

Virtual Criminal Trial

Prof. Dr. Marc Thommen





How can the right to a fair trial under Article 6 ECHR be implemented in virtual criminal trials?





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Zürich^{UZH}

- I. Confession
- II. Convention
- III. Criteria





I. Confession

II. Convention

III. Criteria



I. Confession

II. Convention

III. Criteria



How can the fundamental principles of the right to a fair trial under Article 6 ECHR be applied to virtual proceedings?



The fundamental principles of the right to a fair trial under the European Convention on Human Rights (ECHR) can be applied to virtual proceedings by ensuring that certain key elements are maintained. While the ECHR does not explicitly address virtual proceedings, the principles it enshrines can be adapted to the technological context. Here are some considerations:

1. Equality of arms: Virtual proceedings should ensure that all parties have an equal opportunity to present their case. This includes providing access to necessary technology and ensuring that all parties have a fair chance to participate and be heard.
2. Public hearings: Virtual proceedings should strive to maintain the openness and transparency of court hearings.

🔄 Regenerate response

Send a message.



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I. Confession

II. Convention

III. Criteria





I. Confession

II. Convention

1. Innocence

2. Defence

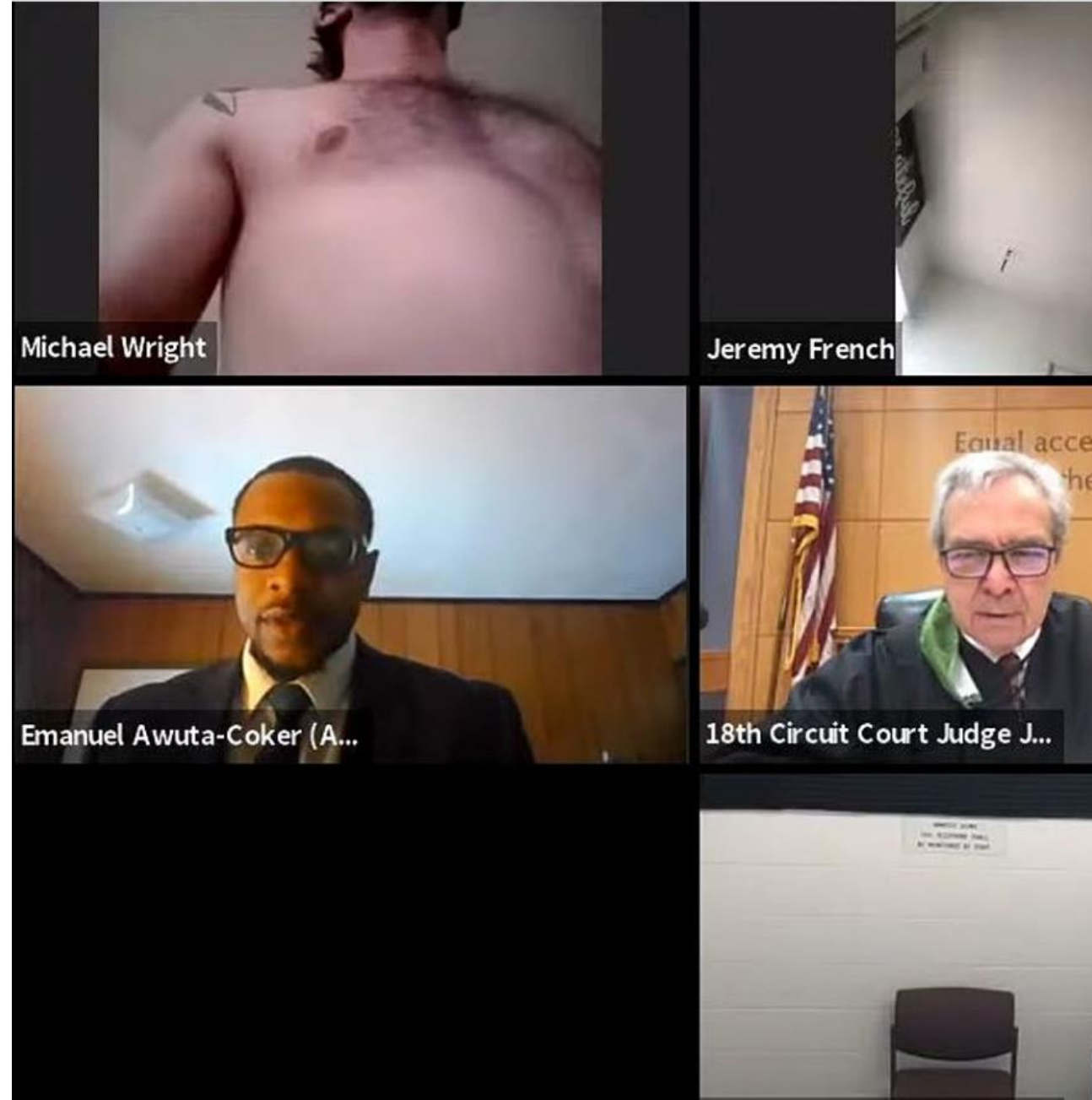
3. Institutional

4. Publicity





“a court should not start with the preconceived idea that the accused has committed the offence charge”
([Barberà](#) § 77)





I. Confession

II. Convention

1. Innocence

2. Defence

3. Institutional

4. Publicity





“...includes the right to
give confidential instruct-
tions to the lawyer”
([Beuze](#) § 133)





“suspects have the right
for their lawyer to be
physically present”
([Beuze](#) § 134)





I. Confession

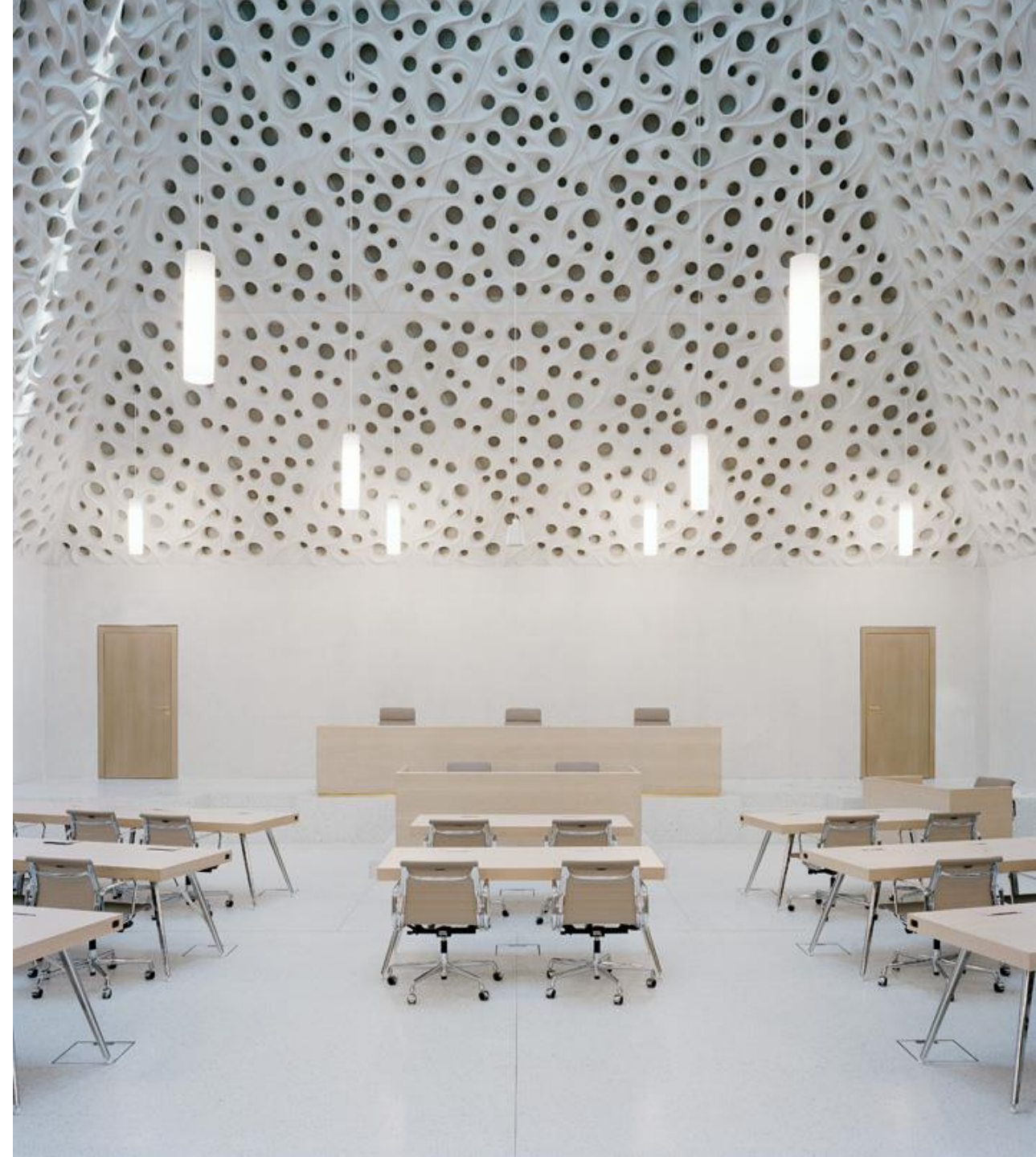
II. Convention

1. Innocence

2. Defence

3. Institutional

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“The main feature of the trial is the accusatorial trinity of judge, prosecuting and defending party.”

Vargha (1879)





“The main feature of the trial is the accusatorial trinity of judge, prosecuting and defending party.”
Vargha (1879)





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II. Convention

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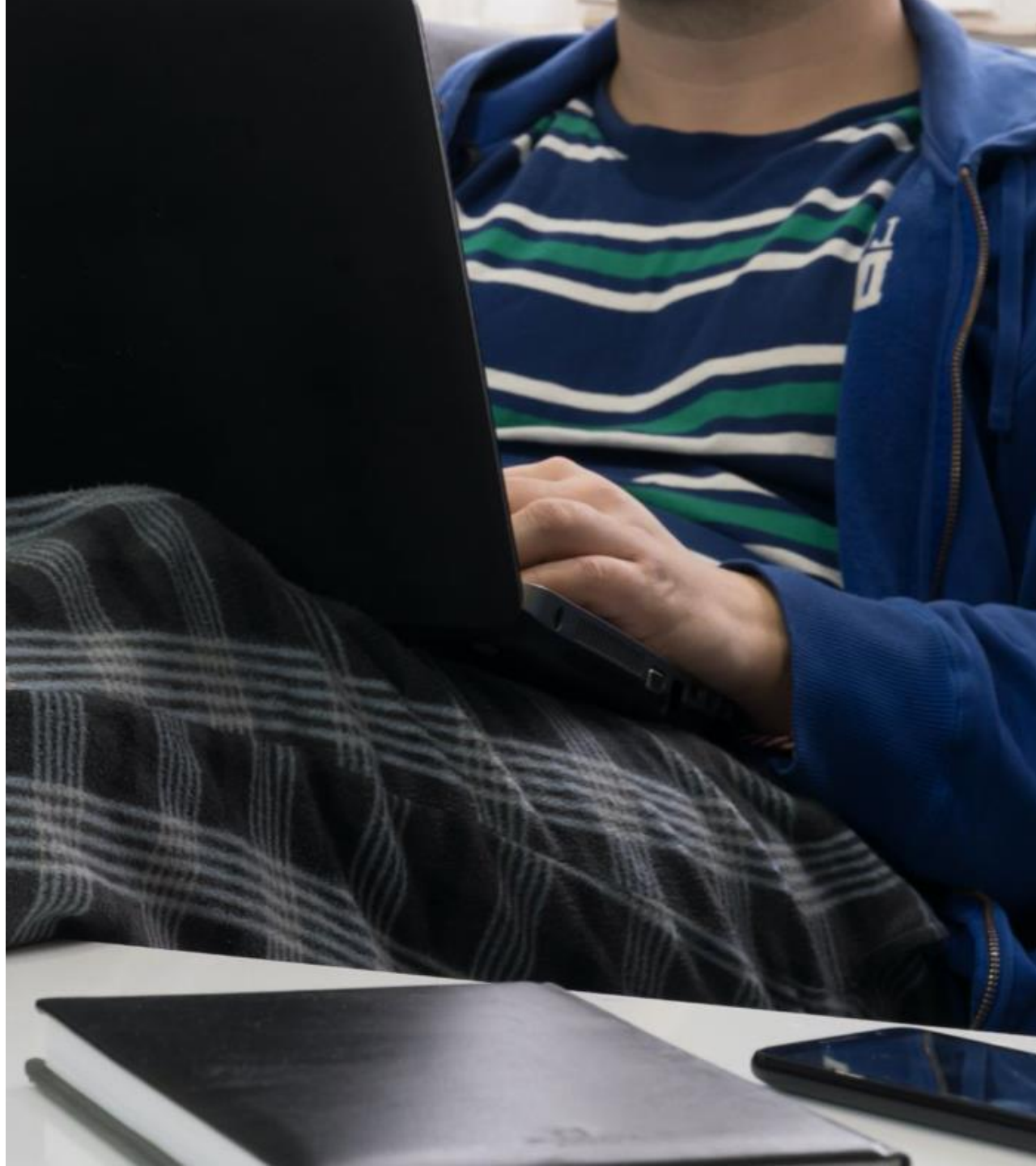


“means whereby confidence in the courts can be maintained.”
(Riepan § 27)





“means whereby confidence in the courts can be maintained.”
(Riepan § 27)





“ensure scrutiny of the
judiciary by the public.”
(Welke § 83)



2005

“ensure scrutiny of the
judiciary by the public.”
(Welke § 83)





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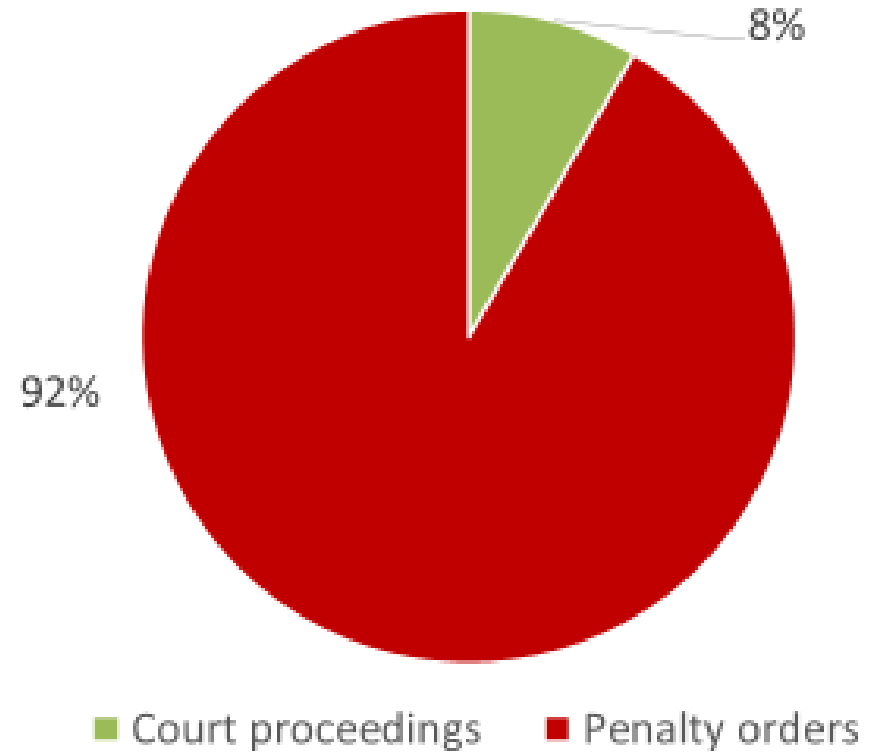




III. Criteria

1. Cost
2. Contact
3. Caution
4. Counsel
5. Cookies

Convictions

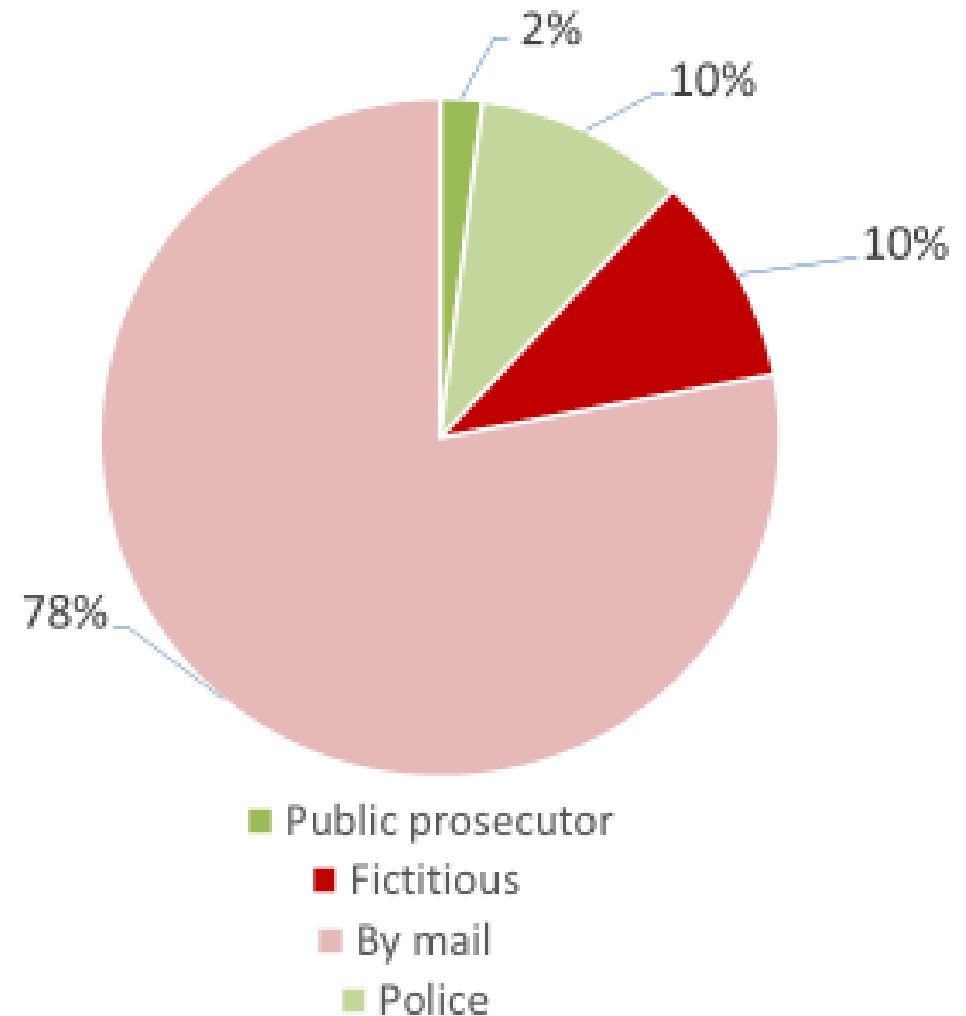




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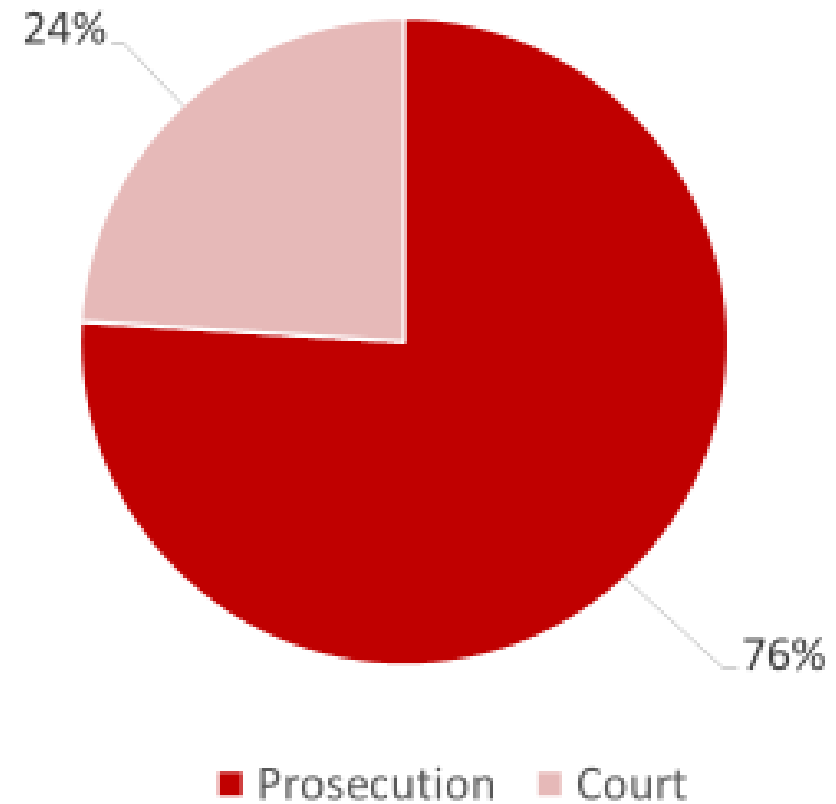
Service



Custodial sentences

III. Criteria

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$$\text{Efficiency} = \frac{\text{Output}}{\text{Input}}$$



III. Criteria

1. Cost
2. Contact
3. Caution
4. Counsel
5. Cookies

0.0005 =

1 conviction
—————
\$ 2000



III. Criteria

1. Cost
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0.005 =

1 conviction

\$ 200



III. Criteria

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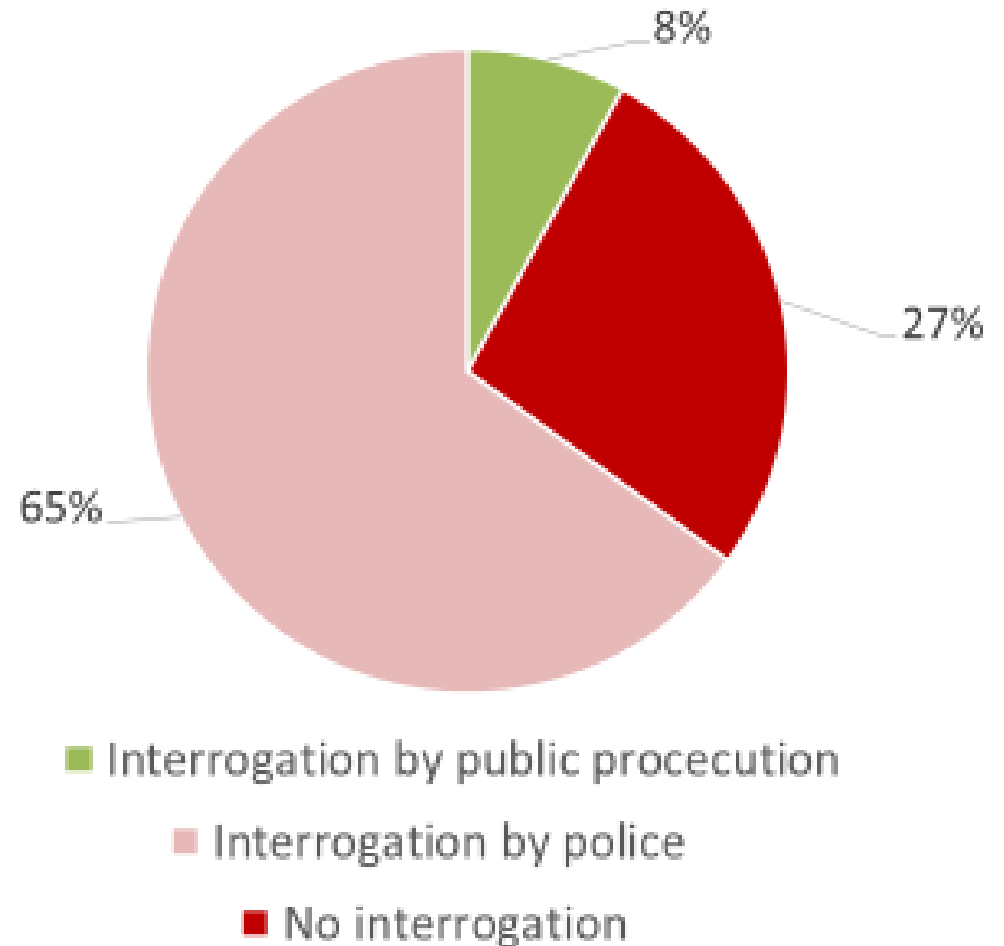
0.00 =

~~convictions~~
—————
\$ 200

Interrogation

III. Criteria

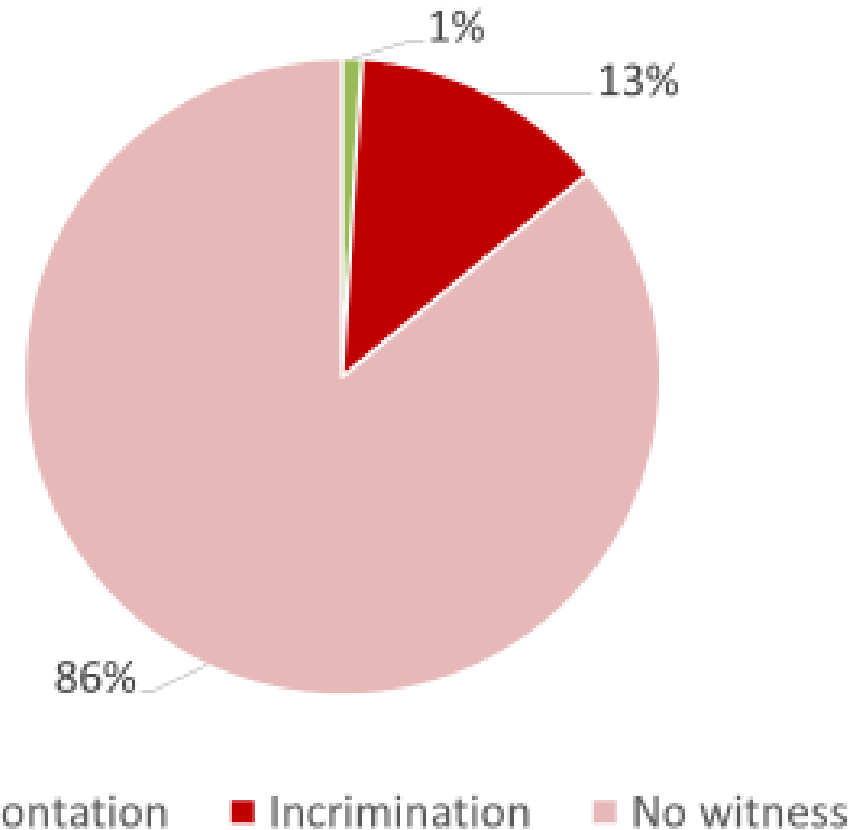
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Confrontation

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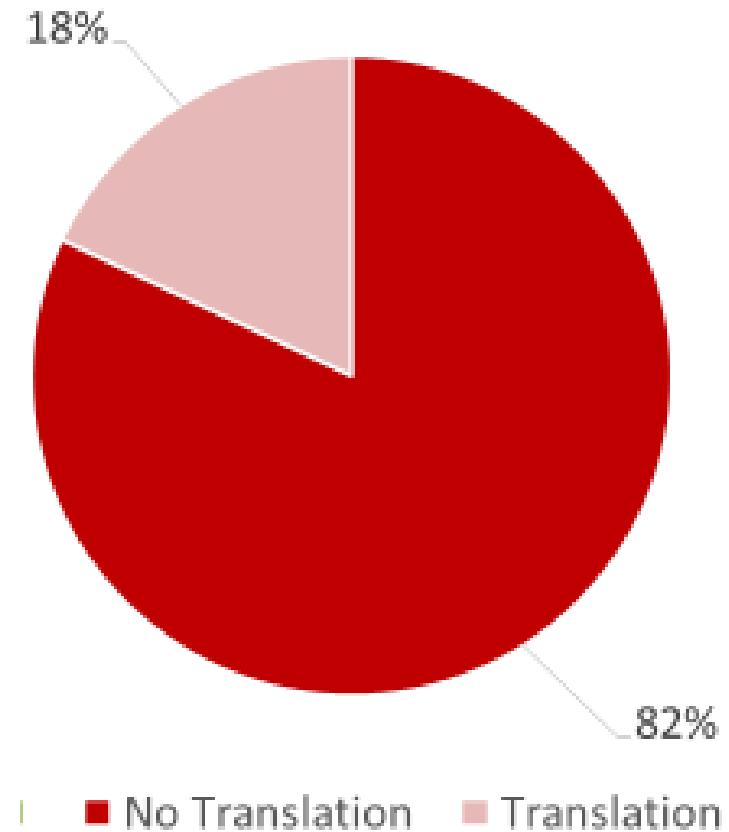




Translation

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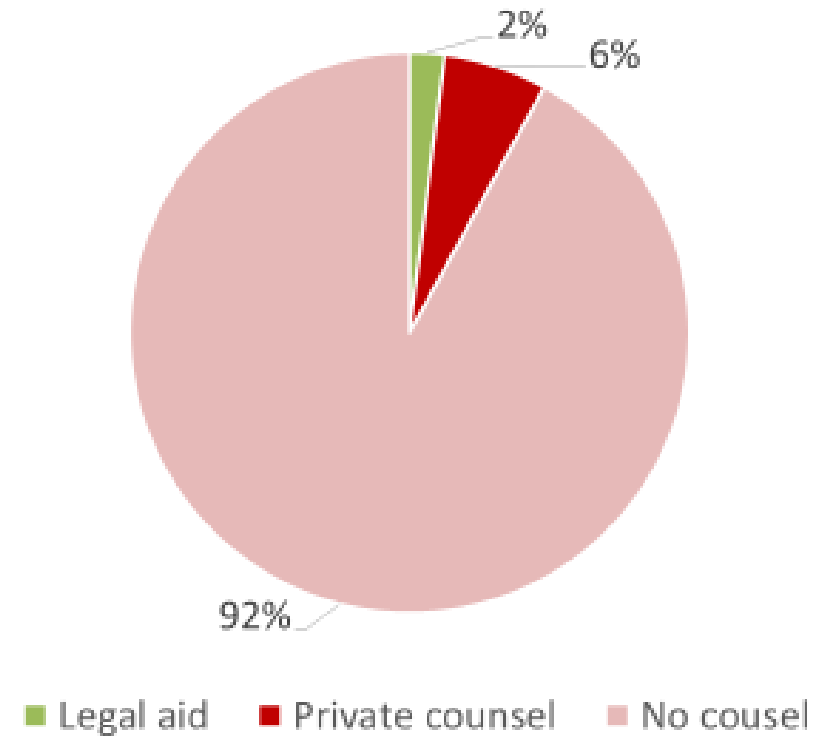




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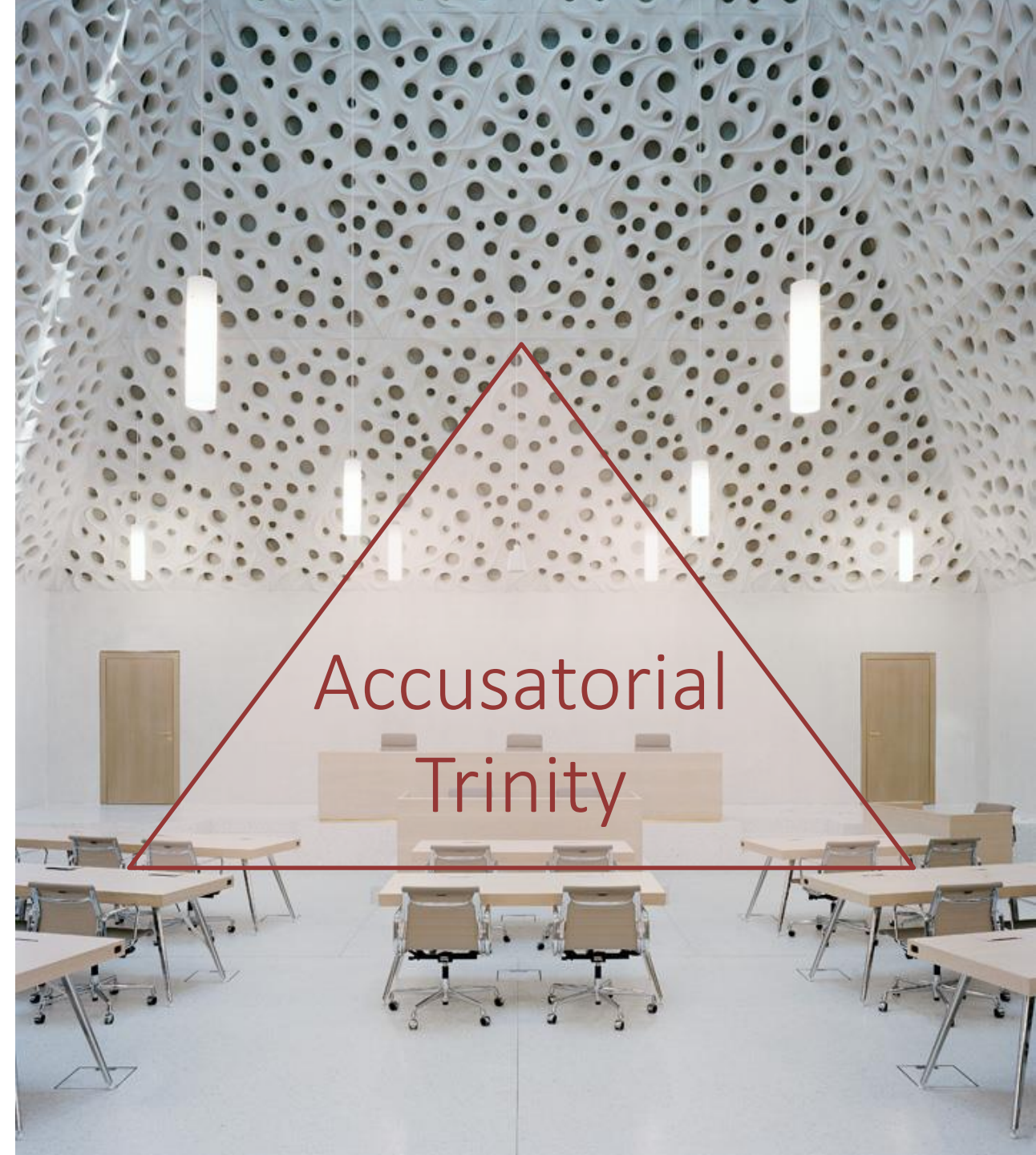
Counsel





III. Criteria

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ref

Zugestellt

Strafbefehl

Art. 352 StPO


Die Staatsanwaltschaft See / Oberland
hat in Sachen

Beschuldigte
Person



Straftatbestand **Widerhandlung UWG**
Rechtsgrundlage Art. 352 ff. StPO

erkannt:

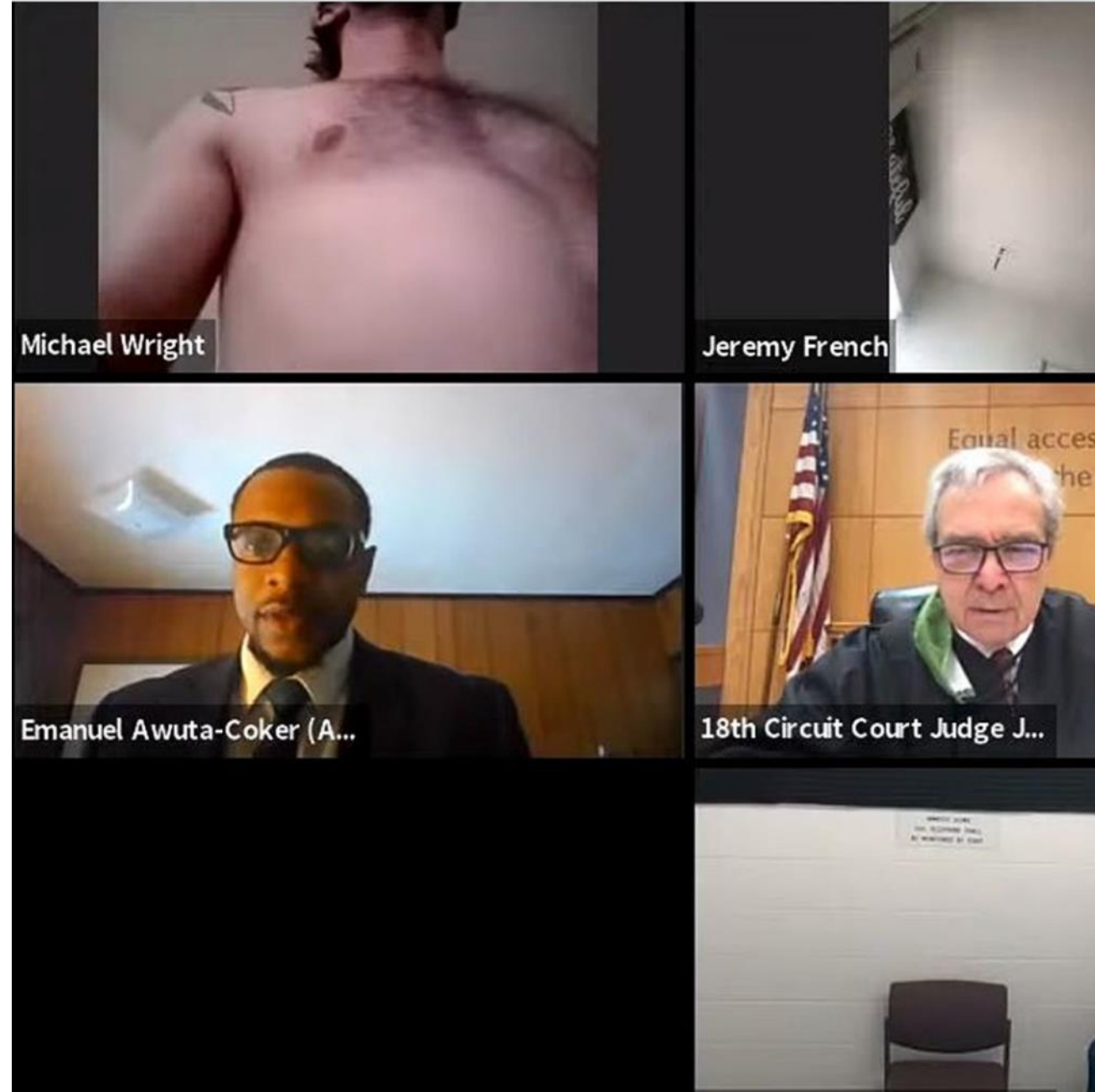
1. Der beschuldigte  ist schuldig
 - ♦ des mehrfachen **Vergehens gegen das Bundesgesetz gegen den unlauteren Wettbewerb (UWG)** im Sinne von Art. 23 UWG in Verbindung mit Art. 3 Abs. 1 lit. o und lit. u UWG.
 2. Der Beschuldigte wird bestraft mit einer **Geldstrafe von 20 Tagessätzen zu je CHF 80.00**, entsprechend CHF 1'600.00. Die Geldstrafe ist **zu bezahlen**.
 3. Die Verfahrenskosten werden dem Beschuldigten auferlegt.
 4. Diese Kosten bestehen in:

CHF	1'600.00	Geldstrafe
CHF	1'600.00	Subtotal Sanktion
CHF	800.00	Gebühr für das Vorverfahren
CHF	360.00	Auslagen Polizei (Datensicherung)
CHF	1'160.00	Subtotal Verfahrenskosten
CHF	2'760.00	Total
- Für Geldstrafe und auferlegte Kosten stellt die Zentrale Inkassostelle der Gerichte nach Eintritt der Rechtskraft dieses Strafbefehls Rechnung. Allfällige sich nachträglich ergebende Kosten aus Rechnungen für Auslagen der Untersuchung sind zu bezahlen und werden nachverrechnet.
5. Allfällige Zivilforderungen werden auf den Zivilweg verwiesen.



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