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JUDICIAL IMPARTIALITY: THE STRASBOURG PERSPECTIVE

Summary: *Judicial impartiality is a cornerstone of the right to a fair trial under Article 6(1) of the European Convention on Human Rights. This paper explores the rich and evolving case law of the European Court of Human Rights concerning both subjective and objective aspects of judicial impartiality. A recurring feature of the examined cases is the presence of circumstances that give rise to objectively justified doubts as to a judge's impartiality. These include close family or professional ties, financial interests, prior involvement in the same case in a different capacity, and overlaps between judicial and legislative or advisory functions. The paper systematically categorizes relevant Strasbourg case law to offer practical guidance for domestic courts, particularly in assessing requests for judicial disqualification. Emphasis is placed on the principle that justice must not only be done but must also be seen to be done — an essential safeguard for maintaining public confidence in the judiciary.*

Keywords: *judicial impartiality, fair trial, European Court of Human Rights, disqualification of judges, objective test, subjective test*