

Abstract

The Cross Appeal in Iraqi Civil Procedural Law

As judges are human beings they are subjected to make mistakes or misappreciate the action; therefore the law allows to the person who loses the action to review the decision of the judge through a higher court which is called an appeal court. Sometime both the defendant and the plaintiff could be losers, this happen when they don't get their full claims. As being losers, the defendant and the plaintiff; could appeal that decision in front of the appeal court which is a second degree court and higher than the first degree court. The first appeal is called basic appeal and the next one is called the cross appeal.

The main topics of this thesis is the cross appeal which studied in three different laws in a comparative way. The three laws are: Iraqi civil procedural law, the Egyptian civil procedural law and the French civil procedural law.

The study shows that there are some differences among these laws. one of the differences is that there are some kinds of cross appeal which are not existed in the other laws.

The other difference is that not only the loser could appeal the decision of the judge, but the winner could too.