultivate the acceptance of their jurisdictions through it.

They also hold strategic positions within the different integration projects, reinforcing the courts role in them. However, a difference between the CJEU and the ECtHR with the CJEU is the focus on survival, as they do not engage in judicial diplomacy to survive. In the case of national courts, its judicial diplomacy reinforces its legitimacy, consolidating its domestic authority. It also helps with reputational positioning, projecting its soft power, cultivating international prestige, and reinforcing influence.

In the similarities between both types, they engage in judicial diplomacy for authority consolidation in multi-level legal orders, using judicial diplomacy as a mechanism to manage authority. They both construct legitimacy through engagement, allowing them to cultivate relationships with legal circles, and positioning themselves within their legal ecosystems. It can be concluded that they use judicial diplomacy as a strategy of influence, but international courts also use it to assert more influence towards the societies they are a part of, as they lack the coercive means national courts have.

4: **Relation with the objectives:**

This chapter is the key to answering the vertebral question of this project and the essence of its existence. Its comparison is related to the objectives of the chapter and its relation is clear, as each part of the chapter addresses them. Therefore, the objectives that the first chapter lays out have been completely addressed and give an almost complete answer to the question of the project.

Chapter 4: Conclusion.

Until now, the functioning of the Courts and the comparative analysis has been established, but the answer to the question has not been completely addressed yet. ´´Why is the behavior of courts, regarding judicial diplomacy, different if they are national or international? ´´, will be directly addressed, although it has already been answered throughout the Final Degree Project. The behavior of the courts differs from the structural position within the international system and source of authority, along with their relationship with political actors and the dependence on external audiences for survival. The main motive is where the different courts receive their authority. National courts derive their authority from domestic constitutional orders, which are anchored in democratic constitutional structures and separation of powers arrangements.

This embeds these structures with structural stability, not depending on foreign governments for institutional survival (Madsen, 2016). This constitutional embeddedness provides structural stability and does not depend on foreign governments for their survival, with judicial diplomacy serving for reinforcing their reputation while positioning themselves within global constitutional networks. In the case of international treaties, their authority comes from international treaties signed by the executive power, being of a revocable nature, making them structurally more fragile. Here, judicial diplomacy carries a stronger legitimacy based preserving orientation (Law, 2015).

The intention under which international courts is to send a message globally: more cooperation between States, which can bring higher levels of development to its citizens. Also, shows how a country lets a third party enforce power on the matter addressed by the International Treaty. Although it might be different from the national and conventional means to exercise a judgment, it gives authority to them, as the members of the court gives it to them. The enforcement deficit shapes its behavior, having to cultivate compliance constituencies, with its authority depending on the interactions with multiple audiences, becoming a compliance strategy for the courts (Alter et al, 2016). However, national courts engage in judicial diplomacy to expand influence, not to secure compliance.

Survival is another key characteristic of the difference of behavior of the courts. The EACJ is the most paradigmatic case, as its treaty did not prioritize a strong judicial organ in the beginning (Gathii, 2013), or facing financial insecurity (Kisakye, 2025). The

ECtHR has also faced backlash from member States, with its judicial diplomacy becoming defensive against politicization in those cases (Dinas & Gonzales-Ocantos, 2021). In the CJEU, because of the supremacy of EU law over domestic law, its diplomacy helps preserve autonomy and coherence (Kalaintzis, 2025). However, national courts do not face existential threats, but their judicial diplomacy is oriented towards reputational leadership (Rado, 2020a), competition for influence (Law, 2015) and normative projection (Yoshimatsu, 2024).

The position within integration projects is different, as international courts are embedded in regional integration architectures, as they allow for a common ground to exchange legal ideas. This is shown through the EU external identity the CJEU brings (Tatham, 2014), the shared European legal culture that the ECtHR fosters (Creamer & Godzimirska, 2023), and the promotion of integration stability the EACJ brings (Kisakye, 2025).

For these reasons, the behavior of these courts is different, as they answer different intentions and the institutional landscape in which they operate imposes different strategic constraints and incentives. International courts depend heavily on judicial diplomacy as they lack the structural and constitutional power that national courts possess, reflecting an adaptation to institutional vulnerability.

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Annex: usage of generative AI tools:

Course 2025-2026

Degree/Master's Programme: Double Degree in Law and International Relations (E5).
Student Name: Alejandro Baker Cabello.
Bachelor's/Master's Thesis Coordinator: Marta Paradés Martín.
Bachelor's/Master's Thesis Supervisor: Alberto Priego Moreno.

I declare that generative artificial intelligence has been used as a support tool in the preparation of this Bachelor's Final Project / Master's Final Project. **YES**

1) **Use of Generative AI**

If your answer was **YES**, answer the following questions. If you answered **NO**, proceed to section 2.

Ethical Use

When using the AI tool, did you include sensitive or personal data in the prompts used, such as photos of real people, personal data, etc.?
If your answer is yes, specify which data.

NO.

Did you use AI in a way intended to replace your own personal work without critically reviewing the output generated by the AI tool?
If your answer is yes, specify how.

NO.

Did you take into account the academic recommendations specifically given to you in the Degree/Master's programme regarding what is or is not permitted with AI?

YES.

Technical Use Carried Out

What tools did you use — ChatGPT, Copilot, Claude, Nano Banana, etc.? Specify the version or type of licence.

ChatGPT Plus, version 5.3.

Tick as appropriate:

☐ Text generation — specify tools used.

☐ Reformulation — specify tools used.

☒ Translation / correction — specify tools used: ChatGPT Pro 5.3. Used for translating this annex too.

☒ Structure suggestions — specify tools used: ChatGPT Pro 5.3.

☐ Methodological support — specify tools used.

☒ Searching for or citing bibliography — specify tools used: Scribbr, only for citation. The searching of the bibliography has almost always been done using the Dialnet, the University of San Diego library, and the Comillas Pontifical University library as well.

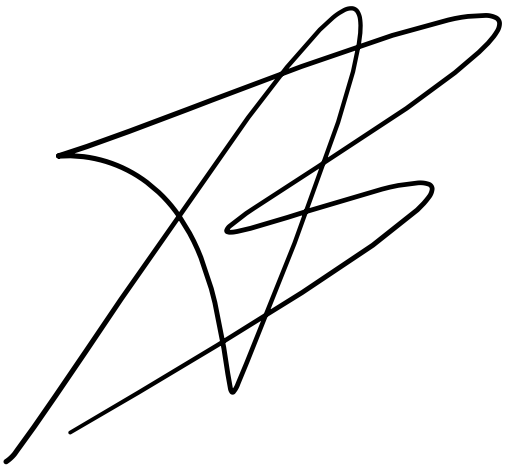
☐ Audiovisual content generation — videos, infographics, audio, images, charts. Specify exactly what content you generated with AI, in addition to citing it correctly in the work.

☐ Other — specify tools used.

I confirm that the final content has been reviewed, corrected, and fully validated by me as the author, and I assume full academic responsibility for it.

The use of AI has not replaced the critical analysis, personal reflection, or original intellectual work required in a Bachelor's/Master's Final Project.

Signature:



Alejandro Baker Cabello, 202016475.

Signed in Madrid, 24 April 2026.