**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:**

Seminar participants will elaborate and discuss substantive and procedural human rights. We will focus on human rights which are most relevant in civil procedure and will debate the different aspects of relevant procedural guarantees and possible remedies in case of infringement of such guarantees. Different sources, which guarantee such human rights, and case law of the European Court of Human Rights (ECHR), European Court of Justice (ECJ) and the Hungarian Constitutional Court (HCC) must be assessed.

Within the course presentations 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 chapter of the course will deal with arbitration and its relations to procedural guarantees of human rights.

**Work load:**

We will publish a list of topics end of February. Each participant must choose one on a “first come first served” basis.

You are obliged to do a scientific research and to **write a 6 to 10 page essay** in English language. In your essay you are expected to analyze your topic in detail with references to relevant ECHR decisions, but also other case law and legal literature. You will present the relevant facts, applied articles and legal arguments. The essay must contain proper references

to case law and literature (footnotes). Your own opinion about the topic is most welcome. Essays must be submitted latest on **8 April, 2021 (8 pm)** via Email as a .docx-file.

**Between April 25 and April 29, 2021**, you will **present your topic** in class. You should use a PowerPoint-presentation to guide your colleagues through your topic. Your speech should be approximately 15 minutes. It will be followed by a discussion about your topic.

Some introductory course materials will be provided on the e-learning (Moodle) site of the course. However, part of the course will be your research study about the specific topic of your choice.

**Assessment:**

We will assess you by your paper, your presentation and your participation in the discussions.