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## **ADVERSARIAL PRINCIPLE AND MODELS OF CIVIL PROCEEDINGS**

In recent times, one of the most important directions of scientific and legislative activity around the world is to develop a theoretically optimal model of civil justice that would ensure the proper administration of justice. Search for a model that would ensure the proper administration of justice occurs within both Anglo-American and the continental legal systems to establish a due process based on the adversarial principle, which in turn is a major determinant of constructing models of justice. European Convention for the Protection of Human Rights and Fundamental Freedoms in p. 1, Art. 6 refers to the national courts to ensure the right to a fair trial and access to justice. The conclusions made by the authors in the scientific literature concerning civil procedure on the need to create and implement a fair civil justice model based on competitive model are undoubtedly scientifically based and corresponding to the needs of law enforcement and

requirements arising from international instruments on human rights. However, these findings are only the problem setting that is very important itself. The solution of the problem of improvement of judicial procedures and the creation of a model of a fair trial is seen in establishing and substantiating proposals to improve legislation, their further legislative consolidation and their approbation in jurisprudence. To do this, in our opinion, it is necessary to investigate the adversarial principle, which is enshrined in the national legislation, since it is a critical determinant that affects the construction of a model of civil procedure. In order to create the optimum formula of the adversarial principle, and as a result, the optimal model of civil procedure, which can be regarded as a model of a fair trial, ensuring the rights of subjects of procedural activities to a fair trial, it is necessary to define the concept of the adversarial principle and analyze its contents.