

Ola Johan Settem

Applications of the 'Fair Hearing' Norm in ECHR Article 6(1) to Civil Proceedings

With Special Emphasis on the Balance
Between Procedural Safeguards and
Efficiency

Applications Fair Hearing Civil Proceedings

Nihal Jayawickrama



Applications Fair Hearing Civil Proceedings:

Applications of the 'Fair Hearing' Norm in ECHR Article 6(1) to Civil Proceedings Ola Johan Settem, 2015-12-15 This book focuses on the most important implications of the fair hearing right for conducting civil proceedings It provides a thorough and critical analysis of the case law of the European Court of Human Rights the Strasbourg Court regarding Article 6 of the European Convention on Human Rights It puts forward a generally applicable framework for the analysis of the various procedural issues to which the fair hearing right may give rise then applies that framework to discuss a selection of specific procedural issues The book investigates several important questions of general scope in the context of ECHR Article 6 such as What is the relevance of case law regarding criminal proceedings when the fair hearing right is applied to civil proceedings How does the Strasbourg Court actually proceed when evaluating whether specific court proceedings have been fair What are the roles of fundamental concepts such as the margin of appreciation and proportionality in this regard In the subsequent discussion of specific procedural issues the focus is on the balance that must be struck between procedural safeguards and the objectives of efficiency and economy The book considers specific procedural issues such as When must an oral hearing be held in order for civil proceedings to be fair When will a refusal of specific evidence render civil proceedings unfair When is a civil litigant entitled to legal aid As such the book not only presents current case law it also compares various strands of the case law regarding the fair hearing right and argues that the Strasbourg Court's approach to various pertinent issues needs to become more consistent Offering an in depth examination of the Strasbourg Court's case law regarding ECHR Article 6 this book should be consulted by anyone interested in fundamental fair trial rights *A Practical Approach to Civil Procedure* Stuart Sime, 2024 This volume provides a commentary on all the major areas of civil procedure It includes the rules of practice as applied by the courts enabling anyone practising to obtain a thorough grasp of the principles relevant to the course of litigation **Practice and Procedure in Civil Matters in the Courts of Records in**

Anglophone Cameroon Yanou, Michael A., 2015-05-10 This book the first of its kind on Anglophone Cameroon brings significant local context into the practice of law particularly at a juncture when civil practice has been radically altered by Cameroon's ongoing effort at harmonization of both the substantive and procedural laws applicable in the courts The book covers a wide spectrum of topics including the commencement of civil actions jurisdiction simplified recovery procedures and measures of execution provisional execution and stay of execution It provides a detailed analysis of the relevant rules of court applicable in both the high court and court of appeal One of its major strengths lies in its use of recent cases to demonstrate the way Cameroonian judges have dealt with local procedural laws as well as how the differences between Cameroonian indigenous rules of practice and those imported particularly from Nigeria and England are reconciled The Judicial Application of Human Rights Law Nihal Jayawickrama, 2002-12-12 10 The right to life **Civil Aeronautics Board Reports** United States. Civil Aeronautics Board, 1964-08 **Comparative Civil Procedure** Margaret Y.K. Woo, Cornelis H. van

Rhee,2025-03-12 Bringing together an international array of legal scholars this discerning Research Handbook provides a comparative analysis of civil procedure law Chapters examine the rules that dictate how a civil dispute is initiated processed decided and enforced in a court of law comparing each aspect of the procedure across continents including Asia Europe and the Americas **California. Court of Appeal (2nd Appellate District). Records and Briefs** California (State)., The Application of Foreign Law in the British and German Courts Alexander DJ Critchley,2022-12-15 This book explores the application of foreign law in civil proceedings in the British and German courts It focuses on how domestic procedural law impacts on the application of choice of law rules in domestic courts It engages with questions involved in the investigation and determination of foreign law as they affect the law of England and Wales Scotland and Germany Although the relevant jurisdictions are the focus the comparative analysis extends to explore examples from other jurisdictions including relevant international and European conventions Ambitious in scope it expertly tracks the development of the law and looks at possible future reforms **Civil Litigation in Nigeria** Abdullahi, Ibrahim,2018-05-22 This book highlights in a most condensed form judicial pronouncements by the superior courts of records as they relate to practice and procedures in civil litigation in Nigeria Judicial pronouncements on civil aspects of the law in Nigeria are on the increase rendering brief writing more challenging if not herculean in the absence of a resource guide for the citation of authorities and knowing which changes have taken place in the law For lawyers not to be taken by surprise in courts when issues relating to practice and procedures are raised without notice makes the need to have a resource book that should serve as a quick guide the more compelling This book is thus intended to be a reference guide European Rules of Civil Procedure Astrid Stadler,Vincent Smith,Fernando Gascón Inchausti,2023-11-03 European Rules of Civil Procedure sets out a clear examination of the rules adopted by UNDRIT and the European Law Institute in 2020 Presented within a systematic structure to aid enhanced academic understanding it precisely showcases the substantial comparative knowledge of its authors

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