**Human Rights in Civil Procedure**

**Lecturers:**

**Dr. Kinga TIMÁR**

attorney-at-law, lecturer at ELTE Faculty of Law (consultation hours: Fri 10:00-12:00, Department of Civil Procedure, Building A, Floor 2, Room 202), e-mail: ktimar@ajk.elte.hu

**Dr. Steffen PABST**

in-house counsel at LVV in Leipzig (Germany), member of the Liberal International Human Rights Committee, e-mail: steffen.pabst@l.de

**Description:**

In a first step we will elaborate substantive and procedural human rights and discuss different sources, which guarantee such human rights. Then we will focus on human rights which are most relevant in civil procedure. We will debate the different aspects of the relevant procedural guarantees and possible remedies in case of infringement of such guarantees. Therefore, we will provide an introduction to the relevant case law of the European Court of Human Rights (ECHR), European Court of Justice (ECJ) and the Hungarian Constitutional Court (HCC).

Within the course we will emphasize the

* right of access to justice
* right to a court established by law
* right to an independent and impartial decision-maker
* right to a fair and public hearing
* right to a representation and interpreter
* right to a hearing within a reasonable time
* right to an explanation of how the court reached its decision
* right to a legal remedy

A special chapter of the course will deal with arbitration and its relations to procedural guarantees of human rights. We would also like to discuss the questions of recognition and enforceability of judgements, especially in cross border cases, with special regard to the question of whether there is a right to enforce or get enforcement of a judgement.

**Working materials:**

The course materials include compulsory readings and case law materials. Students are especially expected to read provided cases in advance and be prepared to explain them and comment on them in class. The materials can be found on the e-learning (Moodle) site of the course.

**Assessment:**

A regular attendance is expected. There will be a written exam after the course, exact date of the exam will be given at the end of the course.