**ÇAĞ UNIVERSITY FACULTY OF ARTSA ND SCIENCES ENGLISH INTERPRETING AND TRANSLATION DEPARTMENT SPRING SEMESTER TRN 210 FINAL PROJECT**

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| DESCRIPTIONS  %60 PERCENT FOR MARKING for **FINAL**  DUE DATE: JUNE 5 2024 Till:15.00  Your assignment should be written by following APA rules. Times New Roman 12. 1,5 line.  You will translate the texts paragraph by paragraph.  You will upload into turnitin and submit by hand. Please attach the rubric to end of your final project.  Turnitin:  Class Id: 44029980  Turnitin Key:2016933068  Dr. Gürcan DEMİROGLARI  **NAME: SURNAME: NUMBER:** |

**SECTION A**

**SECTION II**

**EUROPEAN COURT OF HUMAN RIGHTS**

**ARTICLE 19 Establishment of the Court**

To ensure the observance of the engagements undertaken by the High Contracting Parties in the Convention and the Protocols thereto, there shall be set up a European Court of Human Rights, hereinafter referred to as “the Court”. It shall function on a permanent basis.

**ARTICLE 20 Number of judges**

The Court shall consist of a number of judges equal to that of the High Contracting Parties.

**ARTICLE 21 Criteria for office**

1. The judges shall be of high moral character and must either possess the qualifications required for appointment to high judicial office or be jurisconsults of recognised competence. 2. The judges shall sit on the Court in their individual capacity.

3. During their term of office the judges shall not engage in any activity which is incompatible with their independence, impartiality or with the demands of a full-time office; all questions arising from the application of this paragraph shall be decided by the Court.

**ARTICLE 22 Election of judges**

The judges shall be elected by the Parliamentary Assembly with respect to each High Contracting Party by a majority of votes cast from a list of three candidates nominated by the High Contracting Party.

**ARTICLE 23 Terms of office and dismissal**

1. The judges shall be elected for a period of nine years. They may not be re-elected.

2. The terms of office of judges shall expire when they reach the age of 70.

3. The judges shall hold office until replaced. They shall, however, continue to deal with such cases as they already have under consideration.

4. No judge may be dismissed from office unless the other judges decide by a majority of two-thirds that that judge has ceased to fulfil the required conditions.

**ARTICLE 24 Registry and rapporteurs**

1. The Court shall have a Registry, the functions and organisation of which shall be laid down in the rules of the Court.

2. When sitting in a single-judge formation, the Court shall be assisted by rapporteurs who shall function under the authority of the President of the Court. They shall form part of the Court’s Registry.

**ARTICLE 25 Plenary Court**

The plenary Court shall

(a) elect its President and one or two Vice-Presidents for a period of three years; they may be re-elected;

(b) set up Chambers, constituted for a fixed period of time;

(c) elect the Presidents of the Chambers of the Court; they may be re-elected;

(d) adopt the rules of the Court;

(e) elect the Registrar and one or more Deputy Registrars;

(f) make any request under Article 26, paragraph 2.

**ARTICLE 26 Single-judge formation, Committees, Chambers and Grand Chamber**

1. To consider cases brought before it, the Court shall sit in a single-judge formation, in committees of three judges, in Chambers of seven judges and in a Grand Chamber of seventeen judges. The Court’s Chambers shall set up committees for a fixed period of time.

2. At the request of the plenary Court, the Committee of Ministers may, by a unanimous decision and for a fixed period, reduce to five the number of judges of the Chambers.

3. When sitting as a single judge, a judge shall not examine any application against the High Contracting Party in respect of which that judge has been elected.

4. There shall sit as an ex officio member of the Chamber and the Grand Chamber the judge elected in respect of the High Contracting Party concerned. If there is none or if that judge is 18 19 unable to sit, a person chosen by the President of the Court from a list submitted in advance by that Party shall sit in the capacity of judge.

5. The Grand Chamber shall also include the President of the Court, the Vice-Presidents, the Presidents of the Chambers and other judges chosen in accordance with the rules of the Court. When a case is referred to the Grand Chamber under Article 43, no judge from the Chamber which rendered the judgment shall sit in the Grand Chamber, with the exception of the President of the Chamber and the judge who sat in respect of the High Contracting Party concerned.

**ARTICLE 27 Competence of single judges**

1. A single judge may declare inadmissible or strike out of the Court’s list of cases an application submitted under Article 34, where such a decision can be taken without further examination.

2. The decision shall be final.

3. If the single judge does not declare an application inadmissible or strike it out, that judge shall forward it to a committee or to a Chamber for further examination.

**ARTICLE 28 Competence of Committees**

1. In respect of an application submitted under Article 34, a committee may, by a unanimous vote,

(a) declare it inadmissible or strike it out of its list of cases, where such decision can be taken without further examination; or

(b) declare it admissible and render at the same time a judgment on the merits, if the underlying question in the case, concerning the interpretation or the application of the Convention or the Protocols thereto, is already the subject of well-established case-law of the Court.

2. Decisions and judgments under paragraph 1 shall be final.

3. If the judge elected in respect of the High Contracting Party concerned is not a member of the committee, the committee may at any stage of the proceedings invite that judge to take the place of one of the members of the committee, having regard to all relevant factors, including whether that Party has contested the application of the procedure under paragraph 1.(b).

**ARTICLE 29 Decisions by Chambers on admissibility and merits**

1. If no decision is taken under Article 27 or 28, or no judgment rendered under Article 28, a Chamber shall decide on the admissibility and merits of individual applications submitted under Article 34. The decision on admissibility may be taken separately.

2. A Chamber shall decide on the admissibility and merits of inter-State applications submitted under Article 33. The decision on admissibility shall be taken separately unless the Court, in exceptional cases, decides otherwise.

**ARTICLE 30 Relinquishment of jurisdiction to the Grand Chamber**

Where a case pending before a Chamber raises a serious question affecting the interpretation of the Convention or the Protocols thereto, or where the resolution of a question before the Chamber might have a result inconsistent with a judgment previously delivered by the Court, he Chamber may, at any 20 21 time before it has rendered its judgment, relinquish jurisdiction in favour of the Grand Chamber, unless one of the parties to the case objects.the Chamber may, at any 20 21 time before it has rendered its judgment, relinquish jurisdiction in favour of the Grand Chamber, unless one of the parties to the case objects.

**ARTICLE 31 Powers of the Grand Chamber**

**The Grand Chamber shall**

(a) determine applications submitted either under Article 33 or Article 34 when a Chamber has relinquished jurisdiction under Article 30 or when the case has been referred to it under Article 43;

(b) decide on issues referred to the Court by the Committee of Ministers in accordance with Article 46, paragraph 4; and (c) consider requests for advisory opinions submitted under Article 47.

**ARTICLE 32 Jurisdiction of the Court**

1. The jurisdiction of the Court shall extend to all matters concerning the interpretation and application of the Convention and the Protocols thereto which are referred to it as provided in Articles 33, 34, 46 and 47.

2. In the event of dispute as to whether the Court has jurisdiction, the Court shall decide.

**ARTICLE 33 Inter-State cases**

Any High Contracting Party may refer to the Court any alleged breach of the provisions of the Convention and the Protocols thereto by another High Contracting Party.

**ARTICLE 34 Individual applications**

The Court may receive applications from any person, nongovernmental organisation or group of individuals claiming to be the victim of a violation by one of the High Contracting Parties of the rights set forth in the Convention or the Protocols thereto. The High Contracting Parties undertake not to hinder in any way the effective exercise of this right.

**ARTICLE 35 Admissibility criteria**

1. The Court may only deal with the matter after all domestic remedies have been exhausted, according to the generally recognised rules of international law, and within a period of six months from the date on which the final decision was taken.

2. The Court shall not deal with any application submitted under Article 34 that (a) is anonymous; or (b) is substantially the same as a matter that has already been examined by the Court or has already been submitted to another procedure of international investigation or settlement and contains no relevant new information.22 23

3. The Court shall declare inadmissible any individual application submitted under Article 34 if it considers that: (a) the application is incompatible with the provisions of the Convention or the Protocols thereto, manifestly ill-founded, or an abuse of the right of individual application; or (b) the applicant has not suffered a significant disadvantage, unless respect for human rights as defined in the Convention and the Protocols thereto requires an examination of the application on the merits and provided that no case may be rejected on this ground which has not been duly considered by a domestic tribunal.

4. The Court shall reject any application which it considers inadmissible under this Article. It may do so at any stage of the

**ARTICLE 37 Striking out applications**

1. The Court may at any stage of the proceedings decide to strike an application out of its list of cases where the circumstances lead to the conclusion that (a) the applicant does not intend to pursue his application; or (b) the matter has been resolved; or (c) for any other reason established by the Court, it is no longer justified to continue the examination of the application. However, the Court shall continue the examination of the application if respect for human rights as defined in the Convention and the Protocols thereto so requires.

2. The Court may decide to restore an application to its list of cases if it considers that the circumstances justify such a course.

**ARTICLE 38 Examination of the case**

The Court shall examine the case together with the representatives of the parties and, if need be, undertake an investigation, for the effective conduct of which the High Contracting Parties concerned shall furnish all necessary facilities.

**ARTICLE 39 Friendly settlements**

1. At any stage of the proceedings, the Court may place itself at the disposal of the parties concerned with a view to securing a friendly settlement of the matter on the basis of respect for human rights as defined in the Convention and the Protocols thereto.

2. Proceedings conducted under paragraph 1 shall be confidential.

3. If a friendly settlement is effected, the Court shall strike the case out of its list by means of a decision which shall be confined to a brief statement of the facts and of the solution reached.

4. This decision shall be transmitted to the Committee of Ministers, which shall supervise the execution of the terms of the friendly settlement as set out in the decision.

**ARTICLE 40 Public hearings and access to documents**

1. Hearings shall be in public unless the Court in exceptional circumstances decides otherwise.

2. Documents deposited with the Registrar shall be accessible to the public unless the President of the Court decides otherwise.

**ARTICLE 41 Just satisfaction**

If the Court finds that there has been a violation of the Convention or the Protocols thereto, and if the internal law of the High Contracting Party concerned allows only partial reparation to be made, the Court shall, if necessary, afford just satisfaction to the injured party.

**ARTICLE 42 Judgments of Chambers**

Judgments of Chambers shall become final in accordance with the provisions of Article 44.

**ARTICLE 43 Referral to the Grand Chamber**

1. Within a period of three months from the date of the judgment of the Chamber, any party to the case may, in exceptional cases, request that the case be referred to the Grand Chamber.

2. A panel of five judges of the Grand Chamber shall accept the request if the case raises a serious question affecting the interpretation or application of the Convention or the Protocols thereto, or a serious issue of general importance.

3. If the panel accepts the request, the Grand Chamber shall decide the case by means of a judgment.

**What is a crime?**

Crime is defined by law as an intentional act or omission of an act in violation of criminal law (statutory and case law), committed without defense or justification and sanctioned by the state as felony or misdemeanor. Felony is a crime for which a person may be sentenced to death in the countries where capital punishment is not abolished, or long prison term, while a misdemeanor is a less serious offense for which a fine or a short jail term may be imposed. There are different crimes or offences. Crimes, which are typically committed, by office employees and salaried professionals, are known as white-collar crimes (or business/corporate crimes).White – collar crimes are economic, personal injury or death may result from such white – collar crimes as mislabeling drugs, faulty design or construction of products, or environmental pollution.

**TEXT 3**

The process of registering a company is known as company formation. Companies can be created by individuals, specialized agents, attorneys or accountants. Today, the majority of companies formed in the UK and the USA are formed electronically. To set up as a limited company in the UK, you will need to send several documents and completed forms to Companies House, or the Registrar of Companies. In Britain there are some types of limited companies - private limited company by shares, private limited company by guarantee and public limited company (PLC). The incorporation requirements are basically the same for any type, though there are some special rules as well.

Companies House charges a standard registration fee of £20. It also offers a premium same-day registration service for a fee of £80. Memorandum and Articles of Association have to be obtained from 38 law stationers or company formation agents. The documents that must be filed include: -A Memorandum of Association, giving details of the company's name, location and what it will do. -Articles of Association, describing how the company will be run, the rights of the shareholders and the powers of the company's directors.

The Memorandum of Association is one of two legal documents that are required to form a limited company. The document defines the following points: – the company's name; – the address of the registered office (England, Wales or Scotland); – a statement of limited liability on the shareholders; – a statement of the companies authorized share capital; – the signature of one or more subscribers.

The Articles of Association sets out the rules for the running of the company's internal affairs. Clauses refer to share capital, issue of shares, transfer of shares and powers of Directors. All companies must register Articles with Companies House. The company's Articles of Association must be signed by each subscriber or member in front of an independent witness. After you have completed and signed the Memorandum and Articles of Association, Companies House Forms 10 and 12 you file the documents to the Registrar of Companies. Within 7 days you should receive a Certificate of Incorporation, and you are now ready to commence business.

Forming a Corporation To form a corporation, you must file «Articles of incorporation» with the corporations division (usually part of the Secretary of State's office) of the state government. Filing fees are typically $100 or so. For most small corporations, articles of incorporation are relatively short and easy to prepare. Most states provide a simple form to fill out, which usually asks for little more than the name of the corporation, its address and the contact information for one person involved with the corporation (often called a registered agent or statutory agent).

Some states also require listing the names of the directors of the corporation. In addition to filing articles of incorporation, one must create «corporate by laws». While bylaws do not have to be filed with the state, they are important because they set out the basic rules that govern the ongoing formalities and decisions of corporate life, such as how and when to hold regular and 39 special meetings of directors and shareholders and the number of votes that are necessary to approve corporate decisions. One must issue stock certificates to the initial owners (shareholders) of the corporation and record who owns the ownership interests (shares or stock) in the business.

Every company needs a federal employer identification number (EIN). So, one must apply for and get one from the Internal Revenue Service (IRS).

**TEXT 4 Penalties**

Each crime described in the Penal Code contains a range of penalties that may be imposed upon the perpetrator. The punishment is usually a range of fines or years of imprisonment or some combination of the two. But how should a judge decide which penalty within that range to impose? We should begin to answer this question by recalling the principle of humanity, which emphasizes the value of each human life and human freedom. The goal of a penalty is not to punish or serve as vengeance, but to teach and re-socialize the offender. As a result of this principle, Article 62 of the Penal Code states a general preference for penalties that do not deprive persons of their liberty whenever possible. For example, fines or community service should be imposed, if legal and appropriate, in lieu of a prison sentence. Prison sentences should only be imposed when other penalties have proven ineffective in preventing the crime. Suspended sentences are another available option for terms of imprisonment of three years or less. Article 51 explains generally the principles behind determining the proper penalty:

In determining what penalty to apply, the court has a number of options. Fines and prison sentences are the penalties usually provided for by the penal code. But fines and imprisonment are not the only penalties. In fact, the Penal Code provides for many alternative penalties that may be imposed under certain circumstances. In addition to fines and prison terms, courts may require community service (Articles 78 through 81), admonish criminals (Articles 82 and 83), suspend or revoke the criminal’s privilege to hold public office (Articles 85 and 86), deport the criminal (Article 87), or prohibit the criminal from driving an automobile or carrying a weapon (Articles 88 and 89). In determining a penalty, the Penal Code directs the court to consider all of the circumstances that reveal a higher or lower degree of unlawfulness of the act. Factors that influence our conception of the degree of unlawfulness of the act are known as aggravating or mitigating factors. Aggravating factors are aspects of the crime that make it seem worse or more serious. Mitigating factors are circumstances that make the crime seem less serious. Article 52 provides a list of some general aggravating factors, and Article 55 provides a list of some general mitigating circumstances. These general circumstances may result in a harsher or more lenient punishment at the discretion of the judge. But there is another form of mitigating circumstances. Namely, extraordinarily mitigating circumstances, which are identified in Article 56. If any of these are present, the maximum time of imprisonment is reduced by one third and the minimum time of imprisonment is reduced by one fifth. The maximum fine is reduced by one third and the minimum fine is reduced to the legal minimum

**TEXT 5 Crimes Against Peace and Humanity**

Given the circumstances of Timor-Leste’s long struggle for independence, it is without much surprise that the Penal Code’s Book on specific crimes begins with “Crimes Against Peace and Humanity.” The crimes detailed in this Title represent some of the most egregious in all of the Penal Code. Therefore, nearly all are punished with some of the highest terms of imprisonment in the Timorese Penal Code. 33 Of these heinous crimes, arguably the worst are genocide and crimes against humanity (Article 123 and 124). Genocide is the systematic destruction or abuse of a group of people based on a common association of those people; for example, race or religion. The most obvious form of genocide is widespread killing of the targeted group. However, the use of “destroy” in the Code (see below) is not limited to death. It also includes widespread imprisonment, depravation of property, and other serious crimes such as forced sterilization. In short, it is the widespread targeting of a group that defines genocide, not necessarily any particular action towards those people. Crimes against humanity are similar to genocide in that they are widespread, but they are not necessarily directed at a group. Rather, crimes against humanity are directed at the civilian population in general. Both genocide and crimes against humanity are punishable with the high prison sentences of 15-30 years.

**SECTION B**

**TEXT 1 Family Law**

Family law – deals with marriage, divorce, adoption, child custody, and support, and other domestic related issues. Popular notions of the family are often connected with the concept of marriage. Who may get married and what formalities are required are matters usually regulated by law and the extent to which the law should intervene is the matter for debate. Legal capacity to marry is fulfilled when an individual is of legal age, mentally competent and not already married. Age requirements generally range from 16 to 18 years old (in our country, for girls-17 and for boys-18).

Mental competence requires that a person should understand the nature and consequences of marriage at the time of the act. Both parties must freely consent to marriage. A valid marriage usually requires that certain formalities should be compiled with.

Some legal systems recognize civil marriages performed by a state official, other legal systems recognize only religious marriages celebrated by particular religious officials, while yet others recognize both. But in our country marriage is valid when it is registered by vital registration.

Marriages have important consequences for the spouses, third parties and for the community. From the point of view of spouses marriage is important for the acquisition of nationality or domicile or in deciding who owns property acquired by them after marriage and so on.

The third parties most often affected by marriage are the children of the couple. It can affect the right of the child to claim nationality through a parent or to inherit property when a parent dies. It can also affect the right of the parent (usually the father) to have custody over a child. Marriages do not always work and it falls to the legal system to set out the rules for divorce.

Though 32 divorce is commonplace nowadays, it’s rarely easy or smooth. Each party to a divorce has his or her own concerns, and the nature of a couple’s disagreement varies widely with circumstances.

The most significant consequences of divorce involve the division of the couple’s property and the future arrangements for the care of their children. Parties may wish to make arrangements on these matters themselves and, while some legal systems allow this, others require that arrangements should be subject to some kind of official approval. When the parties cannot reach agreement, it is up to the legal system to provide a mechanism for resolving these problems.

Property settlement tries to achieve an equitable division of the assets of the marriage and typically divide those assets by way of lump – sum payments or specific awards of particular items of property to one or the other party. Assets are determined and evaluated based on several factors, typically the parties’ contributions including home making and child rearing services, and other equities, such as what property the parties brought to the marriage and the duration of the marriage.

**TEXT 2 Business law**

Business law deals with the creation of new businesses and the issues that arise as existing businesses interact with the public, other companies, and the government. This area of the law draws on a variety of legal disciplines, including tax law, intellectual property, real estate, sales, employment law, bankruptcy, and others.

Business law provides rules and guidance for companies to follow before disputes occur. Businesses can be formed as corporations; limited liability companies (LLCs), partnerships, and other entities. In practice Business law is closely connected with other laws such as securities law, antitrust law, bankruptcy, labor and employment law and environmental law. Most business enterprises are organized in one of three ways: as a sole proprietorship, as a partnership (general or limited), or as a corporation.

Each business organization shares some common aspects with others, but differs in method of ownership, the degree of personal liability of the investors for the enterprise’s debts and the complexity of the structure.

A sole proprietorship is a business enterprise owner solely by one individual. It is the most elementary organizational form of business. Small new businesses often begin as sole proprietorships because they are the simplest and least expensive to form and operate. Local accountants or attorneys in business for themselves or small retail shops are likely to be sole proprietorships.

The formation, operation, and management of sole proprietorships are generally simple. It is not necessary to file any documents with any governmental office other than local requirements that the owner register the name of the business to prevent fraud. This registration would notify the public, for example, that Rasulov is doing business as “Rasulov Eshiklari.”

A partnership is an association of two or more persons to carry on a business for profit as co – owners. There are two kinds of partnerships, general and limited. An agreement to operate as a partnership can be written, but unlike a corporation or limited partnership, there is no requirement that any documents be filed with any governmental authority.

The agreement may even be oral and a partnership agreement may even be implied from conduct despite a written agreement to the contrary. Like the sole proprietor, partners in a general partnership are exposed to unlimited liability and the partnership does not have to pay income taxes separate from its owners. Instead, the income or loss of the business is reported on the partners’ personal individual tax returns.

The choice of the partnership form rather than sole proprietorship is chosen over a corporation to avoid the complexities involved in forming and running a corporation.

A limited partnership has both general and limited partners. It differs from a general partnership in the fact that the limited partners are not subject to unlimited liability for the debts of the business and risk only 37 the loss of their initial capital contribution to the partnership. Correspondingly, limited partners have little control over the running of the business, which is run by the general partner or partners.

**TEXT 3 The legal acts of the Union**

1. In exercising the competences conferred on it in the Constitution, the Union shall use as legal instruments, in accordance with the provisions of Part III, European laws, European framework laws, European regulations, European decisions, recommendations and opinions. A European law shall be a legislative act of general application. It shall be binding in its entirety and directly applicable in all Member States. A European framework law shall be a legislative act binding, as to the result to be achieved, on the Member States to which it is addressed, but leaving the national authorities entirely free to choose the form and means of achieving that result. A European regulation shall be a non-legislative act of general application for the implementation of legislative acts and of certain specific provisions of the Constitution. It may either be binding in its entirety and directly applicable in all Member States, or be binding, as regards the result to be achieved, on all Member States to which it is addressed, but leaving the national authorities entirely free to choose the form and means of achieving that result. A European decision shall be a non-legislative act, binding in its entirety. A decision which specifies those to whom it is addressed shall be binding only on them. Recommendations and opinions adopted by the Institutions shall have no binding force.

2. When considering proposals for legislative acts, the European Parliament and the Council of Ministers shall refrain from adopting acts not provided for by this Article in the area in question.

FINAL RUBRİK

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| **CATEGORY** | **10** | **8-7** | **6-4** | **3-1** |
| **Organization** | Information is very organized in a wellconstructed paragraph or paragraphs. | Information is organized in a wellconstructed paragraph or paragraphs. | . information is organized, but paragraph(s) are not well-constructed | The information appears to be disorganized |
| **Amount of Information** | All topics are addressed and all questions answered with at least 2 sentences about each. | All topics are addressed and most questions answered with at least 2 sentences about each. | . All topics are addressed, and most questions answered with 1 sentence about each. | One or more topics were not addressed. |
| **Quality of Information** | Information clearly relates to the topic. It includes details and/or examples. | Information relates to the topic. It provides few supporting details and/or examples | Information partially relates to the topic. No details and/or examples are given. | information has little or nothing to do with the topic. |
| **Application of Learning** | Information presented shows a clear understanding and application of the Professional Development Topic. | Information presented shows understanding and application of the Professional Development Topic. | Information presented shows a partial understanding and application of the Professional Development Topic. | Information presented shows little or no understanding and application of the Professional Development Topic |
| **Mechanics** | No grammatical, spelling or punctuation errors. | Almost no grammatical, spelling or punctuation errors | A few grammatical spelling, or punctuation errors. | Many grammatical, spelling, or punctuation errors |

Final Grading Sheet

Student Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Section #1: \_\_\_\_\_\_\_ points out of 50 points

Section #2: \_\_\_\_\_\_\_ points out of 50 points

Total Points: \_\_\_\_\_\_\_ points out of 100 points

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