

Ola Johan Settem

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

**With Special Emphasis on the Balance
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Efficiency**



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Applications Fair Hearing Civil Proceedings

David Baud

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. Proceedings of VIAC 2023 Group of Authors,2023-02-16 International Academic Conferences Management Economics and Marketing Teaching Learning and E learning Transport Logistics Tourism and Sport Science Engineering Robotics IT and Nanotechnology. The Judicial Application of Human Rights Law Nihal Jayawickrama,2002-12-12 10 The right to life

Alcohol and Entertainment Licensing Law Colin Manchester,Susanna Poppleston,Jeremy Allen,2008-06-30 This comprehensive and authoritative guide to licensing law is co authored by the UK's only professor of licensing law and two eminent licensing practitioners. It provides a detailed exposition and contextual analysis of the legal provisions governing the licensing of alcohol and entertainment under the Licensing Act 2003 encompassing both the legislative and decision making framework of the Act as well as its implications for human rights. Fully updated and revised it covers the various forms of authorization for licensable activities and licence and certificate conditions that might be attached as well as the enforcement and appeal provisions of the Act. This new edition building on the highly acclaimed original work published in 2005 includes subsequent legislative changes and case law decisions. New additions to this edition include expanded coverage of enforcement provisions and police powers a revised and extended chapter on appeals in light of the practical and procedural developments that have evolved in the appeal process amendments to existing regulations and the revised Statutory

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