

Djilali Bounaama University
Faculty of Law and political science
English Terminology
Master 1_ BUSINESS Law
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دروس في المصطلحات القانونية
Lessons in English Terminology

Chapter one : Format of the Thesis
المحور الاول : كيفية اعداد مذكرة

How to Write a Master's Thesis

In form, the thesis is a lengthy experimental, design, or theoretical report, with a problem-method-results-discussion structure. This recurrent hypothetico-deductive pattern of developing a thesis to solve a problem and then constructing a methodology and testing for results is common in research writing. When you begin to write the first draft of your thesis, try to salvage useful material for problem statements, methodologies, and bibliographies from your thesis proposal. Make use of your laboratory notebook for detailed accounts of your procedures.

Front Matter

The front matter frames the thesis work. It includes these elements:

- **Title page.** A master department will have a standard title page form you are required to follow. The title should be informative, and reveal the topic of the thesis. Include the title, author, thesis supervisor, names of members of the jury, place, and date.

- *Abstract*. Briefly state the (1) research problem, (2) methodology, (3) key results, and (4) conclusion (5) contain keywords. Generally, abstracts are between 100 and 150 words-roughly 5-10 sentences.
- Acknowledgments. شكر و عرفان Acknowledge assistance from advisors, sponsors, funding agencies, colleagues, technicians, and so on.
- *Table of contents*. الفهرس List the key subject headings and subheadings of your thesis with their page numbers. Number the front-matter section in lowercase roman numerals.
- *Nomenclature* . List unfamiliar terms, symbols, acronyms and their meanings.

Body / المتن

In the thesis body, you provide the introduction, narrative, and analysis of your work. The body includes these elements:

- Introduction. State (1) the purpose of the investigation , the background (context and importance) of the problem (citing previous work by others),the problem being investigated , general approach, and the criteria for your study's success.
- Conclusions. **Write a powerful conclusion.** اكتب خاتمة قوية ، Your conclusion should detail the importance of this Master's thesis to the subject community and may suggest the direction that future researchers might follow to continue with relevant information on the subject.
- Review the results in relation to the original problem statement. Assess the success of the study in light of the criteria of success you gave in the introduction.
- Recommendations. التوصيات If applicable, recommend directions for future work.

End Matter

The end matter is mainly referential material too detailed to fit well in the main narrative of work done. It includes these elements:

- Appendixes. الملاحق Provide detailed calculations, procedures, data in separate appendixes. Give each appendix a title, a letter (Appendix A, B, C), and an introductory paragraph.
- Bibliography. قائمة المراجع List alphabetically any works referred to in your study. Follow the bibliographical and footnote formats of your department (law department)
 - ماهي طريقة كتابة المرجع او المصدر ؟
المرجع يختلف عن المصدر

How do you write a bibliography

- 1 author name. اسم المؤلف.
 - 2 title of the publication (and the title of the article if it's a magazine or encyclopedia) عنوان الكتاب أو المقال
 - 3 date of publication if it is an article تاريخ النشر اذا كان المصدر مقال
 - 5 the publishing company of a book. دار النشر.
 - 6 the volume number of a magazine or printed encyclopedia.
 - 7 the country of issuance .
 - 8 the year
 - 1 the website (include date of the update and hour)
- يجب ادراج تاريخ زيارة الموقع مع التوقيت كما يجب ان يكون ذلك الموقع رسمي او معترف به ، من اجل اضافة اكثر مصداقية لتلك المعلومات .

Abstract example

Abstract : ملخص

The purpose of this study, is to high light the latest implementation of economic sanction under international law.

The impact of international economic sanctions on human rights, such as the right of life, rights of nutrition, right of health, and other human rights.

The concept of humanitarian exception gave the issue to the the international community to balance between keeping peace and security, with the respect of the human rights, this concept played an important role to stop their negative consequences ,by imposing smart sanctions as new method .

Keywords: كلمات مفتاحية United Nations, Economic Sanctions, Smart Sanctions, Human Rights.

Chapter two . The transaction in custom litigation

المصالحة الجمركية

Definition of transaction :

Procedure allowing the customs administration to resolve, amicably, a dispute arising from an infringement of customs legislation and regulations, for offenders who request it.

المصالحة في المنازعات الجمركية هو الاتفاق الذي بموجبه تقوم إدارة الجمارك وفي حدود اختصاصها، بالتنازل عن ملاحقة الجريمة الجمركية، في مقابل أن يمثل الشخص أو الأشخاص المخالفون لشروط معينة.

Advantages of transaction : فوائد المصالحة

- Benefit from a reduction in penalties;
 - The rapid settlement of contentious cases;
 - Avoid legal action.
- الاستفادة من إعفاء جزئي من مبلغ الغرامة،
 - التسوية السريعة للقضايا النزاعية،
 - تجنب المتابعة الجزائية ،
 - انقضاء الدعوى العمومية (عقوبة الحبس) عندما تجرى المصالحة قبل صدور حكم قضائي نهائي،
 - إمكانية الاستفادة في بعض الحالات من استرجاع، وفقا للشروط القانونية والتنظيمية، للبضائع القابلة للمصادرة مقابل دفع قيمتها (وفقا للمادة 336 مكرر من قانون الجمارك 04/17) .

Cases excluded from the benefit of the transaction: الحالات

المستثناءة من الاستفادة من المصالحة

- smuggling ;
 - Cases related to absolutely prohibited goods;
 - The intervention of a final court decision.
- جريمة التهريب.
 - الجرائم المتعلقة ببضائع محظورة حظرا مطلقا.
 - قضايا التهريب المتعلقة بالمواد المدعمة والأسلحة والذخائر والمخدرات والبضائع الأخرى المحظورة حسب مفهوم الفقرة الأولى من المادة 21 من

قانون الجمارك".
للإشارة فإن البضائع المحظورة حظرا مطلقا هي تلك التي يمنع
استيرادها أو تصديرها بأية صفة كانت.

Procedure inherent to the transaction:

: الإجراءات المتعلقة بالمصالحة الجمركية

To benefit from the transaction, the offender must file a transaction request with the competent divisional customs inspectorate.

The examination of transaction requests falling within the competence of the national or local transaction commission are subject to the deposit, at least, of an amount equal to or greater than 25% of the amount of the penalties legally incurred, with the customs collector. competent.

- للاستفادة من المصالحة، يجب أن يودع المخالف طلبا للمصالحة، كتابيا، على مستوى رئيس مفتشية أقسام الجمارك المختص.
- يمكن أن يكون الطلب شفهي في إذا كان المخالف مسافرا أو ربانا لسفينة أو قائدا لمركبة جوية.
- إيداع على الأقل مبلغ يمثل 25 % من الغرامة المستحقة، لدى قابض الجمارك المختص، عندما يلزم أخذ رأي إحدى لجان المصالحة (الوطنية أو المحلية). 1.

Chapter three : What is Arbitration?

ما هو التحكيم؟

Arbitration is a **procedure** in which a **dispute** is submitted, by **agreement** of the **parties**, to one or more arbitrators who make a **binding decision** on the dispute. In choosing arbitration, the parties **opt** for a private dispute **resolution** procedure instead of going to **court**.

Its principal characteristics are:

- *Arbitration is consensual*

Arbitration can only take place if both parties have agreed to it. In the **case** of future disputes arising under a **contract**, the parties insert an arbitration **clause** in the relevant contract. An existing dispute can be referred to arbitration by means of a submission agreement between the parties. In contrast to **mediation**, a party cannot **unilaterally withdraw** from arbitration.

- *The parties choose the arbitrator(s)*

The parties can select a sole arbitrator together. If they choose to have a three-member arbitral tribunal, each party appoints one of the arbitrators; those two persons then agree on the presiding arbitrator. **Alternatively**, the Center can **suggest** potential arbitrators with relevant **expertise** or directly appoint members of the arbitral tribunal. The Center maintains an extensive roster of arbitrators ranging from seasoned dispute-resolution generalists to highly **specialized** practitioners and experts covering the entire **legal** and technical spectrum of **intellectual property**.

- *Arbitration is neutral*

In addition to their selection of **neutrals** of appropriate **nationality**, parties are able to choose such important elements as the applicable law, language and venue of the arbitration. This **allows** them to **ensure** that no party **enjoys** a home court **advantage**.

- *The decision of the arbitral tribunal is final and easy to enforce*

The parties **agree** to **carry out** the decision of the arbitral tribunal without delay. International awards are **enforced** by national courts under the New York Convention, which permits them to be set aside only in very limited circumstances. More than 165 States are **party** to this **Convention** (1).

(1) <https://www.wipo.int/amc/en/arbitration/ny-convention/index.html>

Arbitration التحكيم
procedure الاجراء
dispute نزاع
agreement اتفاق
parties الاطراف
decision الحكم
opt يختار
resolution توصية
court محكمة، مجلس
consensual رضائي
case قضية
contract عقد
clause بند
mediation وساطة
unilaterally بصفة بنفردة
withdraw فسخ
Alternatively بطريقة بديلة
suggest يقترح
expertise خبرة
specialized مختص
legal شرعي
intellectual property ملكية فكرية
neutral حيادي
In addition بالاضافة
nationality جنسية
allows يسمح
ensure يضمن
enjoys يتمتع
advantage مزايا
agree يقبل
enforced دخل حيز النفاذ
party الطرف
Convention / treaty اتفاقية

According to vienna treaty 1969 the “treaty” means an international agreement concluded between States in written form and governed by international law, whether embodied in a single instrument or in two or more related instruments and whatever its particular designation (1).

(1) https://legal.un.org/ilc/texts/instruments/english/conventions/1_1_1969.pdf

Chapter four :

رسالة تحفيزية Tips for motivation letter

مثال عن تقنيات كتابة رسالة تحفيزية من اجل اقناع مسؤول الموارد البشرية

في العموم يجب اقناع المسؤول على أنه انتي او انت قادر على ان تحصل على ذلك المنصب الشاغر، عن طريق ابراز نقاط القوة التي تتمتع بها ، يجب تقادي تكرار المعلومات التي سبق و ان تطرقت اليها في السيرة الذاتية .
هذا الشخص يريد العمل في المحكمة الجنائية الدولية ، يريد اقناع مسؤول الموارد المالية على انه يستهل تلك الوظيفة :



I would describe myself as a very determined and highly motivated person. I take my job seriously .

I'm particularly motivated by working in a team.

My professional interests are in the field of International Criminal Law, International human rights law , International humanitarian law .

I believe my skills and experience are a very good match for this post .

I'm actually working as an Attorney in a large law firm, we have dealt with many different cases relating to criminal law , human rights issues.

I am holding a Ph.D in Public Law, and my research was in:« **The new applications of international economic sanctions under international law** », part of my researches was related to economic sanctions under resolution 1591 (2005) concerning the Sudan and many other countries .

My masters degree was in the field of international criminal law and IHL , my research was on the : "**Prohibition of weapons of a nature to cause superfluous injury or unnecessary suffering**" .

Working for ICC would be an opportunity to learn about the core values and initiatives of Prosecution Division, and be a part of the mission that is leading Office Of The Prosecutor.

I believe, with my ambition and determination to achieve results, I can provide

a fresh perspective and contribute to the development of the strategies of change at the Prosecution Division.

I have organized, participated in seminars on many different issues.

I am multi lingual, speaking 4 of the 6 UN official languages and having grown up in Algeria, I am well acquainted with the localities and people of the region. I am able to converse with people from all walks of life, having worked with judges at tribunals and also everyday people.

I hope you will consider me for this position and look forward to discussing it further with you.

Best regards .