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Gabriela ŞAGANEAN **Victoria SOLOVEI**

Simultaneous Interpretation from Romanian into English

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Recomandat de Departamentul Traducere, Interpretare și Lingvistică Aplicată și de Consiliul Facultății de Litere

Recenzenţi: *Inga STOIANOVA*, dr., conf.univ. (ULIM)
Nina ROȘCOVAN, dr., conf.univ. (USM)

Un factor indiscutabil al momentului istoric actual este prezenţa traducerii practice în toate domeniile activităţii umane. Traducerea devine un mijloc important al dialogului intercultural dintre societăţile eterogene, contribuind la comunicarea şi înţelegerea reciprocă şi, deci, la apropierea pe diferite căi a celor mai diverse comunităţi lingvistice.

Lucrarea de faţă a fost concepută în scopul asigurării unei formări profesionale adecvate a viitorilor specialişti în domeniul traducerii simultane care dictează necesitatea unei sistematizări a cunoştinţelor generale şi specifice în cadrul unor limbi concrete (limba engleză şi limba română).

Acest curs practic servește drept suport conceptual masteranzilor de la specialitatea *Traducere și interpretare de conferințe* în scopul familiarizării acestora cu terminologia și noțiunile utilizate atât în literatura de specialitate, cât și în viața profesională. Cursul are drept scop învățarea și utilizarea unor tehnici de interpretare prin aplicarea unor principii deja confirmate de practica profesională, pe care fiecare masterand le poate adapta în funcție de propria pregătire. Etapele de percepție, reținere și reformulare, audierea activă sunt studiate în cadrul cursului dintr-o perspectivă aplicativă ce îmbină componentele – interpretarea ca activitate umană multilaterală, factorii și variabilele ce intervin în desfășurarea acestei activități, autoevaluarea asupra performanței personale din partea masteranzilor în situațiile de interpretare simulate.

Structura lucrării pentru cursul de *Traducerea simultană și consecutivă din limba română în limba engleză* destinat studenților anului I, ciclul II, Masterat, este o continuitate logică a materialului predat și cunoștințelor obținute în cadrul orelor teoretice, având drept scop implementarea acestora în practică.

Culegerea dată are un caracter teoretico-aplicativ şi drept obiectiv dezvoltarea competenţelor şi deprinderilor pentru traducerea simultană din limba română în limba engleză şi viceversa. Exerciţiile elaborate vizează diferite fenomene lingvistice şi dificultăţi lexicale, gramaticale, stilistice şi pragmatice ale ***discursului juridic*** din subdomeniile: *dreptul internațional, drepturile omului, dreptul procesual, dreptul constituțional* etc.

DESCRIEREA CIP A CAMEREI NAȚIONALE A CĂRȚII DIN REPUBLICA MOLDOVA

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INTERVIEW WITH A PROFESSIONAL INTERPRETER

Mrs. Olesea Bodean-Vozian,
professional interpreter and translator, PhD,
Associate Professor

1. Where and how have you gained the experience needed to perform the job as an interpreter?

I did not pursue any formal interpreter training/education – I earned a Bachelor's Degree in English and French Language and Literature; however, I have always dreamt of becoming an interpreter – I permanently thought I would embrace this job in the right place and at the right time. I gained my first experience as an "interpreter" back in 2001. At that time, I was still a student and I started working with the French language because I could barely speak English. I knew the rules, but I was afraid to speak. Then we had classes with a young university assistant who opened our minds and hearts and English words began simply pouring out of us. After graduation, I attended some training courses in written translation, in consecutive interpreting and basically, I was pushed into the realm of interpretation and translation by my fellow colleagues. I am aware that doing such a job without any formal qualification was a risky endeavour because I lacked the necessary skills and experience, but, through hard work, I managed to prove to myself and others: 'Yes, I can".

2. Could you share some of the reasons why you have chosen to become an interpreter?

I don't have any reasons, there are no root causes behind my decision. It was like a call that I cannot explain, but I knew that one day I would become an interpreter since I was 11 years old.

3. What are the core skills an interpreter needs in order to be successful?

There is a very broad range of various competences (from more general to more specific) that interpreters need to be equipped with

when acceding into the profession. These can be applied in different contexts or settings, depending on the mode of interpretation. However, all scholars agree that language skills and the ability to speak while listening, which is something unnatural for our brain, are among the fundamentals of good interpreting. Concerning your particular question, I guess we're still in search of evidence that will prove which those skills that shape the successful interpreter are…

4. What are the common challenges an interpreter working in the Republic of Moldova encounters? How do you manage them?

I think all interpreters face challenges, regardless of the event or the country they work in, either because of time gap or because they don't understand the speaker well, they fail to prepare adequately for the assignment, they don't hear the speakers, etc. I'm trying to overcome them by adjusting, better preparing, and working more proficiently.

5. How do you stay motivated in your work?

Motivation and inspiration come from helping different people speak the same language and understand each other, from their appreciation and positive feedback, and from so many opportunities like travelling abroad and representing the best of our profession.

6. What are the common strategies/techniques for handling stressful situations while interpreting?

Interpreting is a mentally challenging job and professionals in this business face a lot of stress. Consequently, different people have developed different strategies to cope with it. I, for example, draw a lot, smile, or do some breathing exercises while interpreting in the booth to reduce negative emotions, while some of my colleagues ask for help when they feel exhausted, long before the handover or have learnt to keep their emotions under control and remain composed. Regardless of the stress, it's always important to take a five-minute break, relax and then resume to become more productive.

7. How important are the teamwork skills for interpreters?

Effective teamwork, good communication in the team, and post-event

briefing are important elements for a successful interpretation. In the booth, interpreters put their heads together to reach the same precise goal – it's a situation in which two are in the same boat, rowing in the same direction – the better the teamwork, the lower the chance of failure.

8. Interpreting is hugely reliant on memory. What are the techniques you use for training your working memory?

Memory, in particular, professional memory, is an important asset that interpreters have. Different interpretation modes require certain types of memory and in this regard, students, novice and experienced interpreters acquire and apply the appropriate skills. Mnemonics, for instance, is one type of strategy that builds up the memory. Storytelling combined with spatiality can also be beneficial. The creation of mental images or visualisation is another technique that can be used. Additionally, some apps are there for professionals to train the brain and visual memory.

9. Being an interpreter means being involved in a lifelong learning process. How do you manage to keep up-to-date with all the conceptual and linguistic novelties related to the subject fields you are specialised in?

Indeed, the job of an interpreter implies constant training and retraining over time. Participation in different fora for translators and interpreters is a must. Additionally, interpreters need to prepare by reading pertinent documents, checking facts, and learning new terms. They also read the news, watch video materials in different languages to keep up to date, and be able to deal with various topics. Extensive reading and listening to podcasts, for instance, are very productive as well. So, all means are good for interpreters to stay relevant, focused, and up-to-date about different areas.

10. What are the ground rules every interpreter should always follow?

Interpreters are a unique category of people. First and foremost, they must always be prepared and take the job unless they're fit for it. They need to speak fast, listen well, be attentive, respectful, impartial, patient, tolerant, resilient, well-informed, accurate, and on time.

GENERAL ASPECTS OF SIMULTANEOUS INTERPRETATION

The Importance of Memory in Simultaneous Interpretation. Mnemonic Strategies

The role of short-term memory is very important while interpreting. Daniel Gile considers interpreting performance as a set of three efforts, each of which with their own role in the limited supply of processing capacity:

1. Listening and analysis effort: concerning all comprehension activities, such as the analysis of the acoustic characteristics of sounds, the recognition of certain sequences of sounds and the interpretation of the meaning of words and sentences.

2. Production effort: the production part of interpreting, involving all operations, from the mental representation of the message to its delivery.

3. Short-term memory effort: concerning all operations that occur continuously while interpreting. Short-term memory operations are necessary due to the delay between the moment the speech is made and the moment it is analysed. Furthermore, short-term memory also has a role between the moment the sounds of the speech are analysed and converted into ideas and the time the speech is produced. This effort may be intensified due to situational problems or specific linguistic factors (for instance, the speaker's accent may be hard to understand, the speech may not be clear or the information presented may be dense). It is also harder to retrieve information if the source language is syntactically different, with different structures than the target language, forcing the interpreter to reformulate segments of the speech earlier than normal.

These three efforts combined with a coordination effort are found both in simultaneous and consecutive interpreting. The essence of the effort models implies that, instead of a large memorization capacity, the interpreter should maintain and effectively manage the information that contributes to his or her success. The denser the contents of the source

language information, the harder it will be for the interpreter to remember all the bits of information. Proper names, figures and dates should be written down, since they are very difficult, if not impossible, to retain, particularly when there are several of these elements grouped together. The same applies to complicated technical terms and for all information that is new to the interpreter, these should be written down in order to be analysed and understood.

However, the more notes the interpreter makes, the more of his attention is focused upon making notes and less on the effort of listening and analysing, both of which being essential to a good interpretation. That is why sometimes interpreters work in pairs: one is taking notes of figures, proper names, terminology, monitoring sound quality, opening a needed document on a correct page while the second person is interpreting. In professional simultaneous interpretation conference interpreters work in pairs and alternate every 30 minutes. During rendering very difficult texts (the presenter has neck breaking speed of delivery, accent, hardcore terminology is used) interpreters may even choose to alternate every 15 minutes.

In simultaneous interpretation understanding and producing information occur almost at the same time. The period for storing the information is very limited. Comprehending information uttered in the SL is crucial to memory training.

There are three main possibilities of storing information in STM: (1) acoustic coding; (2) visual coding and (3) semantic coding. Visual coding may be used by interpreters in conference situations with multimedia and notes can be of great help. Generally, interpreters will depend on acoustic and semantic coding.

Some training exercises should be designed in this regard:

1.Retelling the listened information in the SL: the future interpreter retells in the same language after listening to some information of about 200 words.

2. Drawing general conclusions from particular examples or message from the provided text.

3. Describing a scene, a shape, or size of an object, etc. The future interpreter is encouraged to describe, summarize, and abstract the original in their own words in exercises.

4. Shadowing being defined as "a paced, auditory tracking task which involves the immediate vocalization of auditorily presented stimuli, i.e., word-for-word repetition in the same language, parrot-style, of a message presented through a headphone"(Lambert 1899:381). This kind of exercise is recommended for training of simultaneous interpreting, especially the splitting of attention skills and the short-term memory in SI.

5. Attentive listening for identifying the key elements. If one has not listened to something carefully, it will be impossible to remember later. Attentive listening requires identifying the key points of the information. It is important to answer the key questions "*Who? What? When? Where? Why? How*?" after listening to a short narrative or a descriptive text.

There is another tool which is effective in memory training: *mnemonics* used as an aid in remembering. Mnemonics are methods for remembering information that is otherwise quite difficult to recall. a. A very simple example of a mnemonic is the usage of rhyme. One can rearrange words or substitute a different word with the same meaning to make them rhyme. b. A keyword is chosen that somehow cues someone to think of the foreign word. Then, you imagine that keyword connected with the meaning of the word that should be learnt. The visualization and association should trigger the recall of the correct word. c. Chunking or grouping information is a mnemonic strategy that works by organizing information into more easily learned groups, phrases, words, or numbers. Phone numbers, social security, and credit cards are organized using chunking, for instance instead of 37379545352 to chunk like this 373 79 54 53 52 and it becomes easier to remember. d. Letter and word mnemonic strategies include the use abbreviations that are more easily remembered, for example: CPC, ECtHR, ECJ, etc. An acrostic uses the same concept as the abbreviation except that instead of forming a new "word," it generates a sentence that helps you remember the information. *The applicant filed a lawsuit against the defendant.* e. Making connections as a mnemonic strategy helps to encode new information and to connect it with something else that the interpreters are already familiar with or know. This gives it meaning and makes it easier to remember. f. Making connections can be easily applied to almost any subject or type of information. g. The mnemonic linking method (also called "chaining")

consists of developing a story or image that connects together pieces of information you need to remember. Each item leads to recall the next item, for example *damage, applicant, lawsuit, witness, testimony, defendant, compensation.* Using the linking system, one can build the stages of suing somebody and receiving reparation for his/her unlawful actions.

The basic principle of mnemonics is to take the most of as many of the best functions of the human brain as possible to encode information. The human brain has evolved to encode and interpret complex stimuli - images, color, structure, sounds, smells, tastes, touch, spatial awareness, emotion, and language - using them to make sophisticated interpretations of the environment. Human memory is made up of all these features. Thus, it is important that interpreters improve their short term memory in all ways possible.

Techniques in Facilitating the Process of Simultaneous Interpretation

Shadowing

Shadowing or repeating everything the speaker says is one of the most common exercises in the process of preparing for simultaneous translation. A beginner in simultaneous interpreting listens to the speaker's message for 5-7 minutes and repeats it with a given delay, smoothly, in a fairly loud voice. It is recommended to bring the exercise to half an hour. Also, this exercise helps to develop concentration and to form the skills and abilities of segmenting the source text into units of orientation and working out ways of optimal lag from the speaker.

The interpreters should try to stay further and further behind the speaker, until they are lagging at least one unit of meaning behind. Once they feel comfortable talking and listening at the same time and are not leaving out too much, they can begin performing other tasks while shadowing. 1.Writing the numerals from 1 to 100 on a piece of paper as they are repeating what the speaker says. 2. Writing the numerals in reverse order, from 100 to 1. 3. Writing them counting by 5s, by 3s and so on. 4. Writing out words while shadowing. 5. While shadowing the speaker as in the previous exercises, the future interpreter is writing

down all the numbers and proper names they hear. The purpose of these activities above is to accustom the future interpreter's mind to working on two "channels" at once and to force them to lag behind the speaker.

Message Anticipation

Anticipation is a key competence that interpreters need to learn before they can become professionals as simultaneous interpreters do not always interpret the information directly after the speaker because observing the natural order can turn out to be impossible due to the grammatical structures of sentences in different languages. Due to this challenge, interpreters sometimes have no other choice but to anticipate what the speaker is going to say, and express that before the speaker does. It is quite a necessary skill for interpreters to faithfully convey speech while maintaining the natural flow of communication.

Anticipating in simultaneous interpreting simply means that interpreters say a word or a phrase before the speaker actually says them. This interpreting strategy is regularly applied and there is nothing unusual about that. We are used to anticipating events daily– weather forecast is one example in this regard, as well as the logical chain you should follow when driving a car to avoid getting into an accident. Professional interpreters, who are accustomed to the industry and content, will be interpreting beforehand in order to ensure that there are no awkward pauses that make the interpretation seem unnatural.

The central goal of professional simultaneous interpreters is to summarize as accurately as possible what the speaker is saying in order to save time and prevent listeners from getting lost in the conversation. This is why anticipating can really make things easier for them. Anticipation in simultaneous interpreting is especially common between languages in which the normal word order is not the same, for example, English or French are SVO (subject, verb, object) languages, meaning the normal word order is subject + verb + object. Other languages, such as German, are SOV languages (subject, object, verb), where the normal word order is subject + object + verb.

The huge majority of languages are SVO or SOV languages, but there are also VSO (verb, subject, object) languages, like Hebrew. VSO languages are less common.

If an interpreter literally interpreted between a SVO and SOV language, they would run into awkward pauses while waiting for the verb or the object to be expressed in the source language. To approach this problem and not make pauses until the end of a sentence, the interpreter makes a hypothesis about what the speaker will say, or else uses a neutral word or expression to fill in until they know for sure. This enables interpreters to postpone stating the verb or object, while also maintaining the natural flow of communication for the audience. Thus, complete knowledge of the source language is necessary and enough to be able to anticipate.

Anticipation in simultaneous interpreting depends on several factors. Two important ones are linguistic factors and prosody. Interpreters can be helped by linguistic factors, that is to say their knowledge of the source language. Mastering the language properly or being able to quickly locate important words (those that give contextual clues) are fundamental skills for anticipation. But there are also the so-called "extra-linguistic" factors. These refer to the pragmatic approach to the text or the speaker's particular background. Any information can be helpful for the interpreter to anticipate what will be said and as a consequence preparation before interpreting events is essential.

The second factor that plays an important role in anticipation is known as prosody, that is to say non-verbal communication, such as the speaker's tone, intonation, rhythm and body-language. While this can be useful, it is not always possible to see the speaker. Moreover, intonation does not necessarily have the same meaning across different languages. Studies showed that English intonation can sound aggressive to German-speaking people, while German intonations are monotonous and boring to an English-speaking audience. Thus, while this can be helpful, it should not be totally relied on anticipation.

Training is important in becoming a professional interpreter, because only in this way the future interpreters will learn how to anticipate properly.

Some *anticipation techniques* can be applied:

1. Cloze exercises – texts with stock phrases, typical collocations or verbs at the end of

sentences blanked out.

2. Filling in the blank with the appropriate words of a text.

3. Giving them the beginning of an article/speech and getting them to supply the rest.

4. Providing the next three sentences of a speech (having been told the topic, the kind of speech it should be, etc.)

5. Providing a missing conclusion.

6. Debating tasks – setting things in context (e.g. imagine you are a lawyer/witness of an illegal act, etc.)

These techniques, as well as the in-depth knowledge of languages, will contribute to a better performance of simultaneous interpretation.

Sight Translation

Sight translation is an effective technique in training interpreters and is especially suitable for advanced language study. Being performed with the teacher's assistance, it becomes a tedious, time-consuming process, a laborious search for the right word, phrase or word order. Sight translation into a foreign language is to be the most successful vocabulary builder, and the best possible speedy review of grammatical categories and structures. Moreover, if undertaken systematically, sight translation gradually produces a fluency and sophistication of expression in the foreign as well as the native language. Sight translation makes the future interpreter to work with someone else's vocabulary and terminology mastering all the linguistic and intellectual resources in order to find suitable or possible equivalents. Observation and memory improve as the future interpreter struggles to convey special expressions in the other language, and he is forced to appreciate their uniqueness and felicity. If texts on different topics provide the "raw material" for sight translation, vocabulary begins to extend beyond the terminology of the individual's own specialization or interests and brings him closer to a total mastery of the language [Wallin, A.,2007:46].

Here are some tips for practicing sight translation most effectively:

1. Performing sight translation 15-20 minutes daily.

2. Using newspapers or magazines, preferably different materials each day or week. At first, translating at sight only one or two paragraphs of various articles, making sure that they range over a variety of topics—politics, economics, brief news items, society issues, sports, theater or film, book reviews.

3. Translating at sight as evenly as possible and creating the illusion of a read text. It is important to skip, improvise, or simplify as needed and to convey the message accurately and in complete sentences.

- Not making pauses to look up words or phrases, but underline special troublemakers or unknown terms (while guessing at them) in order to check them out and learn them later.
- Learning the identified terms and reviewing them on days when there are no new lists to memorize.
- Listening to their own oral presentation while sight translating and forcing oneself to use the foreign language as correctly and as literately as one can, and the native language as elegantly and appropriately as possible.
- Summarizing a paragraph in a short, simplistic, and vague sentence, or not at all. It is recommended to summarize as best as one can, then skip to another article or essay.

If used in a combination of self-study and supervised performance, these suggestions will contribute to the development of a style of one's own and the meaningful and correct interpretation presented smoothly and clearly.

Conceptualization

One of the basic premises for successful translation and interpretation is the recognition of the principle that the working unit is not a word or word group but the concept, the idea. In contrast to shorthand, which aims at a verbatim reproduction of a text, the various note-taking systems used for consecutive interpretation provide the "basic training" in conceptualization. They are compression systems, used to record only the essential concepts of a speech and its organizational or linkage pattern. As these concepts are orally translated into the other language, they are again expanded into complete sentences and given the appropriate stylistic and verbal framework. By requiring that the future interpreter write down not complete sentences or word groups, but only minimal significant concepts and linkages - and there is no time to do more - such note-taking encourages the conceptualization without which effective consecutive interpretation cannot occur.

Learning interpretative note-taking can be an extremely beneficial skill. It improves essay planning and writing skills, increases awareness

of parallel or divergent ways of expressing ideas in two languages and thus develops sensitivity toward style and encourages analytical and systematic thinking.

There are many ways to employ and practice it: oral and written text summaries; oral enumerations of the salient points of a speech, an essay or a discussion; the selection of appropriate titles and headings for articles and news items; and brief or extensive recapitulation in the same language or another of speeches, lectures, articles, or stories read or heard. Much of the work should be done orally, to increase the student's listening comprehension while at the same time providing an incentive for a critical reception of the presented text [Samuelsson, B., 1998:55].

Reformulation

Deviating from the structure of the original speech is one of the biggest challenges facing the future interpreters once they start simultaneous interpretation. Rephrasing simulates mental processes required in SI. The original wording should be abandoned putting the message into a different external form, while retaining all of its meaning. Stating the same message in different words forces the future interpreter to lag behind the speaker waiting until he has said something meaningful to work with. There are drills and exercises that can help with the task of changing the wording of the message without altering the meaning using both written and aural material:

1. Analyzing and understanding the original message of the listened material. This exercise also develops vocabulary, because a constant searching for synonyms and alternative ways of phrasing things is required. It is perfectly acceptable and even advisable to look up words and phrases in a dictionary or thesaurus before attempting to rephrase the passages. The listening activity can be repeated so that the future interpreter memorizes the passages benefiting from the exercise.
2. Turning nouns into verbs and adjectives.
3. Making lists of synonyms and collocations.
4. Paraphrasing grammatical structures.
5. Developing and learning lists of pat phrases (ways of opening and closing a meeting, procedural jargon) and collocations, so that interpreters come more readily to them in the booth.

6. Recording the reformulation of the message and then going through the recording and asking the colleagues how they could have said things differently.

source:*https://www.academia.edu/6457848/Anticipation_in_simultaneous_interpreting*

Legal Interpreting

There are basically four legal situations in which an interpreter may become involved:

1) interview between lawyer and client (or witness);

2) interview between police officer and person suspected of committing an offence;

3) giving evidence in court;

4) interpreting in court.

The requirements for competent legal interpreting are:

- technical fluency in a foreign language and the native language;
- an understanding of the conceptual and cultural background to those languages;
- an extensive knowledge of the social, economic and political organizations and the situation of the countries whose languages are involved in interpretation;

There are common requirements for all professional interpreting and to them must be added:

- an outline knowledge of the respective legal system;
- a broad comparative understanding of the most common legal concepts;
- a reasonable knowledge of the relevant professional terminology;
- an awareness of the expectations of lawyers, magistrates and judges.

The interpreter is there to enable communication between people of different cultures speaking different languages. It is the interpreter's duty to bring to the attention of the court, lawyer or police officer concerned where it becomes apparent that communication is impeded by a language difficulty, different cultural concepts, etc.

The Language of Law

The language of law as a special sublanguage has its own content and a set of specific characteristics which vary depending on a language system. The English legal language is characterized by a specific set of terms. First of all, it comprises numerous **Latin words** and **phrases:** *res gestae, corpus delicti, lex domicilii* etc. It also has words of old and Middle English origin, including **compounds** which are no longer in common usage: a*foresaid, hereinabove, hereafter, whereby* etc. Besides, the English legal language includes a large amount of **words derived** from French (*appeal, tort, lien, verdict* etc.). The language of law also uses **formal and ceremonial words** (*I do solemnly swear, Your Honor, May it please the court*….) and **technical terms** with precise meanings (*defendant, negligence, bail etc*.). Thus, the present content of the English language of law is due to the influence of different languages and that has a historical explanation.

Mellinkoff (1963, 1999), Tiersma (2005, 2015) offer a list of the most commonly cited linguistic features of legal language: 1. Technical vocabulary; 2. Archaic, formal, and unusual or difficult terminology; 3. Impersonal constructions; 4. Passive constructions; 5. Nominalizations; 6. Negation; 7. Long and complex sentences; 8. Wordiness and redundancy. All these characteristics contribute to the mannerisms of the language of the law: wordiness, lack of clarity, pomposity and dullness.

Terminological Equivalence

Among the challenges posed by legal translation interpretation is that of terminological equivalence due to the differences in legal systems from one country to another. Legal realities are conceived as the result of legal discourse which creates its own reality from different or shared historic traditions, in one or several languages, and which cannot coincide in the concepts of analysis or can only coincide partially when they refer to a common international legal phenomenon. According to de Groot, the first stage in interpreting the legal concepts involves studying the meaning of the source-language legal term to be interpreted. Then, after having compared the legal systems involved, a term with the same content must be sought in the target-language legal system. Equivalence aims to give the lexis and

terminology of two languages equal meaning and corresponding import and significance, and it also strives to achieve the same legal effect based on legal interpretation of the source information.

Each legal system is situated within a complex social and political framework which responds to the history, uses and habits of a particular group. This complex framework is seldom identical from one country to another, even though the origins of the respective legal systems may have points in common. The diversity of legal systems makes translation/interpretation in the field of legal terminology more difficult because a particular concept in a legal system may have no counterpart in other systems. Sometimes, a particular concept may exist in two different systems and refer to different realities, which raises the problem of documentation and legal lexicography. Legal translation/interpretation implies both a comparative study of the different legal systems and an awareness of the problems created by the absence of equivalents.

The process of rendering information is more than the substitution of lexical and grammatical elements between two languages. It often requires the art of leaving aside some of the linguistic elements of the source text to find an expressive identity among the elements of the source and the target texts.

In legal translation/interpretation, a problem arises from the very beginning if the translator aims at finding the exact terminological equivalent. The attribution of an equivalence to a legal term, for which no comparable concept exists in another legal system, can be the cause of ambiguities, confusion and all types of miscomprehensions due to the effect the term in question produces in the reader of the translated text.

Therefore, the difficulty of terminological equivalence in legal translation is reflected, above all, in the audience's expectations from the received message. In most cases, legal concepts, terminology and realities of one society only correspond partially to those of another, certain concepts may totally coincide, while others may only partially do so. As a result, in the field of legal translation/interpretation, the major challenge is that of deciding whether a concept is the same in two languages or whether it is different in terms of the consequences which ensue. It is obvious that English and Romanian terminology, as well as the legal concepts they formulate, are far from coinciding exactly. And there lies

the real dilemma of legal translation/interpretation. Legal translators/interpreters must look for juridical and linguistic equivalence of the terms of their specialty, without sacrificing one equivalence in favor of the other. Thus, legal translators/interpreters can only look for the pragmatic equivalence of concepts: the same outcome in both texts, even if by so doing they must apply different strategies.

Conference Interpreting

(*source of the image: https://www.calliope-interpreters.org***)**

Conference interpreting is defined by The International Association of Conference Interpreters (AIIC) as "the practice of conveying the meaning of a speaker's message orally and in another language to listeners who would not otherwise understand". (Conference interpreting explained Knowledge Centre on Interpretation (europa.eu)

According to D. Gile conference interpreters "have two or there working languages divided as it follows":

A language- the interpreter's native language. Interpreters work both *into* and *out* of this language.

B language- non-native language of which the interpreter has sufficient command. Interpreters work both *into* and *out* of this language.

C language- the interpreter's passive language. Interpreters work from C language into A or B language, but they do not interpret into C language. (Daniel Gile, 2006) Conference Interpreting (researchgate.net)

Conference interpreting is of paramount importance in fostering effective communication among multilingual audiences in the framework of international meetings, summits or conferences. It implies a set of essential skills such as:

- excellent command of the mother tongue and working languages
- powers of synthesis and articulacy
- ability of conveying the source message at a high level of accuracy in real time
- ability to work under pressure and to cope with some eventual challenges (dealing with technical issues, extremely fast speakers, obscure quotes & references)
- ability of collaborative work, as conference interpreters usually work in pairs and take turns to ensure high-quality interpretation for the duration of the speech.

Scholar Karla Déjean le Féal noted that a conference interpreter should deliver not just the same message but also produce the same effect on the audience as the original speech: "What our listeners receive through their earphones should produce the same effect on them as the original speech does on the speaker's audience. It should have the same cognitive content and be presented with equal clarity and precision in the same type of language. Déjean le Féal (1990: 155) In this respect, it is important underline the importance of the tone of the voice, "as it does have an impact on how successful the interpretation is. A misplaced emphasis or an inaccurate inflection can change the meaning of the message and steer the communication off course" (When Interpreting, It's the Tone That Counts! – Connecting Cultures Interpreter Development).

According to the *Practical Guide for professional Conference Interpreters* an important pillar in the quality of conference interpreting is the diligent preparation. The preparation stage takes time and effort and it implies getting access to conference documents such as:

- program or agenda;
- background papers on the subjects and organizations involved;
- documents to be discussed;
- texts of speeches to be delivered;
- PowerPoint presentations and the speakers' notes;
- multilingual glossaries of the relevant terminology;
- summaries or minutes of previous meetings;
- list of speakers and delegates;
- speakers' bios.

Also at this stage the interpreter has to prepare background information and terminology resources. It is advisable to create a glossary that would include both unfamiliar technical terms, but also recurring topical items of a more general nature. Preparing a separate list for acronyms, titles of officials, and the names of committees wiLl be useful, as well. Visiting the conference hall the day before the conference, to make sure that the technical set-up is satisfactory is a good practice.

On the day of the conference interpreters should arrive at least 30 minutes before the starting of the conference in order to get set up properly, to **familiarize with the equipment and do a sound check**.

Any conference interpreter should be accustomed to the interpreting protocol rules. According to *Practical Guide for professional Conference Interpreters* it is essential to:

- keep the volume down. Set your headset volume to the lowest level at which you can comfortably listen to the speaker. Then, deliver your interpretation at a comfortable low speaking volume.
- Speak at a constant distance from the microphone and do not turn away from it while interpreting.
- Learn to handle documents and turn pages silently, as the only sound that should be transmitted through the interpreter's microphone is that of the interpreter's voice clearly and professionally interpreting the speech that is being delivered.
- Turn off microphones when no speech is being interpreted.
- Assist interpreting partner by writing down numbers, names, terms, and other helpful information in a legible way.
- Call attention to a problem, if it is in the best interests of the meeting, in a professional, calm, and to the point manner.

Last, but not least conference interpreters should accept assignments for which they are qualified, thus they will show the professionalism which is expected from them.

Déjean Le Féal, K. (1990): "Some Thoughts on the Evaluation of Simultaneous Interpretation," Interpreting–Yesterday, Today, and Tomorrow (D. and M. Bowen, eds.), Binghamton (NY), SUNY, pp. 154-160. Feldweg, E. (1996): Practical Guide for professional Conference Interpreters

UNIT 1. INTERNATIONAL LAW

Learning objectives:

1. to define the concept of international law;
2. to study the international law terminology in English and Romanian;
3. to identify, based on specialized sources, equivalent law terminological units in English and Romanian;
4. to develop the skill of understanding source language input of a specialized discourse on International law;
5. to develop the skill of interpreting the source language input in the target language;
6. to apply translation techniques for overcoming challenges and difficulties in performing simultaneous interpretation of International law texts/speeches;
7. to draft and deliver a specialized speech on the topic of international law oraganisations as law-making actors.

Task 1:

- **Read the parallel explanatory texts on the topic of International law.**
- **Identify the English key terminological units and phrases, the names of official institutions and their acronyms.**
- **Notice their Romanian equivalents.**

International law is a body of rules recognised by states or nations as binding upon their mutual relations, including their relations with international organisations. International law is usually incorporated in agreements between sovereign states, and/or derived from such agreements	Dreptul internațional este un set de norme recunoscute de state sau națiuni ca având un caracter obligatoriu în ceea ce privește relațiile lor reciproce, inclusiv relațiile lor cu organizații internaționale. De obicei, dreptul internațional este încorporat în acorduri încheiate între state suverane și/ sau derivă din astfel de acorduri.

The term "international law" can refer to two legal disciplines. Public international law: it governs the relationship between states and international organisations, dealing with areas such as human rights, reaty lawe, the law of sea, international criminal law and international humanitarian law. Private international law - or conflict of laws - a set of rules of procedural law which determines which legal system governs and the law of which jurisdiction apply to a given legal dispute. These rules apply when a legal dispute has a crossborder element such as a contract agreed by parties located in different States or when the crossborder element exists in a multi-jurisdictional Sources and databases International law can mainly be found in international agreements or conventions, in addition to a set of commonly recognized values, standards and principles, which do not necessarily have to be explicitly referred to in an agreement. International agreements can be bilateral (i.e. between two sovereign states) or multilateral (i.e. between more than two states). Very often, they are prepared and negotiated within an international organisation such as the United Nations (UN), the Council of Europe and many others. An important source of international law is also the case law of international courts.	Termenul „drept internațional" se poate referi la două discipline juridice: Dreptul internațional public: acesta reglementează relațiile dintre state și organizații internaționale, în domenii cum ar fi drepturile omului, dreptul tratatelor, dreptul mării, dreptul penal internațional și dreptul umanitar international. Dreptul internațional privat - sau conflictul de legi – este un set de norme de drept procedural care stabilesc sistemul juridic și dreptul național care se aplică într-un anumit litigiu. Aceste norme se aplică atunci când un litigiu conține un element transfrontalier, cum ar fi un contract încheiat între părți care se află în state diferite, sau atunci când elementul transfrontalier se datorează coexistenței mai multor jurisdicții în aceeași țară. Surse și baze de date În principal, dreptul internațional este format din acorduri sau convenții internaționale, precum și dintr-un set de valori, standarde și principii general recunoscute, care nu trebuie să fie în mod explicit menționate într-un acord. Acordurile internaționale pot fi bilaterale (și anume, între două state suverane) sau multilaterale (și anume, între mai mult de două state). Foarte des, acordurile sunt pregătite și negociate în cadrul unei organizații internaționale, cum ar fi Organizația Națiunilor Unite (ONU), Consiliul Europei și multe altele. O sursă importantă a dreptului internațional

There are various publicly available information sources on international law. Here is a non-exhaustive list:

- UN Treaty Collection,
- UN - Human Rights Law,
- Council of Europe - Conventions: human rights, democracy, judicial cooperation,
- International Maritime Organisation (IMO): law of the sea
- The International Commission on Civil Status (ICCS),
- World Trade Organization (WTO): international trade law,
- European Free Trade Association (EFTA) and European Economic Area (EEA),
- The Organisation for Economic Co-operation and Development (OECD) - Anti-Bribery Convention
- Electronic information system for international law (EISIL) by the American Law Society,
- Guide to international law by HG.org,
- Hague Conference on Private International Law (HCCH): you can find conventions and agreements in this area and also specialised information sections regarding the legalisation of documents for international use ("apostille"), service of documents, child abduction and adoption.

The United Nations has also created the International Law Commission. Its task is to promote the progressive development of international law and its codification. To this end, it publishes

este și jurisprudența instanțelor internaționale.

Există mai multe surse de informare cu privire la dreptul internațional care sunt accesibile publicului. Iată o listă neexhaustivă a acestora:

- Colecția de tratate a ONU;
- ONU - legislația privind drepturile omului;
- Consiliul Europei - Convenții: drepturile omului, democrație, cooperare judiciară;
- Organizația Maritimă Internațională (OMI): dreptul mării;
- Comisia Internațională de Stare Civilă (CIEC);
- Organizația Mondială a Comerțului (OMC): drept comercial internațional;
- Asociația Europeană a Liberului Schimb (AELS) și Spațiul Economic European (SEE);
- Organizația pentru Cooperare și Dezvoltare Economică (OCDE) - Convenția privind combaterea mitei;
- Sistemul electronic de informații privind dreptul internațional al American Law Society;
- Ghidul de drept internațional (*Guide to international law*) al HG.org;
- Conferința de la Haga de drept internațional privat (HCCH): puteți găsi convenții și acorduri încheiate în acest domeniu, precum și secțiuni de informații specializate privind legalizarea actelor pentru uz internațional

studies and surveys, gathers precedents and elaborates proposals for new treaties. The International Law Commission's work has led to a number of important treaties and other key works of international law.	(„apostilă”), notificarea sau comunicarea actelor, răpirile de copii și adoptarea. Organizația Națiunilor Unite a instituit și Comisia de drept internațional. Sarcina acesteia este de a promova dezvoltarea treptată a dreptului internațional și codificarea acestuia. În acest scop, Comisia de drept internațional publică studii și anchete, colectează precedente și elaborează propuneri pentru noi tratate. Datorită activității acestei comisii s-au încheiat mai multe tratate importante și s-au înregistrat progrese în materie de drept internațional.
Sursa: Portalul european e-justiție - Drept internaţional (europa.eu)	*Source: European e-Justice Portal - International law (europa.eu)*

Task 2. Prepare 5 questions for your colleagues on the topic of international law. Ask and answer.

Task 3:

- **Work in pairs. Students A reads the Romanian text from task 1 at normal speed, while Student B shadows the text, paying attention to specialized vocabulary.**
- **Change the roles.**
- **Do the same task with the English text.**

Task 4:

- **Read the texts below and suggest words/ terms to fill in the blanks.**
- **Check your answers by listening the following audio materials:**

Text 1		Text 2		Text3	

Text 1.

International law is not a single, official big book of laws. It's not _____ by an international police and cases are not _____ by a single court. International law it's a set of _____ and customs that most countries follow, most of the time. These agreements cover the rights and _____ of states about things like war, _____, trade and diplomacy. They can be treaties - written agreements that countries sign like a contract. Or they can be what law calls 'customs' - _____ and ideas that many already follow. These agreements only apply to countries, not companies or individuals. This can get complicated, because some corporations are bigger than countries. All this means international law has to keep evolving, to fit our changing world. (*Source*: *BBC Learning English https://www.youtube.com/watch?v=jTzKgI68VLc*)

Text 2.

State responsibility sets the legal results of a state wrongful act, its obligations and the rights and powers of any state affected by the wrongdoing. Such a responsibility arises when an act or omission of a state constitutes a _____ of an international obligation.

The conduct is attributable to a state whether it is undertaken by its organs or public _____and entities, or by persons under its control. However, state cannot _____responsibility whether that entity exceeds its authority. On the other side, a state can be responsible for the _____acts of another if it provides assistance or directs and controls the other state, or whether it forces another state to commit a _____ act.

Unless it violates a Jus Cognes norm, the wrongfulness of an act of a state is excused in the following cases: the victim states approved

the conduct; the act is a counter-measure or a self-_____ or caused by force majeure or carried out in distress or to _____ the state's interest without affecting others.

In all cases, the legal _____ of a wrongful act include the following duties on the wrongdoer state: to perform the obligation breached, to _____ and not repeat the wrongful act, and to pay reparation while taking into account the victim state contributory negligence. Lastly, a serious _____ invokes the interest of all states to end it and the victim state can as well take lawful countermeasures based on proportionality. (*Source: Lex Animal Law Visualized https://www.youtube.com/watch?v=bLXteutSA1c (40) State Responsibility in International Law - YouTube*)

Text 3.

On August 2nd in 1926 there was a collision in international waters between two steamer ships - the French Lotus and the Turkish Bozcourt. The first steamer was captained by Demons, a French citizen and the Bozcourt by Hassan Bey, a Turkish citizen. Upon the _____ the Turkish Bozcourt was cut in two and sank, _____ eight Turkish nationals on board. The crew of the Lotus saved the ten remaining crew from the wreckage and continued on their course to Constantinople, which is now modern Istanbul Turkey. Upon their arrival the Turkish and French captains were both _____with manslaughter by Turkish authorities. Demons was placed _____ to wait trial for manslaughter, without prior notice given to the front Consul General.

On August Demons _____at the court of Istanbul. Demands raised the _____that the case was not within the Turkish court's jurisdiction. However, the claim was _____ by the court. Demons was released on _____of 6000 Turkish pounds on September 30.

Finally, Demons was sentenced to 80 days imprisonment and a 22 pound fine. Turkish Captain, Hassan Bey received a similar sentence for the same_____.

The French government protested against Demons arrest and demanded his_____**.** Turkey and France then drew up an _____

in Geneva, thus bringing this case to the International_____. The French argued against the Turkish jurisdiction of Demons' trial. They agreed that the Turkish captain ought to be prosecuted by a Turkish Court, but argued that the French captain should be prosecuted by a_____. Along with this, they argued that the French ship ought to be considered French territory. The French argued therefore that Turkey had **violated** international law because they had tried Demons. In response to France, Turkey contended that both captains ought to be prosecuted by the same court due to the close connection of the cases. The court referred to international law precedent and found that there was _____which would prohibit Turkey from prosecuting Demons, simply because his offence had occurred on a French ship. The court supported the importance of the interconnectedness of the cases, stating that the elements were legally entirely inseparable, therefore this was a case of concurrent jurisdiction.

Ultimately, the question was: did Turkey _____by exercising jurisdiction on crime committed by a French national outside of Turkey? To this question the courts found that Turkey, by instituting _____ against Demons did not violate international law.

The Lotus case has left an important legacy for public international law because of its consideration of principle issues such as jurisdiction and sovereignty. The first principle _____by the Lotus case is that a state cannot exercise jurisdiction outside of its state, unless there's international law to the contrary. This means that jurisdiction is defined_____**.**

The next principle is that a state may exercise its jurisdiction in its own territory even if there is no law permitting it and State's activity is limited only by prohibition. Essentially, as long as there is no rule to the contrary, a state can do whatever it wants within_____. This has been referred to as the Lotus principle and is considered a foundation of international law. *(Source: https://www.youtube.com/watch?v=FqOqkADxExk* (35) The Case of the S.S. Lotus - YouTube)

Task 5. Find English equivalents in the texts above to the following terms and phrases:

capăt de acuzare efecte juridice contramăsuri forță majoră pedeapsă cu închisoarea jurisdicție suveranitate normă premptorie cutumă instanță judecătorească stat victimă încălcarea legii infracțiune ucidere din culpă interdicție persoană fizică		a judeca o cauză a pune sub acuzare a fi condamnat a depune cerere de recurs a respinge cerere de recurs a fi urmărit penal a fi judecat a plasa sub arest	

Task 6. Perform at sight translation of texts from task no. 4

Task 7:

- **Give paraphrastic equivalents to the following terminological units and phrases.**
- **Translate them into Romanian**.

- to take legal action against someone
- to observe the law
- to issue a declaration
- to plead guilty/unguilty
- to lodge an appeal
- to press charges
- to drop the charges
- to convict the defendant
- to pass a sentence
- to bail smb. out

- to have jurisdiction over someone/something appellate court
- to serve a sentence
- binding international agreement
- contempt of court
- commissioner
- plaintiff
- defendant
- full compliance with the law.

Task 8:

- **Read the sentences bellow.**
- **Fill in the gaps with the necessary terms or phrases from exercise 7.**
- **Translate the sentences into Romanian.**

She was accused of shoplifting but the police later_____ _____ _____.

His delegation thought that the proposal empowering the Secretary-General **to issue** a declaration to trigger the protection mechanism was helpful.

In order to avoid the death penalty, he agreed_____ _____.

At first, the court should _____ over certain crimes of international concern, which must be properly defined.

Efforts must be sustained in the context of the United Nations Convention on Climate Change in order to achieve a legally_____.

Article 22 of the Treaty gives the Commission powers _____ a State that is not respecting its obligations.

In this case, respondent has acted properly and_____ _____.

The court upheld the _____ claim for damages.

After hearing the additional witness, the Magistrates Court again decided _____.

Juveniles _____ of imprisonment in a juvenile prison.

You can _____ the decision of the labour office in case the unemployement benefits are not being granted.

Many victims of crime are reluctant _____ their attackers.

Task 9. Work in pairs. Student A reads the following text at a normal speed, while student B shadows the text.

Curtea Internaţională de Justiţie (CIJ) va desfăşura audieri publice pe 18 şi 19 octombrie în litigiul dintre Armenia şi Azerbaidjan, care se acuză reciproc de discriminare rasială, inclusiv în timpul recentului lor conflict. Audierile vor avea loc la cererea pentru măsuri asiguratorii înaintată de Republica Azerbaidjan, a precizat într-un comunicat CIJ, cu sediul la Haga. La o săptămână după ce Armenia a înaintat un recurs împotriva Azerbaidjanului la CIJ, Baku a sesizat la rândul său, pe 23 septembrie, organul judiciar principal al ONU împotriva ţării vecine, acuzând-o de discriminare rasială şi "epurare etnică". Ca replică la recursul înaintat de Armenia, Baku apreciază că Erevanul a încălcat un tratat internaţional: Convenţia Internaţională asupra Eliminării Tuturor Formelor de Discriminare Rasială. Azerbaidjanul solicită CIJ să instituie "măsuri urgente pentru a-i proteja pe azeri" în timp ce această cerere va fi analizată.

Cea mai înaltă instanţă judiciară a Naţiunilor Unite, CIJ, tranşează asupra diferendelor dintre state. Deciziile sale nu pot fi atacate în apel, însă ea nu are alt mijloc decît democraţia pentru a determina aplicarea lor. Armenia şi Azerbaidjanul au adus luni un omagiu miilor de victime ale războiului lor din toamna anului trecut pentru controlul asupra regiunii Karabah, comemorări ce au loc la un an de la declanşarea conflictului care s-a soldat cu peste 6.500 de morţi. Karabah a mai fost scena unui război sîngeros în anii 1990. Conflictul din toamna anului trecut s-a soldat cu înfrîngerea Armeniei, constrînsă să cedeze mai multe regiuni din jurul enclavei separatiste. În pofida semnării unui armistiţiu şi desfăşurării de "trupe ruse de menţinere a păcii", tensiunile rămân puternice între cele două foste republici sovietice.

(source: https://noi.md/md/in-lume/curtea-internationala-de-justitie-va-desfasura-audieri-publice-in-litigiul-dintre-armenia-si-azerbaidjan

Task 10. Find in specialized dictionaries and terminological databases the English equivalents for the following law terminological units:

audieri publice, organ judiciar, litigiu, a înainta un recurs, a sesiza, a se acuza reciproc, a semna un armistițiu, a încălca un tratat internațional, a institui măsuri urgente, diferend, discriminare rasială, cerere, instanță judiciară, a semna un armistițiu, a ataca în apel, CIJ.

Curtea Internațională de Justiție (CIJ) va desfășura audieri publice pe 18 şi 19 octombrie în litigiul dintre Armenia şi Azerbaidjan, care se acuză reciproc de discriminare rasială, inclusiv în timpul recentului lor conflict. Audierile vor avea loc la cererea pentru măsuri asiguratorii înaintată de Republica Azerbaidjan, a precizat într-un comunicat CIJ, cu sediul la Haga

Task 11. Find in specialized dictionaries and terminological databases the English equivalents for the following law terminological units:

audieri publice, organ judiciar, litigiu, a înainta un recurs, a sesiza, a se acuza reciproc, a semna un armistițiu, a încălca un tratat internațional, a institui măsuri urgente, diferend, discriminare rasială, cerere, instanță judiciară, a semna un armistițiu, a ataca în apel, CIJ.

Task 12:

- **Perform at sight translation of the text from task 9.**
- **Discuss, as a class, the difficulties and challenges you have encountered in translation proces**s.

Task 13:

- **Listen the following speech: *(Interviu cu Bogdan Aurescu, cel care a câştigat pentru România procesul cu Ucraina - YouTube***
- **Identify the theme, main idea and 7-10 key words while listening.**

Jurnalist- Doamnelor și Domnilor, l-am invitat astăzi pe omul care a cîștigat un proces greu pentru clientul său - România. Este vorba de

Bogdan Aurescu, Secretar de Stat al Ministerului Român al Afacerilor Externe. Bună seara, Dle Aurescu. S-a întâmplat acum cinci ani, la Haga unde v-ați bătut pentru platoul continental. Ați câștigat în această instanță bătălia în fața Ucrainei. Sunteți, cum s-ar zice pe românește, meseriașul și în drept și în ale diplomației. Cum e să te vezi în fața magistraților de la această înaltă curte de la Haga.

Bogdan Aurescu- Este complicat, și este, sigur pentru un dilplomat și un jurist român și o răspundere deosebită și o foarte mare onoare să aperi așa cum trebie interesele țării tale, interesele Curții Internaționale de Justiție, care este, până la urmă, cea mai importantă Curte internațioanală din lume. Foarte multă răspundere pentru că miza acestui proces a fost una foarte mare.

Jurnalist- Chiar asta voiam să vă întreb, care era miza, de unde am ajuns în fața magistraților de la Haga?

B. A.- Miza unui proces care a însemnat, de fapt, o dispută pentru o zonă de platou continental și o zonă economică exclusivă, spații maritime asupra cărora România, după proces, a început să-și exercite iurisdicția suverană și drepturile suverane de explorare și exploatare, de aproximativ 12200 m2. Sigur, după proces, noi am obținut aproximativ 80% din această suprafață, dar asta era până la urmă zona care o disputam cu Ucraina. Sigur, o miză energetică, pentru că în această zonă, se presupunea în momentul respectiv… astăzi se pare, după explorările care s-au făcut, confirm progresiv această informație, se află zone și surse de hidrocarburi importante care vor diminua gradul de dependență energetică de surse externe pentru România. Deci, până la urmă, o miză cu multe componente importante, o miză care are și o încărcătură istorică pentru că acest proces a pus capăt unor eforturi de a rezolva un dosar complicat întâi între România și fosta URSS, apoi între România și Ucraina vechi de 42 de ani. Negocierile au început cu Uniunea Sovietică în 1962. Deci aproape 20 de ani de negocieri, zece runde de negocieri cu Uniunea Sovietică, apoi cu Ucraina, după apariția Ucrainei ca stat independent, în urma disoluției Uniunii Sovietice… în contextul tratatului politic de bază din 1997 și după 1997, începând cu ianuarie 1998, 6 ani de negocieri foarte intense cu Ucraina- 34 de runde de negocieri. Eu am luat parte la aceste negocieri începând cu anul 2001 până în 2004, când am declanșat procedurile în fața Curții.

Jurnalist- Când ați declanșat procedurile în fața Curții, ați pregătit dosarele. Care erau punctele vulnerabile? De ce vă temeați cel mai mult?

B. A.- Noi știam că avem dreptate în acest caz, știam că pretenția noastră de împărțiere a acestor spații maritime e una corectă, în conformitate cu Dreptul Întarnațional. De altfel, și în timpul negocierilor noi am susținut o metodă de militare care era o metodă pe care Curtea Internațională de Justiție deja o folosise în multe cazuri. Ne-am folosit de jurisprudența Curții, și ulterior, evident în fața Curții am argumentat această metodă așa cum o făcusem în timpul negocierilor. În final, hotărârea pe care Curtea a pronunțat-o pe 3 februarie 2009 a îmbrățișat, în mare parte, argumentația pe care noi am folosit-o. Acesta a fost, evident, un element de satisfacție deosebită pentru noi.

Jurnalist- Deci ați obținut pentru România, niște beneficii extraordinare, vorbind în termenii energetici, să zicem, și în termenii spațialității.

B. A.- 2700 km2 de platou continental și zonă economică exclusivă, adică 79,34% din zona care fusese în dispută în fața Curții. Aproape 80% dintr-o zona în dispută într-un caz de delimitare maritimă, este poate cel mai… probabil cel mai bun rezultat într-o delimitare maritimă în fața Curții Internaționale.

Jurnalist- Voiam să vă întreb, dacă de exemplu, SUA ar fi fost în situația aceasta, al acestei dispute cu un alt stat, probabil ar fi angajat cea mai bună firmă de avocați pe domeniu din SUA. Nu vă pare rău uneori că ați rămas în diplomație și că nu practicați avocatura, că ați putea fi un avocat fără probleme financiare, și cred că oricine își dorește să-l aibă pe Aurescu avocat în firma lui.

B. A.- Nu-mi pare rău absolut deloc. Am ales această cale pentru că asta este ceea ce îmi place, asta mi-a plăcut de la bun început și satisfacțile pe care le ai atunci când reușești să aperi interesele țării tale și reușești și să obții astfel de rezultate… este probabil cea mai bună satisfacție pe care o poți avea dincolo de orice fel de alte satisfacții. Înafara de asta, trebuie spus că echipa pe care noi am avut-o și pe care am coordonat-o în calitate de agent a avut și câțiva experți străini foarte

buni care ne-au ajutat în pregătirea pledoariilor în fața Curții, care știau exact cum se desfășoară aceste pledoarii, știau toate amănuntele de culise, ale modului în care își derulează acțiunile.

Jurnalist- Deci ați primit sprijin…

B. A.- Sigur că da! Am avut trei experți străini foarte buni cu doi asistenți ai lor și restul echipei a fost formată din colegi din Ministerul de Externe, diplomați-juriști foarte tineri.

Jurnalist- Ministerul de Externe are oameni de valoare care preferă, însă, să rămână undeva în umbră și să facă lucrurile acestea și sunt lucruri senzaționale. De cât timp sunteți dvs. în Ministerul de Externe, dle Aurescu?

B. A.- Din 1996 am intrat în Ministerul de Externe, imediat după ce am terminat Facultatea de Drept.

Jurnalist- Adică din moment ce ați terminat Facultatea de Drept, ați știut că vreți să intrați în diplomație?

B.A.- Nu, am știut că vreau să intru în Ministerul de Externe din anul doi de facultate cînd am început să învăț drept internațional. Atunci mi-am pus întrebarea și mi-am întrebat profesorul de Drept internațional, Dna profesor Beșteliu - ce aș putea să fac în mod concret cu drept internațional? Păi sigur, Ministerul de Externe, diplomație. Și atunci am știut sigur ceea ce vreau să fac.

Jurnalist- Și niciodată în perioada aceasta, că sunt destul de mulți ani, ați fost implicat, nu mai vorbim de acest proces și aceste negocieri, dar ați fost implicat în procesul de aderare al României la NATO, în negocierile privind minoritatea română din Serbia… Sunteți implicat în foarte multe proiecte importante pentru România, grele. Nu v-a venit venit niciodată să lăsați totul baltă? Nu e greu?

B.A- Nu, nu mi-a venit niciodată să plec. Dimpotrivă, aș spune că este o activitate foarte pasionantă și colegii mei au lucrat pur și simplu cu pasiune în acest caz al delimitării maritime. Cu o parte dintre ei am avut ocazia și bucuria să lucrez și pe alte dosare importante cum ar fi cel legat de scutul antirachetă. Despre aderarea la NATO pot să vă mărturisesc că nu am contribuit foarte mult, dar mă bucur mult că Acordul privind Sistemul Antirachetă care va fi amplasat în România începând cu 2015 funcționează și este un proiect care contribuie la

întărirea securității României. Cu alții am lucrat la un proiect foarte important și care interesează Televiziunea Română - revenirea TVR în Republica Moldova. A fost finalizată această înțelegere amiabilă pe care am negociat-o anul trecut pe 12 septembrie. Deci și aici am lucrat cu un coleg care a fost implicat și în Procesul de la Haga. Sunt elemente de continuitate.

Jurnalist- Avem o diplomație prezentă pe scena mondială, vocea României este auzită. Din perspectiva Dvs. Ce i-ar mai trebuie în momentul de față, în contextual actual?

B.A- Cred că trebuie să continuăm să facem ceea ce facem, nu mai mult. Cred că diplomația română este bine pregătită, sunt foarte mulți tineri care își doresc să-și pună amprenta pe proiecte mari, proiecte de consens național care să schimbe și mai mult profilul României pe plan internațional.

Jurnalist- Dle Aurescu vă mulțumesc, a fost o plăcere.

Task 14. Identify the Romanian legal terms in the audio text above, providing English equivalents for them.

Task 15:

- **Interpret simultaneously in English the Romanian audio text without distorting the original meaning of the speaker's speech.**
- **Record your interpretation and analyse it.**
- **Discuss with your colleagues the difficulties and challenges you have encountered.**

Task 16:

- **Inform yourself about the importance of International Institutions as law-making actors of International Law.**
- **Choose one institution and make up a 3-minute speech on its role in the development of International Law.**
- **Organise a round table and deliver your speeches.**
- **Choose one interpreter for each speech that would perform the interpretation in the booth.**

- **Analyse the difficulties and challenges you have encountered as an interpreter, as well as the strategies you have applied to overcome them.**

Task 17. Compile a bilingual glossary on the topic of International Law which would entail the terminological units encountered in the texts above.

Romanian terminological unit	English terminological unit	Explanatory note

UNIT 2. HUMAN RIGHTS

Learning objectives:

1. to define the concept of Human Rights;
2. to study the human rights terminology in English and Romanian;
3. to identify, based on specialized sources, equivalent Human rights terminological units in English and Romanian;
4. to develop the skill of dividing mental attention between two different tasks;
5. to develop the skill of anticipating the sources language message;
6. to develop the skill of interpreting the source language input in the target language;
7. to apply translation techniques for overcoming challenges and difficulties in performing simultaneous interpretation of Human Rights texts/ speeches.

Task 1:

- **Read the explanatory text on the topic of Human Rights.**
- **Prepare 5 questions for your colleagues.**
- **Ask and answer**.

What are Human Rights?

Human rights are rights we have simply because we exist as human beings - they are not granted by any state. These universal rights are **inherent** to us all, regardless of nationality, sex, national or ethnic origin, color, religion, language, or any other status. They range from the most fundamental - the right to life - to those that make life worth living, such as the rights to food, education, work, health, and liberty.

The **Universal Declaration of Human Rights (UDHR),** adopted by the UN General Assembly in 1948, was the first legal document to set out the fundamental human rights to be universally protected. The UDHR, which turned 70 in 2018, continues to be the foundation of all international human rights law. Its 30 articles provide the principles and building blocks of current and future human rights conventions, treaties and other legal instruments.

The UDHR, together with the 2 covenants - the International Covenant for Civil and Political Rights, and the International Covenant for Economic, Social and Cultural Rights - make up the International Bill of Rights.

The principle of **universality** of human rights is the cornerstone of international human rights law. This means that we are all equally entitled to our human rights. This principle, as first emphasized in the UDHR, is repeated in many international human rights conventions, declarations, and resolutions.

Human rights are **inalienable**. They should not be taken away, except in specific situations and according to due process. For example, the right to liberty may be restricted if a person is found guilty of a crime by a court of law.

All human rights are **indivisible and interdependent**. This means that one set of rights cannot be enjoyed fully without the other. For example, making progress in civil and political rights makes it easier to exercise economic, social and cultural rights. Similarly, violating economic, social and cultural rights can negatively affect many other rights.

Article 1 of the UDHR states: "All human beings are born free and equal in dignity and rights." Freedom from discrimination, set out in Article 2, is what ensures this equality.

Non-discrimination cuts across all international human rights law. This principle is present in all major human rights treaties. It also provides the central theme of 2 core instruments: the International Convention on the Elimination of All Forms of Racial Discrimination, and the Convention on the Elimination of All Forms of Discrimination against Women.

Both rights and obligations

All States have ratified at least 1 of the 9 core human rights treaties, as well as 1 of the 9 optional protocols. Eighty per cent of States have ratified 4 or more. This means that States have obligations and duties under international law to respect, protect and fulfill human rights.

- The obligation to **respect** means that States must refrain from interfering with or curtailing the enjoyment of human rights.

- The obligation to **protect** requires States to protect individuals and groups against human rights abuses.
- The obligation to **fulfill** means that States must take positive action to facilitate the enjoyment of basic human rights.

Meanwhile, as individuals, while we are entitled to our human rights – but, we should also respect and stand up for the human rights of others.

(*source: https://www.ohchr.org/en/what-are-human-rights OHCHR | What are human rights?*)

Task 2. Identify in the text above English equivalents for the following terms and phrases:

- drepturile omului sunt inerente tuturor ființelor umane
- Adunarea Generală a ONU
- Declarația Universală a Drepturilor Omului
- Pactul internațional cu privire la drepturile economice, sociale și culturale
- Carta Internațională a Drepturilor Omului
- Pactul internaţional cu privire la drepturile civile şi politice
- drepturile omului sunt indivizibile și interdependente
- proces echitabil
- exercitarea drepturilor
- exercitarea drepturilor economice, politice, sociale și culturale
- dreptul de a nu fi discriminat prevăzut în articolul 2
- Convenția internațională privind eliminarea tuturor formelor de discriminare rasială
- în temeiul dreptului international
- tratate fundamentale privind drepturile omului
- statele trebuie să se abțină de la…
- obligația de a facilita realizarea drepturilor omului
- a respecta și apăra drepturile omului

Task 3. Perform at sight translation of the text from exercises 1.

Task 4. Read the texts below and suggest words/ terms to fill in the blanks. Check your answers by listening the following audio material text <u>What are the universal human rights?</u>

The idea of human rights is that each one of us, no matter who we are or where we are born, **is** _____to the same basic rights and freedoms. Human rights are not privileges, and they cannot be _____or revoked. They are inalienable and universal. That may sound straighforward enough, but it gets incredibly complicated as soon as anyone tries to put the idea_____. What exactly are the basic human rights? Who gets to pick them? Who _____them, and how?

The history behind the concept of human rights is a long one. Throughout the centuries and across societies, religions, and cultures we have struggled with defining notions of rightfulness, justice, and rights. But one of the most modern affirmations of universal human rights _____from the ruins of World War II with the creation of the United Nations.

The treaty that established the UN gives as one of its purposes to reaffirm faith in fundamental_____. And with the same spirit, in 1948, the UN General Assembly adopted the _____. This document, written by an international committee _____by Eleanor Roosevelt, lays the basis for modern international _____law.

The declaration is based on the principle that all human beings are born _____in dignity and rights. It lists 30 articles recognizing, among other things, the principle of nondiscrimination and the right to life and liberty. It refers to_____, like the freedom from torture or slavery, as well as positive freedoms, such as the freedom of movement and residence. It _____ basic civil and political rights, such as freedom of expression, religion, or peaceful assembly, as well as social, economic, and cultural rights, such as the right to education and the right to freely choose one's occupation and be paid and _____fairly. The declaration takes no sides as to which rights are more important, insisting on their universality, indivisibility and_____.

In the past decades, international human rights law has grown, deepening and _____ our understanding of what human rights are, and how to better _____ them. So if these principles are so well-developed, then why are human rights _____ and ignored time and time again all over the world?

The problem in general is that it is not at all easy to universally _____ these rights or _____ transgressors. The UDHR itself, despite being highly authoritative and respected, is a declaration, not a _____ law. So when individual countries violate it, the mechanisms to _____ those violations are weak. For example, the main bodies within the UN _____ of protecting human rights mostly monitor and investigate violations, but they cannot _____ states to change a policy or _____ a victim. That's why some critics say it's naive to consider human rights a given in a world where state interests wield so much power. Critics also _____ the universality of human rights and emphasize that their development has been heavily guided by a small number of mostly Western nations to the _____ of inclusiveness. The result? A general bias _____ of civil political liberties over sociopolitical rights and of individual over collective or groups rights.

Others _____ universal human rights laws and point at the positive role they have on setting international standards and helping activists in their campaigns. They also _____ that not all international human rights instruments are powerless. For example, the European Convention on Human Rights _____ where the 47 member countries and their citizens can bring cases. The court _____ binding decisions that each member state must _____ with.

Human rights law is constantly evolving as are our views and definitions of what the basic human rights should be. For example, how basic or important is the right to democracy or to development? And as our lives are increasingly digital, should there be a right to access the Internet? A right to digital privacy?

Task 5. Work in pairs. Student A reads the text from exercise 4 at a normal speed, while student B shadows the text.

Task 6. Translate into English the following sentences, paying attention to terminological units and phrases:

- Drepturile omului nu sunt privilegii şi nu pot fi acordate sau revocate.
- Declarația Drepturilor Omului stabileşte baza legii internaţionale moderne a drepturilor omului.
- Unul din scopurile tratatului care a creat ONU e restabilirea credinţei în drepturile fundamentale ale omului.
- Cele 30 de articole ale Declarației Drepturilor Omului se referă atât la la libertăţi negative, dreptul de a nu fi torturat sau sclav, cât şi la libertăţi positive, dreptul la libertate de mişcare sau de reşedinţă. Drepturi civile şi politice de bază vizează libertatea de exprimare, libertatea la religie sau la adunare paşnică.
- Declaraţia Drepturilor Omului stipulează universalitatea, indivizibilitatea şi interdependenţa drepturilor omului.
- Drepturile omului sunt abuzate şi ignorate frecvent peste tot în lume.
- Autorităţile ONU monitorizează şi investighează încălcările drepturilor omului, dar nu pot forţa statele să schimbe o lege sau să compenseze o victimă.

Task 7. Find in general and specialized dictionaries and terminological databases the English equivalents for the following terminological units and phrases:

- populism - conflict armat - crimă de război - Consiliul de Securitate al ONU - Curtea Penală Internațională - atrocitate - deținător de drepturi - deținut de război - persecutarea apărătorilor drepturilor omului - limitarea libertăți de exprimare - anchetă - extremist - politică de azil - cerere de azil - crimă de ură		-a ataca drepturile omului - a fi supus torturii - a aplica pedeapsa cu moartea - a comite încălcari grave în domeniul drepturilor omului - a fi cercetat penal - a primi refugiați - a dezincrimina -a incrimina - a respinge un proiect de lege - a monitoriza capania electorală	

Task 8. Match the definitions to the terms. Translate the term and definitions into Romanian.

1. impunity	a. serious crimes committed during armed conflicts, which could include murdering prisoners of war, killing hostages, torture and destroying towns and villages
2. prisoner of war	b.the fact of not getting punished for something
3. war crimes	c. acts including murder, torture and slavery which form part of a widespread attack on a civilian population by a state or organization.
4. human rights defender	d.a person, usually a member of the armed forces, who is captured by the enemy during a war and kept in a prison camp until the war has finished
5. crimes against humanity	e. protection that a government gives to people who have left their own country, usually because they were in danger for political reasons
6. asylum	f. individual, group or body that promotes and protects in a peaceful manner universally recognized human rights and fundamental freedoms

Task 9:

- **Listen the following speech: Conferințe IPN [HD] | Amnesty International Moldova. Lansarea Raportului Anual. - YouTube. (0-14 minute)**
- **Interpret simultaneously in English the Romanian audio text without distorting the original meaning of the speaker's speech. Use the glossary you have complied in exercise 7.**
- **Record your interpretation and analyse it.**
- **Discuss with your colleagues the difficulties and challenges you have encountered**

Task 10:

- **Read the *EU Annual Report On Human Rights and Democracy in the Republic of Moldova*.**
- **Complete the gaps with the words and phrases on the right column.**
- **Perform at sight translation of the text.**

In 2021, the Republic of Moldova continued implementing the EU-Moldova Association Agreement, including its _____in the areas of human rights and democracy. Parliamentary elections were held in July and were positively assessed by the international elections _____ as overall competitive and well managed, despite some shortcomings. The Party of Action and Solidarity gained an absolute majority, with a commitment to improve the _____, fight against corruption and poverty, confirming the interest of Moldovan citizens to pursue _____in this direction. While progress in some areas was notable, further efforts are needed to strengthen the rule of law and the _____ corruption, thoroughly reform the media environment, and improve detention conditions. The human rights situation in the Transnistrian region, a region not under the control of the central government in Chisinau, remains _____. The EU continued to focus in 2021 on key areas such as promoting credible, transparent and inclusive elections; supporting anti-corruption efforts; _____ rule of law, independent justice and democratic institutions; _____ civil society and supporting media freedom; promoting gender equality and child protection. The EU has supported these areas by providing _____, as well as through policy dialogue and public diplomacy. The EU continued promoting credible, transparent and inclusive elections, including by supporting international observation and civil society advocacy, as well as efforts aimed at a comprehensive review of the electoral_____. It also reacted firmly to	*rule of law* *commitments* *resolute policies* *concerning* *fight against* *observation* *missions* *significant* *assistance* *empowering* *strengthening* *undermine* *amendments* *disbursement* *legislative* *framework*

earlier attempts to _____independent institutions such as the Constitutional Court, supported the adoption of constitutional _____strengthening the independence of the justice sector and linked progress in the revision of the legislative framework on integrity to the _____of macro-financial assistance. Throughout the year, the EU actively supported the development of media skills, especially for the investigative journalism sector, as well as improving -_____for the public. The EU action in 2021 also sought to promote gender equality and women's _____, by advocating for the ratification of the Istanbul Convention on preventing and combatting violence against women and domestic violence, finally ratified by the Parliament in October. The application for the first time of the _____ during the parliamentary elections also led to the highest representation of women in the Moldovan Parliament so far (40 women out of 101 MPs). The EU engaged in regular political dialogue with Moldova throughout 2021. Human rights and democracy were discussed in the framework of the main meetings related to the **implementation** of the Association Agreement, such as the Association Council (in October) and the subcommittee on Justice, Freedom and Security (in September). The 12th EU-Republic of Moldova Human Rights Dialogue took place in October, **providing the opportunity** to exchange on key topics followed by the EU and the international partners. Discussions covered a wide **range** of issues, from democracy and electoral rights, human rights in the justice system, implementation of _____labour standards, media freedom, rights of the child, gender equality, anti-discrimination policy, protection of persons belonging to _____ and multilateral cooperation. EU _____The EU assistance to Moldova remains strictly conditional upon the progress of reforms. The EU continued to use efficiently this principle as an important _____to ensure that democracy and human rights standards and principles are effectively implemented and respected, bringing -_____improvements to	*media literacy* *empowerment* *double gender* *quote* *providing the* *opportunity* *implementation* *range* *minorities* *core* *leverage* *financial* *engagement* *instalment*

the lives of citizens. For example, the disbursement of the second instalment of the EU COVID-19 emergency macro-financial assistance in September 2021 was pre-conditioned by the _____of constitutional amendments related to justice, as well as to amendments to the legal framework related to integrity checks. 5. Multilateral context: The Parliament ratified the CoE Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) in October. The ratification of Protocol 12 of the European Convention on Human Rights remains_____.	*tangible* *pending* *registration*

Task 11:

- **Work in pairs. Student A reads the following text at a normal speed, while student B shadows the text.**
- **Identify the main ideas of the text by making short notes.**
- **Student A reproduces the main ideas of the text based on his/her notes, while student B provides whispered interpretation of the speech.**

Curtea Europeană a drepturilor Omului (CtEDO) a primit 642 de cereri înaintate împotriva Moldovei în anul 2022. Raportat la populația țării, acest număr este foarte mare, Moldova clasându-se pe locul 4 din cele 46 de state membre ale Consiliului Europei, moldovenii adresându-se la CtEDO de 5 ori mai des decât media europeană.

Constatările se conțin într-un document analitic al Centrului de Resurse Juridice din Moldova (CRJM), publicat pe 27 ianuarie 2023.

„În hotărârile pronunțate în anul 2022, CtEDO a constatat 48 de violări ale Convenției Europene pentru Drepturile Omului admise de țara noastră. Majoritatea se referă la maltratare, investigarea defectuoasă a maltratării și la încălcarea dreptului la un proces echitabil”, a declarat Daniel GOINIC, Directorul Programului Drepturile Omului din cadrul CRJM, unul din autorii cercetării.

De la ratificarea CEDO, în 1997, până la 31 decembrie 2022, CtEDO a pronunţat 575 de hotărâri în cauzele moldoveneşti. În 492 (86%) dintre acestea a fost constatată cel puțin o violare a drepturilor omului. La acest capitol, Moldova devansează cu mult Marea Britanie, Germania, Spania sau Olanda, țări care au ratificat CEDO cu mult timp înaintea Moldovei şi care au o populație mult mai numeroasă.

Până la 31 decembrie 2022, Republica Moldova a fost obligată de CtEDO să plătească 22 448 198 euro, dintre care 544 448 euro în 2022.

„Majoritatea încălcărilor drepturilor omului s-au datorat comportamentului defectuos al reprezentanților statului, în special calității proaste a activității judecătorilor și procurorilor, și nu deficiențelor legislative”, a declarat Vladislav GRIBINCEA, Directorul Programului Justiție din cadrul CRJM.

La 31 decembrie 2022, 1 020 de cereri moldovenești așteptau să fie examinate și circa 97% dintre acestea au șanse mari să obțină câștig de cauză. Acest număr este aproape egal cu numărul total de cereri în baza cărora Moldova a fost condamnată în cei 25 de ani de când persoanele se pot plânge la CtEDO împotriva Moldovei. În ceea ce privește numărul total al cererilor pendinte, Moldova este pe locul 12 din cele 46 state membre ale Consiliului Europei.

În 2022, CtEDO a pronunţat, în total, 1 163 de hotărâri, iar cele mai multe au fost pronunțate contra Rusiei – 384, Ucrainei – 144 și României – 81. CtEDO nu a pronunțat nicio hotărâre de condamnare a Suediei, Olandei sau Irlandei.

(*source: https://crjm.org/republica-moldova-se-afla-in-topul-statelor-cu-cele-mai-multe-plangeri-si-condamnari-la-ctedo-suma-despagubirilor-a-depasit-22-de-milioane-de-euro/ Republica Moldova, în topul statelor condamnate la CtEDO (crjm.org)*)

Task 12:

- **Listen to the following speech related to the ECHR in Romania „România și Convenția Europeană a Drepturilor Omului -- 20 de ani” - YouTube**
- **Identify the legal term providing English equivalents for them.**
- **Perform the simultaneous interpretation of the speech.**
- **Discuss the challenges you have encountered as an interpreter, as well as the strategies you have applied to overcome them**.

Task 13: Compile a bilingual glossary on the topic of Human Rights which would entail/include the terminological units encountered in the texts above.

Romanian terminological unit	English terminological unit	Explanatory note

UNIT 3. CIVIL PROCEDURAL LAW

Learning Objectives:

- to reproduce the heard message (with recording) as close as possible to the text;
- to use the correct terminology un rendering texts related to civil procedural law;
- to translate speeches and court decisions;
- to develop thematic glossaries on the suggested theme;
- to suggest suitable translation options;
- to develop a terminological glossary;
- to analyse critically colleagues' translation.

Task 1:

- **Read aloud and make appropriate pauses-guided by punctuation.**
- **Infer meaning of new vocabulary from the surrounding context.**
- **Paraphrase the following information.**

Man dragged off plane will sue United Airlines

An American airline is in trouble for the way it treated one of its passengers. A passenger on a United Airlines flight was dragged out of his seat and pulled out of the aircraft along the floor of the airplane. The passenger, David Dao, was a 69-year-old doctor. Dr. Dao became unconscious after security guards pulled him out of his seat. His face was covered in blood. He lost two front teeth and the security guards also broke his nose. The doctor paid for his seat but United Airlines ordered him to get off the plane because they wanted his seat for a flight attendant to sit down. The doctor explained he had to work the next day because he had many patients to see at his hospital. United staff didn't listen to him.

Dr. Dao is going to sue United Airlines for damages. Dao was born in Vietnam and escaped from the Vietnam War in 1975. His lawyer said

being dragged off the United Airlines flight was a "more horrifying" experience than living through that war. Dr. Dao's daughter said: "What happened to my dad should have never happened to any human being…. We were horrified and shocked and sickened to…see what happened to him." A video of Dr. Dao being dragged off the flight went viral on social media. Over 150,000 people have signed an online petition asking the United Airlines CEO Oscar Munoz to resign. He said he would not resign. He also initially did not apologize and said Dr Dao was at fault for his injuries. **(https://breakingnewsenglish.com/1704/170416-united-airlines-100.htm)**

Task 2. **Give the Romanian equivalents to the following terms and phrases before interpreting the text.**

- a court reporter - arbitration - civil case - civil trial jury - court of appeals - court proceedings - deposition - grand jury - jury pool generated by random - jury selection process - legal dispute between two or more parties - litigants - opposing attorney - plaintiff/defendant - questioning of a witness - "preponderance of the evidence" (i.e., that it is more likely than not)	- to answer under oath questions about the case - to assemble the evidence - to be kept out of the courtroom - to be summoned for jury service - to begin a civil lawsuit - to cause the injury - to causing the harm - to compensate for the injury - to file a complaint - to identity of witnesses - to keep a record of the trial proceedings - to object to a question - to prepare a case for trial - to provide information about the case - to record all testimony - to represent a cross section of the community - to represent a cross section of the community - to schedule a trial - to service a jury

Task 3. Perform a sight translation from English into Romanian. Interpret the information in the booth.

A Federal Civil Case in the USA

A federal civil case involves a legal dispute between two or more parties. To begin a civil lawsuit in court, the plaintiff files a complaint with the court and "serves" a copy of the complaint on the defendant. The complaint describes the plaintiff's injury, explains how the defendant caused the injury, and asks the court to order relief. A plaintiff may seek money to compensate for the injury, or may ask the court to order the defendant to stop the conduct that is causing the harm. The court may also order other types of relief, such as a declaration of the legal rights of the plaintiff in a particular situation.

To prepare a case for trial, the litigants may conduct "discovery." In discovery, the litigants must provide information to each other about the case, such as the identity of witnesses and copies of any documents related to the case. The purpose of discovery is to prepare for trial by requiring the litigants to assemble their evidence and prepare to call witnesses. Each side also may file requests, or "motions," with the court seeking rulings on the discovery of evidence, or on the procedures to be followed at trial.

One common method of discovery is the deposition. In a deposition, a witness is required to answer under oath questions about the case asked by the lawyers in the presence of a court reporter. The court reporter is a person specially trained to record all testimony and produce a word-for-word account called a transcript.

To avoid the expense and delay of having a trial, judges encourage the litigants to try to reach an agreement resolving their dispute. In particular, the courts encourage the use of mediation, arbitration, and other forms of alternative dispute resolution, or "ADR," designed to produce an early resolution of a dispute without the need for trial or other court proceedings. As a result, litigants often decide to resolve a civil lawsuit with an agreement known as a "settlement."

If a case is not settled, the court will schedule a trial. In a wide variety of civil cases, either side is entitled under the Constitution to request a

jury trial. If the parties waive their right to a jury, then the case will be heard by a judge without a jury.

At a trial, witnesses testify under the supervision of a judge. By applying rules of evidence, the judge determines which information may be presented in the courtroom. To ensure that witnesses speak from their own knowledge and do not change their story based on what they hear another witness say, witnesses are kept out of the courtroom until it is time for them to testify.

A court reporter keeps a record of the trial proceedings. A deputy clerk of court also keeps a record of each person who testifies and marks for the record any documents, photographs, or other items introduced into evidence.

As the questioning of a witness proceeds, the opposing attorney may object to a question if it invites the witness to say something that is not based on the witness's personal knowledge, is unfairly prejudicial, or is irrelevant to the case. The judge rules on the objection, generally by ruling that it is either sustained or overruled. If the objection is sustained, the witness is not required to answer the question, and the attorney must move on to his next question. The court reporter records the objections so that a court of appeals can review the arguments later if necessary.

At the conclusion of the evidence, each side gives a closing argument. In a jury trial, the judge will explain the law that is relevant to the case and the decisions the jury needs to make. The jury generally is asked to determine whether the defendant is responsible for harming the plaintiff in some way, and then to determine the amount of damages that the defendant will be required to pay. If the case is being tried before a judge without a jury, known as a "bench" trial, the judge will decide these issues. In a civil case the plaintiff must convince the jury by a "preponderance of the evidence" (i.e., that it is more likely than not) that the defendant is responsible for the harm the plaintiff has suffered.

Trial Jury A civil trial jury is typically made up of 6 to 12 persons. In a civil case, the role of the jury is to listen to the evidence presented at a trial, to decide whether the defendant injured the plaintiff or otherwise failed to fulfill a legal duty to the plaintiff, and to determine what the compensation or penalty should be. A criminal trial jury is usually made up of 12 members. Criminal juries decide whether the defendant

committed the crime as charged. The sentence usually is set by a judge. Verdicts in both civil and criminal cases must be unanimous, although the parties in a civil case may agree to a non-unanimous verdict. A jury's deliberations are conducted in private, out of sight and hearing of the judge, litigants, witnesses, and others in the courtroom.

Jury Selection Process Potential jurors are chosen from a jury pool generated by random selection of citizens' names from lists of registered voters, or combined lists of voters and people with drivers' licenses, in the judicial district. The potential jurors complete questionnaires to help determine whether they are qualified to serve on a jury. After reviewing the questionnaires, the court randomly selects individuals to be summoned to appear for jury duty. These selection methods help ensure that jurors represent a cross section of the community, without regard to race, gender, national origin, age or political affiliation.

Being summoned for jury service does not guarantee that an individual actually will serve on a jury. When a jury is needed for a trial, the group of qualified jurors is taken to the courtroom where the trial will take place. The judge and the attorneys then ask the potential jurors questions to determine their suitability to serve on the jury, a process called voir dire. The purpose of voir dire is to exclude from the jury people who may not be able to decide the case fairly. Members of the panel who know any person involved in the case, who have information about the case, or who may have strong prejudices about the people or issues involved in the case, typically will be excused by the judge. The attorneys also may exclude a certain number of jurors without giving a reason.
(https://www.uscourts.gov/about-federal-courts/types-cases/civil-cases)

Task 3. Give the English equivalents to the following terms and phrases:

- caracterul imprescriptibil al acțiunilor - cauzele nu trebuie sa fie judecate rapid - Codul Civil - dezmințirea informației - dispozițiile privind imprescriptibilitatea - faptele imputate considerate defăimătoare - funcționari publici	- a introduce o acțiune în instanță; - a leza onoarea, demnitatea sau reputația profesională;

- informația nu corespunde realității - informație ofensatoare - informație raspândită - instanța judiciara - investigație jurnalistică - judecăți de valoare, - modalitate extrajudiciara de reglementare a litigiilor, - modificări în legislație - părțile aflate in litigiu - persoana (atât fizică, cât și juridică) - reclamantul (persoana vătămată) - sarcina probațiunii - sarcina probațiunii veridicității informației difuzate cade pe umerii pârâtului - standard de vinovăție	- a obține reparații adecvate într-un termen rezonabil; - a pregăti apărarea în mod adecvat; - a proceda din rea-voință; - a recurge la proceduri speciale; - a respecta procedura extrajudiciară obligatorie - a dezminți informația

Task 4. Grasp the similarities and differences between Romanian and English constructions paying attention to English word order. Perform a sight translation from Romanian into English.

Codul civil (nr.1107-XV din 6.06.2002) include art.16 "Apărarea onoarei, demnității și reputației profesionale", conținutul căruia este tradițional legislației și practicii formate în fostul spațiu sovietic și conține foarte puține modificari în raport cu articolele ce se refereau la apărarea onoarei și demnității din Codul civil din 1964. Principalele reguli care decurg din acest articol sunt:

1. Onoarea si demnitatea unei persoane pot fi aparate in instanta judiciara, daca: o informatie este raspândită; această informație este ofensatoare; informația nu corespunde realității.

2. In instanță sarcina probațiunii se va împărți în următorul mod: reclamantul (persoana vatămată) va dovedi că informația este răspânditâ; pârâtul se va apara dovedind că informația răspândită corespunde realității. În cazuri specifice el se poate apăra, dovedind că informația nu este ofensatoare sau negând ca aceasta a fost răspândită.

3. O persoană (atât fizică, cât și juridică) se poate adresa in instanta pentru apararea onoarei, demnitatii si reputatiei sale profesionale oricind: pe de o parte, ea nu este silită să respecte vreo procedura extrajudiciară

obligatorie (de exemplu, să se adreseze în prealabil mijloacelor de informare în masă pentru dezmințirea informației). Pe de altă parte, conform art. 267 alin. (2) din Codul civil, apararea onoarei, demnității și reputației profesionale nu este condiționată de aplicarea unui termen de prescripție – nu conteaza cât timp a trecut din momentul lezării și momentul adresării în instanță, persoana oricum are dreptul la apărare.

4. Restabilirea dreptului la onoare și demnitate se poate înfăptui, conform legislației, în următorul mod: prin dezmințire (publicarea, difuzarea sau alte modalități de înfăptuire a acesteia); prin publicarea replicii în mijlocul de informare în masa; prin repararea prejudiciului moral și a celui material cauzat. Deși am menționat mai sus caracterul imprescriptibil al acțiunilor pentru apărarea onoarei, demnității și reputației profesionale a persoanei, ținem să specificăm, în contextul strict al reparării prejudiciilor morale și materiale, ca noul Cod civil a stabilit pentru repararea acestora termenul de prescripție general de 3 ani începând cu momentul în care persoana vătămată a cunoscut sau trebuia să cunoască existența prejudiciului și persoana obligata să-l repare (art.1424 din Codul civil).

5. Apărarea onoarei, demnității și reputației profesionale a persoanei se poate înfăptui și în următoarele două cazuri specifice:

(a) când este raspândită o informație despre care reclamantul spune că este falsă, însă nu este cunoscută persoana care a raspândit-o. În acest caz, pentru a stabili faptul defăimarii, instanța va recurge la proceduri speciale;

(b) onoarea, demnitatea și reputația profesională a unei persoane decedate poate fi apărata la cererea persoanelor interesate. Referitor la subiectul defăimarii, în legislație sesizăm mai multe momente nefavorabile pentru mijloacele de informare în masa (dar nu exclusiv pentru ele). Două dintre cele mai importante sunt dispozițiile privind imprescriptibilitatea și privind repartizarea sarcinii probațiunii. În acest sens, vom invoca principiile elaborate sub egida organizației internaționale "Articolul XIX" cu scopul de a pleda pentru operarea de modificări în legislația referitoare la defăimare.

De menționat următoarele principii:

1) În cauzele care implica afirmații privind chestiuni de interes public, reclamantul trebuie să dovedească că afirmațiile sau faptele imputate, considerate defăimatoare, sunt false.

Acest principiu nu se aplică într-un număr foarte mare de țări, inclusiv în Moldova, unde întreaga sarcină a probațiunii veridicității informației difuzate cade pe umerii pârâtului. Aceste prevederi ale legislației sunt apreciate ca având un efect paralizant asupra libertații de exprimare, de aceea ele ar trebui modificate, cel puțin pentru chestiunile de interes public.

2) Alt principiu stipulează că, în afara cazurilor excepționale, termenul maxim de introducere a unei acțiuni de defăimare nu trebuie să depașească un an. Instanțele trebuie să asigure desfașurarea fiecărei etape a procedurii judiciare în cauzele de defăimare într-un termen rezonabil, pentru a limita impactul negativ al întârzierii asupra libertății de exprimare.

În același timp, cauzele nu trebuie să fie judecate rapid, pentru a permite reclamaților să-și pregătească apărarea în mod adecvat. Principiul termenului de prescripție își găsește argumentare în faptul ca permisiunea de a introduce o acțiune în instanță la mult timp dupa ce afirmațiile pe care se bazează plângerea au fost raspândite subminează capacitatea celor implicați de a-și pregăti apărarea în mod adecvat.

Cauzele prelungite în mod nejustificat au întotdeauna un efect distructiv asupra libertății de exprimare, ca și asupra posibilității reclamanților de a obține reparații adecvate într-un termen rezonabil. Noul Cod civil conține, la acest capitol, mai multe lacune. Astfel, nu se dă definiția noțiunilor "onoare", "demnitate" și "reputație". Un efect paralizant asupra activității mass-media și a libertății de exprimare îl are alin.(2) al art.16: "Orice persoana este în drept să ceară dezmințirea informației ce îi lezează onoarea, demnitatea sau reputația profesională dacă cel care a răspândit-o nu dovedește ca ea corespunde realității". În statele cu democrație consolidată reclamantul trebuie să demonstreze că prin publicarea/difuzarea informației i s-a pricinuit prejudiciu moral/material. Numai dupa ce reclamantul demonstrează prejudiciul, jurnalistului i se impută responsabilitatea respectivă. Dar chiar și după

aceasta jurnalistul poate avea câștig de cauză, dacă el demonstrează că informația prezintă interes public, iar dezvaluirile prezintă un interes mai mare decât interesul de protecție a reclamantului sau/și dacă jurnalistul demonstrează că nu a procedat din rea-voință, ci pentru a pune în discuție problema. De asemenea, jurnalistul nu va purta responsabilitate dacă el a preluat adecvat informațiile publicate oficial sau a utilizat metode și procedee rezonabile ale investigației jurnalistice. Art.16 nu include definiția "persoana publică", pe când jurisprudența Curții Europene a Drepturilor Omului recomandă reglementarea diferențiată a litigiilor de defăimare în cazul unei "persoane publice" (politicieni, funcționari publici etc.) și în cazul persoanei private (ce-i drept, atunci când îți expune opinia asupra unui subiect și/sau este implicată într-un subiect de interes public, aceasta poate avea calitatea de persoană publică). De asemenea, art. 16 operează doar cu noțiunea "informație", aceasta fiind neadecvată caracterului complex al defăimării, deoarece se disting afirmații factologice și afirmații de opinie bazate pe fapte concrete (raționamente sau judecați de valoare). Dezmințirea, publicată înainte de decizia instanței de judecată, are mai multe avantaje, de aceea ea trebuie încurajată. Dezmințirea constituie, de fapt, o modalitate extrajudiciara de reglementare a litigiilor. Ca rezultat, se economisește timpul părților aflate în litigiu și al martorilor; se reduce termenul de la publicare/difuzare pâna la dezmințire; se evita necesitatea achitării cheltuielilor judiciare; se reduce suprasolicitarea organelor judiciare etc. Legea nu indică ce trebuie să conțină dezmințirea, modalitatea publicării/difuzării, volumul minim și maxim, cazurile în care redacția are dreptul de a refuza publicarea/difuzarea; redacția va comunica autorului decizia sa oral sau în scris (deși această normă ar purta mai mult un caracter etic); care este diferența dintre dezmințire și replică; în ce cazuri redacția poate comenta dezmințirea/replica. De altfel, dreptul la replică constituie un îndemn de a purta dialogul în condiții civilizate.

(*source:https://ru.scribd.com/doc/67420406/Codul-Civil-Onoare-Si-Demnitate*)

Task 5. Give English equivalents to the following Latin expressions:

a fortiori	forum conveniens
ab initio	forum necessitates
ab ovo	habeas corpus
actioni(e)	id est (i.e.)
aberatio causae	ignorantia iuris nocet
aberatio delicti	in camera
aberatio ictus	in curia
abolitio criminis	in limine judicii
acta jure imperii,	in limine litis
actor incubit onus probandi	in pejus
actus reus	juris et de jure
ad hoc	juris tantum
ad infinitum	lato sensu
ad libitum	lex loci delicti commissi
ad litem	lex mercatoria
affidavit	mutatis mutandi
aut dare	negotiorum gestio
aut punier	non natae
bona fide	non praescribitur
caveat	non reformatio
cogitationis poena nemopunitur	onus probandi
corpus delicti	pacta sunt servanda
damnum emergens	per pro
de facto	per se
de jure	prima facie
et cetera – etc	pro rata
ex parte (ex p.)	pro rata
exempli gratia (e.g.)	quasi
in personam	reductio ad absurdum
in rem	restitutio in integrum
in situ	sub judice
inter alia	videlicet
ipso facto	ultima voluntas
ultra vires	

Task 6. Learn the colocations paying attention to prepositions and translate them:

ON
to agree **on** fees before beginning a case to be **on** full pay to work **on** something to nominate a judge **on** an ad hoc basis
IN
to specialize **in** something to work **in**/**for** a business to end up **in** debt
UNDER
to fall **under** the jurisdiction of a specialized court **under** Article no. to be confirmed **under** oath and signed before a notary
OVER
to take care **over/with** something/document to preside **over** a case the authority **over** a person
AT
an attorney **at** law
OF
to accuse the witness **of** perjury
WITH
to deal **with** something or someone in compliance **with** regulations to charge smb **with** a crime
FOR
to send a cheque **for** an amount of money to go **for** a physical examination
TO
subject **to** something submit a formal statement **to** a court to consent **to** something

Task 7:

- **Work in pairs. Students A reads the following text at normal speed, while Student B shadows the text, paying attention to specialized vocabulary. Change the roles.**
- **Perform a sight translation from English into Romanian.**
- **Interpret the text simultaneously paying attention to dates.**

DECISION

Application
no. 29729/07 by Nadejda SANDU against Moldova

The European Court of Human Rights (Fourth Section), sitting on 2 February 2010 as a Chamber composed of:

Nicolas Bratza, *President,*

Lech Garlicki, Ljiljana Mijović, David Thór Björgvinsson, Ján Šikuta, Päivi Hirvelä,

Mihai Poalelungi, *judges,*

and Lawrence Early, *Section Registrar*,

Having regard to the above application lodged on 29 June 2007, Having regard to the declaration submitted by the respondent Government on 31 March 2009 requesting the Court to strike the application out of the list of cases and the applicant's reply thereto,

Having regard to the additional declaration submitted by the respondent Government on 28 October 2009,

Having deliberated, decides as follows:

THE FACTS

The applicant, Ms Nadejda Sandu, is a Moldovan national who was born in 1949 and lives in Chişinău. She was represented before the Court by Mr V. Tarnovschi, a lawyer practising in Chişinău. The Moldovan Government ("the Government") were represented by their Agent, Mr V. Grosu.

The facts of the case, as submitted by the parties, may be summarised as follows.

The applicant initiated proceedings against her employer, the Ministry of Education, seeking reinstatement in her position and

pecuniary damage for the period of forced inactivity. On 15 July 2005 the Dubăsari District Court found in the applicant's favour and ordered the employer to reinstate her. It also awarded her 10,795 Moldovan lei (MDL) in pecuniary damage, MDL 491 in non-pecuniary damage and MDL 3,377 for costs and expenses. This judgment was immediately enforceable. The applicant was reinstated in her functions, but the compensation awarded by the court was not paid to her. Both parties appealed. On 16 August 2005 the applicant was again dismissed from her position. On 13 October 2005 the Chişinău Court of Appeal quashed the first instance judgment and increased the amount of pecuniary damage to MDL 13,940 and that of non-pecuniary damage to MDL 1,901 (the overall award's equivalent in euro (EUR) was 1,273 at the relevant time).

By a final judgment of 12 April 2006, the Supreme Court of Justice rejected the appeal on points of law lodged by the employer und upheld the Court of Appeal's judgment. Despite attempts by the applicant to obtain azenforcement, the final judgment in her favour has not been enforced to date.

COMPLAINTS

1. The applicant complained under Article 6 § 1 of the Convention that her right of access to court had been violated by the failure to enforce the judgments in her favour within a reasonable time. 2. The applicant also alleged that the failure to enforce the judgments in her favour had violated her right to protection of property as guaranteed by Article 1 of Protocol No. 1 to the Convention. 3. The applicant also alleged that she did not have at her disposal an effective remedy for her complaints under Article 6 § 1 and Article 1 of Protocol No.1 to the Convention, as required by Article 13 of the Convention.

THE LAW

The applicant complained about the non-enforcement of the final judgment in her favour. She relied on Articles 6 § 1 and 13 of the Convention and Article 1 of Protocol No. 1 to the Convention, which, in so far as relevant, provide as follows:

Article 6 § 1

"In the determination of his civil rights and obligations ..., everyone is entitled to a ... hearing within a reasonable time by [a] ... tribunal..."

Article 13

"Everyone whose rights and freedoms as set forth in [the] Convention are violated shall have an effective remedy before a national authority notwithstanding that the violation has been committed by persons acting in an official capacity." Article 1 of Protocol No.1

"Every natural or legal person is entitled to the peaceful enjoyment of his possessions".

On 20 February 2009 the Government informed the Court that they proposed to make a unilateral declaration with a view to resolving the issues raised by the application. The Government acknowledged that there was an infringement of the applicant's rights guaranteed by the Convention on account of the non-enforcement of the judgment of 13 October 2005. They undertook to pay the applicant EUR 3,000 to cover any pecuniary and non-pecuniary damage as well as costs and expenses, which would be converted into Moldovan lei at the rate applicable on the date of payment, and free of any taxes that may be applicable. This sum would be payable within three months from the date of notification of the decision taken by the Court pursuant to Article 37 § 1 of the European Convention on Human Rights. In the event of failure to pay this sum within the said three-month period, the Government undertook to pay simple interest on it, from the expiry of that period until settlement, at a rate equal to the marginal lending rate of the European Central Bank during the default period, plus three percentage points. They further requested the Court to strike out the application in accordance with Article 37 of the Convention.

By letter of 31 March 2009 the applicant's representative expressed the view that the sum mentioned in the Government's declaration was unacceptably low. He requested the Court to reject the Government's proposal on the basis that the applicant wanted the examination of her case to continue and to have a judgment delivered. In particular, he claimed that the pecuniary damage should be assessed at EUR 14,495 and non-pecuniary damage at EUR 6,000.

In support of his claim he asked the Court to award the applicant

compensation for inflation in a total amount of MDL 8,283 (EUR 570). He also informed the Court that the applicant had retired on 10 November 2006 and that as a result of non-enforcement the amount of the pension received by the applicant was less than the amount she would have received, had the judgment been enforced. In a letter of 17 April 2009, he assessed the amount of pension loss at MDL 454. Finally, the applicant's representative asked for default interest for the delay in payment of salary arrears, which he assessed at MDL 183,957 (EUR 12,652). In support of this particular claim he referred to a distinct set of proceedings instituted by the applicant against her employer in the aftermath of the final judgment of 14 February 2006, in which the domestic courts awarded the applicant MDL 183,957, but which are still pending. On 11 May 2009 the Court communicated an additional complaint raised by the applicant under Article 13 of the Convention. By letter of 28 October 2009, the Government amended the previous declaration by acknowledging additionally a breach of Article 13 of the Convention.

The Court notes that the subject matter of the present application is the continuing non-enforcement of the judgment of the Chişinău Court of Appeal of 13 October 2005. In so far as the applicant asked for compensation for inflation and pension loss, the Court notes that this claim goes beyond the scope of the present application and it is open to the applicant to raise this issue before domestic courts. Should the outcome of such proceedings be unsatisfactory for the applicant, she will then be able to submit a new application to this Court (in which case the subject matter of the complaint would be different from the present application, which only concerns non-enforcement).

In so far as the applicant asked the Court to award her default interest for delay in payment and referred to the second set of proceedings mentioned above, which are still pending, the Court notes that these proceedings did not constitute the object of the application communicated to the Government on 10 October 2008. The Court notes that this issue goes beyond the scope of the present application and, more importantly, it has yet to be determined by the domestic courts. Nothing prevents the applicant from applying subsequently to the Court, should she consider it expedient to do so. The Court notes that Article 37 of the Convention

provides that it may at any stage of the proceedings decide to strike an application out of its list of cases where the circumstances lead to one of the conclusions specified under (a), (b) or (c) of paragraph 1 of that Article. Article 37 § 1 (c) enables the Court to strike a case out of its list in particular if: "for any other reason established by the Court, it is no longer justified to continue the examination of the application".

Article 37 § 1 *in fine* includes the proviso that:

"However, the Court shall continue the examination of the application if observance of human rights as defined in the Convention and the Protocols thereto so requires."

The Court also notes that under certain circumstances, it may strike out an application under Article 37 § 1 (c) of the Convention on the basis of a unilateral declaration by a respondent Government even if the applicant wishes the examination of the case to be continued. Having regard to the nature of the admissions contained in the Government's unilateral declarations of 31 March and 28 October 2009, as well as the amount of compensation proposed, which is consistent with the amounts awarded in similar cases (see *Ungureanu v. Moldova*, no. 27568/02, § 39, 6 September 2007), the Court considers that it is no longer justified to continue the examination of the application (Article 37 § 1). In the light of all the above considerations, the Court is satisfied that respect for human rights as defined in the Convention and the Protocols thereto does not require it to continue the examination of the application (Article 37 § 1 *in fine*). Accordingly it should be struck out of the list.

For these reasons, the Court unanimously:

Takes note of the terms of the respondent Government's declarations and of the modalities for ensuring compliance with the undertakings referred to therein;

Decides to strike the application out of its list of cases in accordance with Article 37 § 1 (c) of the Convention.

(*souce:https://www.google.com/search?q=DECISION+Application+no.+29729%2F07+by+Nadejda+SANDU)*

Task 8:

- **Identify the legal terms providing equivalents for them in English.**

- **Perform a sight translation from Romanian into English.**
- **Interpret the text simultaneously.**

prima instanţă: Popova L.
dosarul nr.3r -1255/10

D E C I Z I E

21 iulie 2010
mun. Chişinău
Colegiul civil şi de contencios administrativ al Curţii Supreme de Justiţie
în componenţă:
Preşedintele şedinţei: judecătorul Novac Svetlana,
Judecătorii: Stratulat Galina, Arhip Valeriu,
cu participarea:
recurentului –Şteliman Serghei,
reprezentantului intimatului –Consiliul Superior al Magistraturii –Babără Sofia,

examinînd în şedinţă publică recursul declarat de Şteliman Serghei,
în pricina civilă la cererea de chemare în judecată a lui Şteliman Serghei împotriva Consiliului Superior al Magistraturii cu privire la contestarea actului administrativ, împotriva hotărîrii Curţii de Apel Chişinău din 01 februarie 2010, prin care acţiunea a fost respinsă,

c o n s t a t ă

Şteliman Serghei a depus o cerere de chemare în judecată împotriva Consiliului
Superior al Magistraturii cu privire la anularea hotărîrea nr. 193/08 din 18 iulie 2009.
Prin hotărîrea Curţii de Apel Chişinău din 01 februarie 2010 acţiunea a fost respinsă ca neîntemeiată. Şteliman Serghei a declarat recurs împotriva hotărîrii primei instanţe, solicitînd admiterea recursului, casarea hotărîrii cu remiterea pricinii spre rejudecare în prima instanţă.
Recurentul în motivarea recursului indică că hotărîrea a fost emisă cu încălcarea normelor de drept procedural, deoarece nu a fost citat legal şa examinarea pricinii. În şedinţa instanţei de recurs recurentul a susţinut

recursul. Reprezentantul intimatului, în şedinţa instanţei de recurs nu a susţinut recursul şi a solicitat respingerea acestuia cu menţinerea hotărîrii primei instanţe.Audiind declaraţiile participanţilor la proces, studiind materialele dosarului, Colegiul civil şi de contencios administrativ al Curţii Supreme de Justiţie, consideră că recursul urmează a fi admis cu casarea hotărîrii primei instanţe şi restituirea pricinii spre rejudecare în prima instanţă din considerentele ce urmează.

În conformitate cu art.417 al.(1) lit.(d) CPC, instanţa de recurs, după ce judecă recursul, este în drept să admită recursul şi să caseze integral sau parţial hotărîrea primei instanţe, restituind pricina spre rejudecare în primă instanţă în cazul în care eroarea judiciară a primei instanţe nu poate fi corectată de instanţa de recurs.

În conformitate cu art. 400 alin.(3) lit.b) CPC, părţile şi alţi participanţi la proces sînt în drept să declare recurs în cazul în care pricina a fost judecată în absenţa unui participant la proces căruia nu i s-a comunicat locul, data şi ora şedinţei de judecată.

În conformitate cu art.400 alin. (4) CPC, temeiurile prevăzute la alin. (3) se iau în considerare întotdeauna şi din oficiu de către instanţă. În şedinţa de judecată s-a constatat că în cadrul examinării prezentei pricini în prima instanţă în şedinţa din 18 ianuarie 2009 a fost admisă cererea de amînare a lui

Şteliman Serghei şi examinarea pricinii a fost amînată pentru data de 01 februarie ora 11.00. Din materialele cauzei s-a constatat că Şteliman Serghei nu a fost citat legal pentru şedinţa de judecată din 01 februarie 2010, iar din procesul –verbal al şedinţei de judecată din 01 februarie 2010 (f.d.30) rezultă că cauza a fost examinară în lipsa lui Şteliman Serghei. În aceste circumstanţe, colegiul consideră că prima instanţă nu l-a înştiinţat legal pe Şteliman Serghei despre data şi ora şedinţei de judecată, astfel, prima instanţă nu a respectat dispoziţiile art.102-105 CPC, ca rezultat Şteliman Serghei a fost privat de dreptul participării în proces, astfel încălcîndu-se principiile contradictorialităţii, dreptului la apărare şi a unui proces echitabil. Prin urmare, din considerentele enumerate şi avînd în vedere faptul că, hotărîrea primei instanţe a fost emisă cu încălcarea normelor procedurale şi este ilegală, Colegiul civil şi de contencios administrativ al Curţii Supreme de Justiţie, ajunge la

concluzia de a admite recursul, de a casa hotărîrea primei instanţe şi de a restitui pricina spre rejudecare în prima instanţă.

La rejudecarea pricinii, prima instanţa urmează să ţină cont de cele menţionate, şi să creeze codiţii obiective şi reale participanţilor la proces, pentru realizarea drepturilor sale procedurale în baza probelor pertinente administrate, raportate la legea materială ce guvernează raportul juridic litigios să emită o hotărîre legală şi întemeiată.

În conformitate cu art.417 al.(1) lit.d), art.419 CPC, Colegiul Civil şi de contencios administrativ al Curţii Supreme de Justiţie,

d e c i d e

Se admite recursul declarat de Şteliman Serghei. Se casează hotărîrea Curţii de Apel Chişinău din 01 februarie 2010 în pricina civilă la cererea de chemare în judecată a lui Şteliman Serghei împotriva Consiliului Superior al Magistraturii cu privire la contestarea actului administrativ şi se restituie pricina spre rejudecare la Curtea de Apel Chişinău de un alt complet de judecată. Decizia nu se supune nici unei căi de atac.
(https://agepi.gov.md/sites/default/files/litigii/decisions/trademarks/d_21-07-2010.pdf)

Task 9:

- **Put the words in the column on the right into the gaps in the text: *The Beatles sue EMI for $50 million.***
- **Simplify the sentences to the most relevant info maintaining SVO order.**

The _____ members of The Beatles and relatives of the _____ band members, John Lennon and George Harrison, are suing EMI, their former record company, in a bid to recover more than $54 million in _____ unpaid royalties. Lawyers acting on behalf of the ex-Beatles have started legal _____, both in London and New York courts, to _____ the cash they maintain EMI has fraudulently hidden using shady accounting practices. The deficit was found after an _____ of Apple Corp, the Beatles' commercial arm, two years ago. Negotiations between Apple Corp

audit
late
proceedings
redress
surviving
resolve
alleged
recoup

and EMI have failed to _____ the issue, prompting the decision to seek legal _____. Apple won the last court battle between the two in 1991, when it prevented EMI from releasing an album box set on CD.

Both parties in the latest dispute are _____ firm over their legal arguments. Apple Corp boss Neil Aspinall said he had tried his _____ to reach an out-of-court settlement with EMI and that court was his last _____: "We have tried to reach a settlement through good _____ negotiations and regret that our efforts have been in _____," he said. He insisted that: "Despite very clear provisions in our contracts, EMI persists in ignoring their obligations and duty to account fairly and with transparency." EMI _____ rejects Apple Corp's claim for unpaid royalties. A company spokeswoman told the Reuters news agency: "Sometimes there are differences of _____, especially when the contracts are large and complex, when you can get issues of contractual _____." (*source: https://studylib.net/doc/8505329/the-beatles-sue-emi-for-%2450-million*)

vain
resort
interpretation
opinion
standing
faith
utmost
flatly

Task 10. Match the terms with their definitions.

1. bail	**a.** protect against a challenge or attack;
2. civil right	**b.** a certified person who maintains the verbatim record of court proceedings;
3. court reporter	**c.** someone against whom an action is brought in a court of law; responsible for or chargeable with wrongdoing;
4. defendant	**d.** a writ ordering a prisoner to be brought before a judge;
5. cross-examination	**e.** any basic freedom to which all people are entitled;
6. habeas corpus	**f.** the act of testing something; findings of a jury on issues submitted to it for decision;

7. opening statement	**g.** someone who sees an event and reports what happened;
8. human right	**h.** the criminal offense of making a false statement under oath, a writ ordering a prisoner to be brought before a judge;
9. lawsuit	**i.** a professional person authorized to practice law;
10. plaintiff	**j.** the questioning of a witness produced by the other side;
11. prosecute	**k**. money forfeited if the accused fails to appear in court;
12. trial	**l.** officer of the court employed to execute writs and processes;
13. verdict	**m.** right belonging to a person by reason of citizenship;
14. witness	**n.** a comprehensive term for any proceeding in a court of law whereby an individual seeks a legal remedy;
15. liable	**o.** a person who brings an action in a court of law;
16. writ of habeas corpus	**p.** conduct legal proceedings against a defendant;
17. discovery	**q.** investigation and gathering of information by opposing parties prior to going to trial, a proceeding, generally public, at which an issue of fact or law is discussed and either party has the right to be heard;
18. mediation	
19. perjury	
20. attorney	**r.** legally responsible;
21. hearing	**s.** a form of alternative dispute resolution in which the parties bring their dispute to a neutral third party, who helps them reach a resolution;
22. guilty	**t.** the initial statement made by attorneys for each side, outlining the facts each intends to establish during the trial;
	u. the criminal offense of making a false statement under oath.

Task 11. Analyse the translation from English into Romanian of the following information. Improve the translation if necessary.

S.T. Personal injury law is an area of civil law concerned with providing monetary compensation to victims of accidents or social wrongs. The injured person bringing the lawsuit is called the "plaintiff," and the person or entity allegedly responsible for the injury is called the "defendant." In fatal accidents, the family of the decedent may bring a wrongful death suit against the person or entity responsible for the accident. In some cases, there may be multiple responsible parties, and the plaintiff may be able to sue all of them to recover the full amount of compensation needed for his or her injuries. The defendant in turn may allege that another person or entity was responsible and bring that person or entity into the lawsuit as a cross-defendant.The burden of proof in personal injury cases is typically lower than the burden of proof for criminal cases arising out of the same actions. This means that you may be able to recover in a personal injury lawsuit, even if the defendant was acquitted of criminal charges arising out of the same conduct. The objective in a personal injury lawsuit is generally to recover monetary compensation, rather than punish the defendant. However, in some cases, punitive damages may be sought and awarded for particularly egregious or malicious misconduct by a defendant.

Elements of Negligence. Personal injury lawsuits may arise out of any situation, including motor vehicle accidents, premises liability, professional malpractice, or nursing home abuse. Most injuries are the result of negligent or reckless conduct, rather than intentional conduct. In most states, a plaintiff claiming negligence will need to prove (1) the defendant's duty of care, (2) the defendant's breach of that duty, (3) actual causation, (4) proximate causation, and (5) actual damages.

A defendant's duty varies depending on the state and the circumstances. Generally, however, everyone has a duty to use reasonable care to avoid the risk of foreseeable injuries to others. For example, a driver who has had four cocktails shouldn't get behind the wheel of a car because of the significant risk he or she will get into a car accident. It also means that if a retailer notices that a handrail on the second floor of a store has come loose, such that a customer could lean on it and fall, the retailer has a duty to warn customers or to repair the loose handrail so that unwitting

customers don't get injured. Failure to warn of a dangerous condition on property can result in a premises liability lawsuit against the person or entity in control of it.

Similarly, a doctor has a duty to act as a reasonably prudent doctor with similar training and expertise would act. He or she must order the appropriate tests or refer a patient to a specialist when faced with a potential diagnosis of a certain disease. A doctor who fails to meet the professional standard of care may be subject to a medical malpractice suit. A plaintiff's failure to prove any of the elements of negligence can result in a case getting dismissed or in the defendant avoiding liability. For example, consider a driver doing her makeup in the car. A motorcyclist decides to change lanes to avoid this distracted driver. Meanwhile, a deer crosses the road, and the motorcyclist swerves to avoid hitting the deer and crashes into a car that is illegally parked on the side of the road. In that case, the deer and the illegally parked cars are intervening causes of the motorcyclist's accident. The driver may have been negligent in putting on makeup in the car, but her conduct was not the "proximate" cause of the victim's injuries.

T.T. Vătămarea corporală. Legea privind vătămarea corporală face parte din dreptul civil și se specializează în acordarea de compensații bănești victimelor accidentelor sau încălcărilor de caracter social. – cu Persoana vătămată care înaintează plângerea, se numește „ reclamant", iar persoana sau entitatea care se presupune că ar fi responsabilă pentru acele daune, se numește „pârât". În cazul accidentelor fatale, familia persoanei decedate ar putea să inițieze, împotriva entității responsabile pentru accident, un proces pentru omor din culpă.În unele cazuri, ar putea exista mai multe persoane responsabile, iar reclamantul poate să îi dea pe toți în judecată pentru a obține întreaga sumă, care este necesară pentru reabilitarea sa. La rândul său, pârâtul, poate să declare că alte persoană sau entitate se face vinovată și să includă acea persoană sau entitate în plângere sa, astfel persoana figurează în proces în calitate de pârât împotriva căruia au fost înaintate acuzații de partea care se presupune că ar fi vinovată.

De obicei, sarcina probei în cazurile de vătămare corporală este mai puțin complicată decât sarcina probei pentru cazurile penale ce rezultă din aceleași acțiuni. Acest lucru înseamnă că veți putea să vă recuperați

pagubele în urma unui proces de vătămare corporală, chiar dacă pârâtul a fost achitat de acuzațiile penale care au loc din același comportament. Obiectivele unui proces de vătămare corporală este, în general, de a obține compensația bănească, mai degrabă decât a pedepsi pârâtul. Cu toate acestea, în unele cazuri, prejudiciile morale pot fi solicitate și acordate pentru abateri deosebit de grave sau rău intenționate de către un pârât.

Elemente de neglijență. Procesele de vătămare corporală pot apărea din orice situație, inclusiv accidentele de autovehicule, răspunderea pentru incidentele survenite într-un anumit spațiu, malpraxis profesional sau abuzul în centrele de îngrijire. Majoritatea prejudiciilor rezultă din neglijență sau comportament imprudent, decât dintr-un comportament intenționat. În majoritatea statelor, un reclamant ce acuză de neglijență va trebui să demonstreze (1) obligația de diligență a pârâtului, (2) încălcarea acestei obligații de către pârât, (3) cauza reală, (4) cauza apropiată, și (5) daunele reale. Obligațiile pârâtului diferă în funcție de stat și circumstanțe. Cu toate acestea, în general, fiecare are datoria să țină cont de o îngrijire adecvată pentru a evita riscul unor eventuale prejudicii ale altor persoane. De exemplu, un șofer ce a servit patru băuturi nu ar trebui să urce la volanul unei mașini, din cauza unui risc semnificativ de a ajunge într-un accident de mașină.

Acest lucru înseamnă, de asemenea, că, dacă un distribuitor observă că balustrada de la al doilea etaj al magazinului nu este bine fixată, astfel încât există riscul atunci când clientul să va sprijini de aceasta să cadă, este obligat să avertizeze clienții sau să fixeze balustrada liberă, astfel încât clienții ce nu știu de acest lucru să nu fie răniți. În cazul în care nu exista un avertisment cu privire la starea periculoasă a proprietății, se poate rezulta în depunerea unei plângeri de răspundere pentru spații, împotriva persoanei fizice sau juridice căruia îi aparține acel spațiu. În același mod, un doctor trebuie să acționeze precum ar acționa un doctor rezonabil, cu pregătire și experiență similară. El sau ea ar trebui să ceară analizele adecvate sau să trimită pacientul la un specialist atunci când are de a face cu un diagnostic potențial al unei anumite boli. Doctorul ce nu face față standardelor profesionale de îngrijire, poate poate fi dat în judecată pentru malpraxis medical.

Atunci când reclamantul nu reușește să demonstreze existența elementelor de neglijență, cazul poate fi respins sau pârâtul să fie lipsit de

responsabilitate. De exemplu, avem o situație când o șoferița se machiază la volan și un motociclist care decide să schimbe banda de deplasare pentru a evita șoferița neconcentrată. Între timp, un cerb traversează drumul, iar motociclistul virează pentru a evita lovirea cerbului și se lovește de o mașină parcată ilegal pe marginea drumului. În acest caz, cerbul și mașinile parcate ilegal sunt cauze intermediare ale accidentului motociclistului. Probabil că șoferița să fi fost neglijentă din motiv că aplica machiajul aflându-se la volan, însă comportamentul ei nu a fost cauza probabilă a rănilor victimei.

Task 12. Prepare 5 questions on the topic of civil law for your colleagues. Ask and answer.

Task 13. Anticipate what will happen next using "snowball" technique.

John was caught shoplifting in the supermarket.

Task 14. Interpret the following video material. Record your interpretation and analyse it.

Cel mai încălcat articol din CEDO - Dreptul la un Proces Echitabil

(Source: *https://www.youtube.com/watch?v=S3O6Bz_UVJ4*)

Task 15:

- **Identify the legal terms providing equivalents for them.**
- **Interpret the following audio/video material.**

Ce presupune Dreptul la viața privată și de familie și când (nu) este protejat la CtEDO*?*

(source***: https://www.youtube.com/watch?v=3_zuKWKluhk***)

Task 16:

- **Interpret the following audio/video material at sight.**
- **Record your interpretation and analyse it.**

Celebrating the 50th Anniversary of 'To Kill a Mockingbir*d'*
***(source:** https://www.youtube.com/watch?v=UHS8EXFXiiw)*

Task 17. Compile a bilingual glossary on the topic of Civil Law which would include the terminological units encoutered in the texts above.

Romanian terminological unit	English terminological unit	Explanatory note

UNIT 4. CRIMINAL PROCEDURAL LAW

Learning Objectives:

- to identify the semantic centers in the source speech;
- to determine the semantic units in the legal discourse;
- to establish the correlation between the main and secondary information in the speech;
- to infer the pragmatic meaning in the heard speech;
- to focus on the most important information for rendering the ideas presented in the legal discourse;
- to use paraphrasing in the interpretation of statements;
- to suggest variants of simultaneous interpretation of the identified units of meaning;
- to translate complex sentences that contain difficulties in conveying the message on the given topic;
- to assess the correctness of the suggested translation versions;
- to simultaneously translate legal discourses using the studied terminology correctly;
- to assess the role of linguistic and extralinguistic context in the process of inferring pragmatic meaning in legal discourse;
- to develop a terminological glossary.

Task 1. Give the Romanian equivalents to the following terms and phrases.

- atrocious crime - cell - closed session - corporal punishment - crime instrument - crime rate - criminal career - criminal conspiracy - custody - grave crime - habitual offender	- to acquit of a crime, - to administer justice - to appeal against the decision, - to be tried/ to stand trial for a crime - to be wanted for/ on charges of a crime - to charge somebody with a crime - to commit a crime, - to confess to a crime - to convict of a crime

- imprisonment - in the course of crime - incarceration, - incentive for crime - inmate - jail - juvenile delinquent - lawbreaker - life-sentence prisoner - long-term prisoner - offender - open hearing - pattern of crime - penal institution - penitentiary institution - prisoner of conscience - prisoner of war - recidivist - solitary confinement - the scene of the crime - wrongdoer	- to find guilty/not guilty - to hear a case - to investigate a crime - to plead guilty/not guilty to a crime - to review the decision - to rule on a case - to solve a crime - to pass sentence on smb

OFFENCES
abuse of power, arson, assault, blackmail, bribery, burglary, contempt of court, embezzlement, felony, forgery, fraud, homicide, house-breaking, kidnapping, manslaughter, misdemeanour, murder, perjury, petty offence, rape, road traffic offences (for example, careless driving, drunk driving, speeding, unlicensed driving) robbery, shoplifting, theft/larceny,

Task 2:

- **Work in pairs. Students A reads the following text at normal speed, while Student B shadows the text, paying attention to specialized vocabulary. Change the roles.**
- **Perform a sight translation from English into Romanian.**
- **Interpret the text simultaneously.**

Criminal Law has three main objectives: to protect people, to maintain order in society, and to punish criminals. Some believe that Criminal Law should also enforce moral values, but this is controversial, and there basically two schools of thought as represented by the Wolfenden Committee and Lord Devlin: 1. The Wolfenden Committee in 1957 determined that law should only interfere with private lives in order to preserve public order and protect citizens. 2. Lord Devlin's, 'Enforcement of Morals' in 1965 stated that, 'there are acts so gross and outrageous that they must be prevented at any cost.

This basic difference in views is unresolved, and this is illustrated by the inconsistent sentencing of those brought to trials for engaging in mutually agreed sado-masochistic activities – there are examples of convictions for assault causing actual bodily harm, and others where S&M defendants have been found not guilty.

What is Strict Liability? Strict liability is an interesting concept in criminal law. In some crimes there is a guilty act (actus reus) which has an identified consequence, but the defendant did not know about, or intend for that...

Elements of a Criminal Offense. Usually a person can't be found guilty of a criminal offense unless both actus reus (guilty act) and mens rea (guilty mind) are present.

What is considered a crime?

A crime is anything that the State has determined as being criminal and punishable. Thus there is a big variation in the definition of crimes between countries, as the governments' different values are reflected within their laws. Furthermore, within a country the definitions of crimes change as their values change over time.

If you take a look at the age of consent in various countries you will see a significant difference as to below what age it is considered criminal to engage in sex. For differences in what is considered criminal changing within a country just take a look at booming pornography industry under the Clinton administration, and the legal problems it faced under the Bush administration. Another example is the evolving acceptance of homosexuality in Western countries as it

is shifted from criminal, to lower and lower ages of consent, through to gay marriage.

However, not all criminal law is passed by the state: sometimes the rulings of judges create new criminal definitions by creating a consistent case history that creates a new criminal classification, as it did in the case of marital rape.

For almost all crimes both *actus reus* and *mens rea* must be present. The *actus reus* is the physical element of the crime, it basically means the guilty act itself. The *mens rea* is the guilty mind that must also be present. Without a wrongful state of mind a wrongful act is not criminal. The exception to this rule is crimes of Strict Liability for which no guilty mind is required.

How are crimes classified?

There are many different types of crimes, and many ways to classify them.

Crimes are tried in different ways, and can be classified as such:

- "Indictable Offences" – theses are tried on indictment at the Crown Court, and include serious crimes like murder and rape
- "Triable Either Way" – theses are tried on indictment at the Crown Court or at the Magistrates Court, and include crimes such as burglary, theft and some forms of assault

"Summary Offences" – these are tried only at the Magistrates Court, and cover crimes that have less than GBP5,000 of damage in terms of cost, and offences such

Crimes: The Method Used by Academics

Another way to classify crimes is by their source, but such a classification is more the concern of law professors, than a practical one. The sources of crimes are:

- "Common Law" - these are made by judges
- "Statutory" - these are defined in an Act of Parliament
- Regulatory – these are defined in delegated legislation

Classifying Crimes: The Method Used by Policemen

Whilst academics have their classification, the police tend to look at crimes in terms of what their powers are in relation to the treatment of suspects: 1. "Serious Arrestable Offences" – Police can detain the suspect

for 36 hours, extended up to 96 with the permission of magistrates. Crimes such as rape, murder and manslaughter fall under this category; 2. "Arrestable Offences" – these are defined in the Criminal Justice Act of 1967 and cover any offence with a sentence fixed by law, any offence where the maximum sentence is in excess of five years, and any crime which Parliament makes arrestable; 3. Non-arrestable offences.

Classifying Crimes: The Victim's Perspective

There are three main categories when one considers the harm done by the crime: 1.A crime against a person; 2. A crime against property; 3. A crime against public order.

How do you prove a crime?

It is down to the prosecution to prove that a crime has been committed, and the defendant is presumed innocent until proven guilty. The prosecution must demonstrate both *actus reus* and *mens rea*, and the proof must be 'beyond reasonable doubt.'

Whilst the defendant is not obliged to raise a defense it is typical for them to do so, the prosecutor must then set out to negate this defense. For example, if a defendant states that a vehicle ran over the victim accidentally, a prosecutor seeking a conviction for murder may set out to prove it was intentional. There are, however, some defenses that the defendant must make, for example, if he is pleading insanity.
(*source: https://www.academia.edu/41995099/An_Introduction_to_UK_Criminal_Law*)

Task 3:

- **Identify the legal terms providing equivalents for them.**
- **Perform a sight translation from Romanian into English.**
- **Interpret the text simultaneously:**

Etapele unui proces penal din noul cod de procedură penală

Procesul penal este procedura în justiţie care are ca obiect constatarea la timp şi în mod complet a faptelor care constituie infracţiuni, astfel că orice persoană care a săvârşit o infracţiune să fie pedepsită potrivit vinovăţiei sale şi nicio persoană nevinovată să nu fie trasă la răspundere penală. Potrivit Noului Cod de Procedură Penală, procesul penal are patru faze:

urmărirea penală (care se desfăşoară cu privire la faptă imediat după sesizare, şi apoi cu privire la persoana), camera preliminară, judecata (în primă instanţă şi, eventual, în calea de atac a apelului) şi executarea hotărârii judecătoreşti definitive. În derularea unui proces penal sunt implicate organele de cercetare penală – procurorul şi judecătorul de drepturi şi libertăţi – judecătorul de cameră preliminară – instanţa judecătorească. Subiecţii procesului sunt suspectul (persoana în legătură cu care există bănuiala rezonabilă că a săvârşit o faptă penală), care devine pe parcursul urmăririi penale inculpat şi persoana vătămată, care poate fi o persoană fizică, una juridică sau o instituţie publică.

După ce procurorul sesizează instanţa cu rechizitoriul întocmit, dosarul ajunge la un judecător desemnat în mod aleatoriu din cadrul instanţei respective. Camera preliminară este un filtru între urmărirea penală şi judecată. Judecătorul de cameră preliminară verifică dacă instanţa din care face parte este competentă sa judece cauza, dacă a fost sesizată în mod legal, dar verifică (şi exclude dacă este necesar) şi legalitatea probelor şi a efectuării altor acte efectuate în cadrul urmăririi penale. În camera preliminară nu se poate stinge acţiunea penală prin pronunţarea unei soluţii din cele menţionate anterior. Soluţiile pe care le poate pronunţa judecătorul de cameră preliminară sunt: restituirea cauzei la parchet şi dispunerea începerii judecăţii. Dacă se dispune începerea judecăţii, magistratul de cameră preliminară va face parte şi din completul de judecată.

Judecata este partea în care se soluţionează cauză, în care se află adevărul. O persoană poate fi judecată şi apoi condamnată/achitată prin pronunţarea unei hotărâri de către prima instanţa învestită cu judecarea cauzei (sentinţă). Totuşi, soluţia nu este definitivă, astfel că încă se aplică prezumţia de nevinovăţie. O hotărâre este definitivă atunci când este pronunţată în apel (decizie) sau când hotărârea dată în prima instanţă nu este atacată cu apel în termenul prevăzut de lege. Judecata în primă instanţă este împărţită în mai multe etape procesuale: cercetarea judecătorească, dezbaterile, urmate de deliberarea instanţei şi pronunţarea unei hotărâri. În timpul cercetării judecătoreşti se pot propune probe care nu au fost propuse până în acest moment, se pot administra probe, înscrisuri, audierea inculpatului, audierea martorilor, cercetare la faţa locului, vizionarea şi ascultarea înregistrărilor şi se

poate renunţa la unele probe. După terminarea cercetării judecătoreşti urmează etapa dezbaterilor, unde intră în "scenă" avocatul şi procurorul.

În etapa deliberărilor, membrii completului de judecată se consultă cu privire la existenţa faptei, vinovăţia inculpatului, încadrarea juridică, stabilirea pedepsei, dar şi cu privire la latura civilă. Hotărările se iau cu unanimitate de voturi sau, dacă nu este posibil, cu majoritate. Opinia minoritară (opinia separată) trebuie motivată. În urma deliberării, instanţa de judecată poate pronunţa una dintre următoarele soluţii: condamnare (cu executare sau cu suspendare condiţionată), renunţarea la aplicarea pedepsei, amânarea aplicării pedepsei, achitarea, încetarea procesului penal.

Dacă sentinţa este condamnare la închisoare cu executare, decizia va fi pusă în aplicare în cel mai scurt timp de către structura de poliţie competentă. În cazul unei decizii cu suspendare, serviciul de probaţiune competent este abilitat să urmărească îndeplinirea condiţiilor impuse de instanţa de judecată. Procesul penal este unicul cadru în care se poate stabili dacă o persoană este sau nu răspunzătoare pentru săvârşirea unei infracţiuni.

Procesul penal este constituit din: *urmărirea penală*, *camera preliminară*, *judecata* şi *executarea pedepsei*.

Organe judiciare: *organele de cercetare penală + procurorul* (organe de urmărire penală), *judecătorul de drepturi şi libertăţi + judecătorul de cameră preliminară + instanţa judecătorească*(organe cu atribuţii jurisdicţionale); Subiecţii principali: *suspectul (*persoana în legătură cu care există bănuiala rezonabilă că a săvârşit o faptă penală), *persoana vătămată*; Părţile: *inculpatul* (este persoana suspectului, dar după ce a fost pusă în mişcare acţiunea penală pentru că există probe din care rezultă că a săvârşit o infracţiune), *partea civilă* (persoana vătămată care a cerut în procesul penal să i se acopere prejudiciul cauzat prin săvârşirea infracţiunii), *partea responsabilă civilmente* (persoană care are obligaţia să repare prejudiciul cauzat de cel trimis în judecată); avocatul, *martorul*, *expertul*, *interpretul*, etc.

Scopul urmăririi penale este strângerea de probe. Strângerea de probe necesare pentru a putea dovedi existenţa unei infracţiuni şi identificarea persoanei care a săvârşit-o. Această activitate se desfăşoară

de organele de cercetare penală sub îndrumarea procurorului de caz. Urmărirea penală poate începe în urma sesizării din oficiu, în urma formulării unei plângeri, a unui denunţ sau prin alte acte ale unor organe de constatare prevăzute de lege. A se diferenţia de *plângerea prealabilă*! Sunt unele infracţiuni în cazul cărora tragerea la răspundere penală a infractorului poate fi făcută doar în urma manifestării de voinţă (plângere prealabilă) a persoanei vătămate (*e.g.* hărţuirea, ameninţarea, violarea de domiciliu).

Denunţul este actul prin care o persoană informează organele de urmărire penală cu privire la săvârşirea unei infracţiuni a carei victimă este o altă persoană. Actele încheiate de unele organe de constatare pot fi, spre exemplu: *procesele-verbale* încheiate de organele de ordine publică şi de siguranţă naţională în cazul infracţiunilor flagrante; *încheierile judecătoreşti* prin care se constată infracţiuni de audienţă (*e.g.* mărturie mincinoasă, ultrajul judiciar).

Întotdeauna urmărirea penală începe cu privire la faptă (*in rem*), chiar şi atunci când în actul de sesizare este indicat autorul. Dacă în urma strângerii de probe rezultă o bănuială rezonabilă că o anumită persoană a comis fapta din actul de sesizare, organul de urmărire penală dispune prin ordonanţă ca urmărirea penală să se efectueze faţă de aceasta (*in personam)*. Din acest moment, persoana respectivă are calitatea de *suspect*, cu drepturile şi obligaţiile corespunzătoare.

Dacă în urma strângerii de probe rezultă faptul că suspectul a săvârşit infracţiunea, procurorul dispune prin ordonanţă *punerea în mişcare a acţiunii penale.* Ce înseamnă asta? Putem să ne imaginăm că ce s-a întâmplat până în acest punct a fost introducerea în *saga* procesului penal. În acest moment cunoaştem mai bine personajul principal, care dobândeşte calitatea de *inculpat*, şi pentru că există probe serioase împotriva lui se pot dispune nişte măsuri mai severe [e.g. reţinerea (se poate dispune şi faţă de suspect), arestul la domiciliu, arestarea preventivă, trimiterea în judecată]. Odată cu acţiunea penală poate fi exercitată şi *acţiunea civilă*, tot în cadrul procesului penal. Persoana vătămată se poate constitui *parte civilă*, dispunând de dreptul său la repararea prejudiciului cauzat prin săvârşirea infracţiunii. Constituindu-se parte civilă, toate probele administrate de procuror îi pot fi de folos.

Acesta este un avantaj pe care nu l-ar avea dacă ar alege să se îndrepte împotriva inculpatului în faţa unei instanţe civile.

Totuşi, nu este obligatorie punerea în mişcare a acţiunii penale. Astfel, daca în urma activităţii strângerii de probe nu se poate dovedi existenţa unei infracţiuni şi identificarea autorului, organul de cercetare penală înaintează dosarul către procuror cu propunerea de clasare. Dacă a fost pusă în mişcare acţiunea penală, în funcţie de probele strânse, organul de cercetare penală înaintează dosarul cu propunere de clasare, renunţare la urmărire penală sau trimitere în judecată. Procurorul, după ce verifică dosarul, poate dispune prin ordonanţă: *restituirea* acestuia în vederea completării urmăririi penale; *clasarea; renunţarea la urmărirea penală;* sau poate dispune prin rechizitoriu *trimiterea în judecată*.

Trimiterea în judecată poate fi dispusă doar atunci când, în urma aprecierii probelor, procurorul şi-a format convigerea că: *fapta există → a fost săvârşită de inculpat → acesta poate răspunde penal.* Aici se termină urmărirea penală, dar acţiunea penală poate continua, dacă procurorul nu a dispus clasarea sau renunţarea la urmărire penală, până când instanţa pronunţă o hotărâre definitivă/rămasă definitivă prin neapelare. Actele şi măsurile dispuse de organele de urmărire penală pot fi contestate, astfel că, spre exemplu, pot fi excluse probe încă din timpul urmăririi penale.

(*https://asistenta-avocat.ro/ce-presupune-un-proces-penal-si-care-sunt-fazele-acestuia-etapele-obligatorii-din-noul-cod-de-procedura-penala/)*

Task 4. Find an appropriate equivalent for the following British legal culture-bound words:

- District Judge (Magistrates' court)
- Crown Court
- Circuit Judge
- Recorder
- Court of Appeal (Criminal Division)
- Crown Prosecution Service
- High Court Judge
- Sentencing Council
- High Court Judge
- Circuit Bench.

Task 5:

- **Work in pairs. Students A reads the English text at normal speed, while Student B shadows the text, paying attention to specialized vocabulary. Change the roles.**
- **Perform a sight translation**.

Criminal Justice in the United Kingdom

Judges and magistrates play a vital role in the criminal justice system.

Criminal cases come to court after a decision has been made by, usually the Crown Prosecution Service, to prosecute someone for an alleged crime. The vast majority of cases (over 95 per cent), are heard in the Magistrates' court, either by a panel of three Magistrates or by a District Judge (Magistrates' court). They hear the evidence, and make a decision on guilt or innocence. If the defendant is found guilty, the Magistrates or District Judge (Magistrates' court) will decide the sentence or send the case to the Crown Court for sentencing.

The more serious criminal cases are heard in the Crown Court, usually by a Circuit Judge or Recorder sitting with a jury (in the most serious cases, the case may be heard by a High Court Judge sitting with a jury). In those cases, the judge is responsible for ensuring the trial is conducted fairly and explains the relevant law to the jury. The jury is responsible for deciding whether the defendant is guilty.

Both magistrates and judges have the power to imprison those convicted of a crime, if the offence is serious enough. But imprisonment is not the only sentence that may be imposed; a judge or magistrate can order a community punishment, or impose a fine. Although punishment is a key consideration when sentencing, judges will also consider how a particular sentence may reduce the chances of an individual re-offending.

A judge hearing a criminal case

Before a criminal trial starts, the judge will familiarise themselves with the details of the case by reading the relevant case papers. These include the indictment which sets out the charges on which the defendant is to be tried, witness statements, exhibits and documentation

on applications to be made by any party concerning the admissibility of evidence in the trial.

For jury trials in the Crown Court, the judge supervises the selection and swearing in of the jury, giving the jurors a direction about their role in the trial of deciding the facts and warning them not to discuss the case with anyone else or do their own research.

During the trial

Once the trial has commenced, the judge ensures that the case is conducted fairly and that all parties involved are given the opportunity for their case to be presented and considered. The judge plays an active role during the trial, controlling the way the case is conducted in accordance with relevant law and practice. As the case progresses, the judge makes notes of the evidence and decides on legal issues, for example, whether evidence is admissible.

Once all evidence in the case has been heard, the judge will sum up the case. The judge sets out for the jury the law on each of the charges made and what the prosecution must prove. At this stage the judge refers to notes made during the course of the trial and reminds the jury of the key points of the case, highlighting the strengths and weaknesses of each side's argument. The judge then gives directions about the duties of the jury before they retire to the jury deliberation room to consider the verdict.

Sentencing. If the jury find the defendant guilty then the judge will decide on an appropriate sentence. The sentence will be influenced by a number of factors: principally seriousness of the offence, the impact that the crime has had on the victim, and relevant law especially guidance from the Sentencing Council. The judge will take into account the mitigation and any reports and references on the defendant. Only once the judge has considered all of these factors will the appropriate sentence or punishment be pronounced.

Court of Appeal (Criminal Division). Appeals from the Crown Court are heard by the Court of Appeal (Criminal Division). The Lord Chief Justice is President of the Court of Appeal Criminal Division. He is supported in this role by a Vice President.

Cases are usually heard by a Lord or Lady Justice and two High Court judges.

High Court Judge – Criminal Jurisdiction. High Court judges can hear the most serious and sensitive cases in the Crown Court (for example murder) and some sit with Appeal Court judges in the Criminal Division of the Court of Appeal.

Circuit Judges – Criminal. Circuit Judges may deal solely with Civil, Family or Criminal work, or divide their time between the three. Most Crown Court cases are heard by Circuit Judges, although less complex or serious matters may be dealt with by Recorders. Some cases from Magistrates' courts will come to the Crown Court to be heard by a Circuit Judge – for example, if the defendant has opted for trial by jury, or the magistrates decide they do not have sufficient sentencing powers to deal with a guilty party (magistrates can impose a maximum six- month sentence for a single offence, with a total of 12 months for multiple offences).

District Judge (Magistrates' courts). A District Judge (Magistrates' courts) is a legally qualified, salaried judge and they usually deal with the longer and more complex matters that come before Magistrates' courts. District Judges (Magistrates' courts) also have jurisdiction to hear cases under the Extradition Acts and the Fugitive Offender Acts.

Magistrates. Magistrates are local members of the community who are appointed to sit in the Magistrates' court. Three magistrates sit together to hear and decide cases. They are volunteers and are unpaid (except for expenses). Magistrates must sit for at least 13 days a year.

Recorders. Recorders are part-time judges. For many it is the first step on the judicial ladder to appointment to the Circuit Bench. Recorders' jurisdiction is broadly similar to that of a Circuit Judge, but they generally handle less complex or serious matters coming before the court.

Recorders are fully qualified solicitors or barristers with at least ten years' experience. They are required to sit for at least 30 days every year.

(https://www.judiciary.uk/about-the-judiciary/our-justice-system/jurisdictions/criminal-jurisdiction/)

Task 6. Find the appropriate equivalents for the following legal false friends.

actual loss	disorder
adept	dissolution of a marriage
aggravated battery	domestic remedies
aggravated criminal damage	evidence
applicant	false arrest
application	individual
application	merits of the case
base term	minute
clerical error	notice
competition law	offence
child support	official document
costs for bringing an action	oral submission
court reporter	prisoner
case	process
crime	respondent
deposit	to observe
	probe
	to terminate

Task 7:

- **Identify the legal terms providing equivalents for them.**
- **Perform a sight translation of the following texts:**

Burden of Proof

a. 8. The starting point for the European Court as regards the burden of proof is the 2 stipulation in Article 6(2) of the European Convention that "everyone charged with a criminal offence shall be presumed innocent until proved guilty according to law". As a result, it considers that this guarantee requires that the burden of proof be on the prosecution.

9. This is a general burden and it will not, however, preclude the use of presumptions and the drawing of inferences where this is warranted by the particular circumstances of the case.

10. Thus, for example, a presumption in respect of the commission of a customs offence might be based on the possession of prohibited goods

3and an inference of involvement in the false imprisonment of someone might be drawn from a failure of the accused to explain his presence in the house where the person concerned was being held notwithstanding the right to remain silent.

11. There must, however, be no automatic reliance on any presumptions or inferences and the defendant must, therefore, be given an opportunity to rebut them through establishing a defence or providing some other exculpatory explanation for the circumstances concerned. Moreover, the circumstances must be such that they actually call for an explanation from the defendant which will only be satisfied wherethese establish a convincing prima facie case against him or her. Furthermore, it would be incompatible with the right to silence to base a conviction solely or mainly on the accused's silence or on a refusal to answer questions or give evidence him or herself and there must be adequate safeguards place to ensure that any adverse inferences do not go beyond what is permitted under Article 6..

12. The fact that the burden of proof lies on the prosecution has been reinforced by the establishment by the European Court of the right not to contribute to incriminating oneself as inherent in the guarantee of the right to a fair trial in Article 6(1) of the European Convention.

13. The prohibition on self-incrimination applies to any compulsion to speak that is either physical or legal in the sense of that a failure to do so can lead to the imposition of some form of sanction. It applies to questioning at the investigation stage of proceedings, including through indirect means, the giving of testimony at a trial and also to testimony in non-criminal proceedings where the evidence obtained is subsequently used in criminal proceedings.

14. However, the prohibition on self-incrimination does not apply to minor interferences with physical integrity that are used to obtain material that exists independently of the will of a suspect, such as documents acquired pursuant to a warrant and the taking of breath, blood, DNA and urine samples.

15. On the other hand, the prohibition on self-incrimination will be considered to have been violated where the degree of compulsion used to obtain such material involved is sufficient to constitute a violation of the prohibition on ill-treatment in Article 3 of the European Convention.

16. As the responsibility for establishing an accused's guilt must lie on the prosecution, any evidential presumptions must be rebuttable and it should not be possible to draw any inferences from an accused's failure to cooperate unless the situation in which he or she is found clearly calls for an explanation. Moreover, the obtaining from a suspect of material existing independently of his or her will should not involve means contrary to Article 3 of the European Convention.
(*source: https://rm.coe.int/council-of-europe-georgia-european-court-of-human-rights-case-study-ev/16807823c3*)

Task 8:

- **Grasp the similarities and differences between Romanian and English constructions paying attention to English word order**.
- **Perform a sight translation from Romanian into English.**

Potrivit art. 99 al. (1) CPP „*În acțiunea penală* sarcina probei aparține în principal procurorului, iar *în acțiunea civilă*, părții civile ori, după caz, procurorului care exercită acțiunea civilă în cazul în care persoana vătămată este lipsită de capacitate de exercițiu sau are capacitate de exercițiu restrânsă." Acțiunea penală și acțiunea civilă au o sursă comună și anume încălcarea unei conduite (acțiune sau inacțiune) interzise sau impuse de legea penală, care constituie în același timp o infracțiune (care constituie singurul temei al răspunderii penale) și o faptă ilicită cauzatoare de prejudicii materiale sau morale (care constituie temei pentru angajarea răspunderii civile. Noțiunea de „sarcină a probei în procesul penal" desemnează obligația procesuală ce revine organelor judiciare de a căuta, identifica și releva toate elementele de fapt aflate în legătură cu obiectul probațiunii. În acțiunea penală, pentru îndeplinirea acestei obligații, legiuitorul l-a însărcinat pe procuror, ca reprezentant al statului, fiind unicul subiect activ al acțiunii penale. În cauzele în care acțiunea penală se pune în mișcare la plângerea prealabilă, sarcina probei incumbă, în subsidiar, și persoanei vătămate, care față de natura infracțiunii căreia i-a fost victimă, este cel mai bine plasată în aducerea de elemente probatorii relevante.

Deși sarcina probei în acțiunea penală este atribuită de legiuitor în

sarcina procurorului, trebuie menționat că și organele de cercetare penală au această obligație, însă sub conducerea și supravegherea procurorului competent. În latura civilă, sarcina probei revine părții civile și, în mod subsidiar, procurorului care exercită acțiunea civilă din oficiu, în cazul în care persoana vătămată este lipsită de capacitate de exercițiu sau are capacitate de exercițiu restrânsă. Organele judiciare au însă obligația de a aduce la cunoștința persoanei vătămate faptul că are dreptul de a se constitui parte civilă în procesul penal, până la începerea cercetării judecătorești. În principiu, acțiunea civilă fiind accesorie acțiunii penale, se soluționează în cadrul procesului penal, dacă prin aceasta nu se depășește durata rezonabilă a procesului. Disjungerea acțiunii civile (care este de competența exclusivă a instanței), nu înseamnă nici trimiterea cauzei către instanța civilă și nici lăsarea nesoluționată a acesteia.

Potrivit art. 99 al. (2) CPP „Suspectul sau inculpatul beneficiază de prezumția de nevinovăție, nefiind obligat să își dovedească nevinovăția, și are dreptul de a nu contribui la propria acuzare." Prezumția de nevinovăție reprezintă unul dintre principiile fundamentale ale procesului penal, instituit pentru protecția persoanelor acuzate de săvârșirea unor infracțiuni. Aceasta însoțește acuzatul până la pronunțarea unei soluții definitive în procesul penal. Orice persoană este considerată nevinovată până la stabilirea vinovăției sale printr-o hotărâre penală definitivă, de renunțare la aplicarea pedepsei, de amânare a aplicării pedepsei sau de condamnare. De asemenea, menținerea stării de arest preventiv nu este de natură să înfrângă prezumția de nevinovăție sau să transforme arestarea preventivă într-o pedeapsă anticipată aplicată inculpaților. Suspectul sau inculpatul nu este obligat să-și dovedească nevinovăția, putându-și exercita dreptul la tăcere. În același timp, poate proba lipsa de temeinicie a acuzațiilor prin formularea unor declarații, depunerea unor cereri de probatorii, ridicarea unor excepții sau punerea de concluzii. Potrivit art. 4 alin. 2 CPP „După administrarea întregului probatoriu, orice îndoială în formarea convingerii organelor judiciare se interpretează în favoarea suspectului sau inculpatului." Această dispoziție, consacră regula de drept „in dubio pro reo", potrivit căreia orice îndoială în formarea convingerii organelor judiciare cu privire la vinovăția suspectului sau inculpatului, profită acestuia. Consecința aplicării obligatorii a acestei reguli de către organele judiciare, este încetarea oricărei forme de urmărire față de

persoana acuzată și în definitiv, scoaterea acesteia de sub acuzare.

Înainte de a fi o problemă de drept, regula „in dubio pro reo" este o problemă de fapt. Aceasta este strâns legată de probatoriul administrat în cauză și poate fi aplicată numai după ce organele judiciare au depus diligențele necesare în vederea strângerii tuturor probelor referitoare la obiectul probațiunii. Numai în acest moment, aplicarea regulii produce efecte asupra stabilirii răspunderii penale a suspectului sau inculpatului, în caz contrar fiind înfrânt un alt principiu al desfășurării procesului penal și anume cel al aflării adevărului.

(https://www.juridice.ro/535174/probele-mijloacele-de-proba-si-procedeele-probatorii-in-procesul-penal.html)

Task 9. Translate the following collocations:

to pass information
to suffer a loss
to draft an agreement
to claim damages
to make a will
to be made redundant
to qualify as a lawyer
to act for a client
to sit as a judge,
to issue a claim
to draft a contract
to honour a contract
to breach a contract
to become liable for the monetary damages
to get into trouble with the law
to be granted bail
to rule in our favor
to give an unbiased verdict in the trial
to decide on a verdict
to agree on a verdict
mental and physical examinations
a form of monetary compensation
the plea bargain
probation and counseling
juvenile court
the correctional facility
documentary evidence
testimonial evidence
defendant's previous convictions
DNA samples and fingerprints
legally binding ruling
fair solution
to waive his attorney-client privilege
a breach of contract
to settle the case without going through court
to commit crimes
to prepare the evidence
to receive a sentence of three months in jail
to complete the relevant paperwork
to initiate lawsuits

Task 10. Put the words in the column on the right into the correct spaces. Simplify the sentences to the most relevant information maintaining SVO order:

London police shoot to kill

London police have shot and killed an _____ suspect in Thursday's attempted London bombings. The man was chased onto a crowded subway train by 20 _____, plainclothes police officers and disobeyed orders to stop, according to _____ passengers. He was bundled to the ground by three officers and shot in the head five times at point _____ range. Nigel Morton, an eyewitness, said: "It was pandemonium. It was like an _____, reminiscent of a Hollywood action movie." Police report they were in _____ of a man they believed had _____ strapped to his body. They have yet to confirm speculation about whether the man was one of the _____ suicide bombers.

armed
pursuit
blank
failed
apparent
explosives
petrified
execution

The killing is _____ for London, where ordinary police officers do not carry guns. Police have been _____ with revised "shoot to kill" _____ of engagement following the deadly bombings on July 7. Previously, police were under the _____ of regulations to aim for the chest when apprehending a suspect. However, a _____ state of alert and the hunt for the perpetrators of terror in London has _____ the advent of police being empowered with the option of aiming for the head. An unnamed source said: "To shoot in the chest area increases the _____ of detonating a bomb taped to the suspect's body." An independent _____ into the killing is now being conducted.

strictest
inquiry
issued
likelihood
heightened
unprecedented
hastened
rules

(source: https://breakingnewsenglish.com/0507/050723-shooting.html)

Task 11. Perform a simultaneous translation of the following text paying attention to the words in italics:

Stealing food is not a crime, says Italian court

An Italian court has ruled that food theft brought about by hunger is not illegal. Italy's *highest court of appeal*, the *Supreme Court of Cassation, threw out the conviction* of a homeless Ukrainian man, Roman Ostriakov, who *was sentenced to six months in jail* for stealing cheese and a sausage worth $4.50. Mr Ostriakov was also fined $115 by the *trial court.* His lawyers initially *appealed for a reduction in that fine* and were surprised when the whole *conviction was quashed*. The court said Mr Ostriakov taking the food, "*does not constitute a crime*" because he stole a small amount of food out of desperation. The *court of appeal ruled* that stealing small amounts of food to stave off hunger is not a *crime*. Many people hope Mr Ostriakov's case will highlight the extent of poverty and homelessness in Italy. They also believe *the ruling* may mean other hungry people who *are arrested for shoplifting* will not be convicted. *Criminal lawyer* Maurizio Bellacosa said the Ostriakov case, "is a new principle, and it might lead to a more frequent application of the state of necessity linked to poverty situations". *The court ruled in a statement* that: "People *should not be punished* if, forced by need, they steal small quantities of food in order to meet the basic requirement of feeding themselves." Italy's La Stampa newspaper said: "The *court's decision* reminds us all that in a civilised country, no one should be allowed to die of hunger.

(*source: https://breakingnewsenglish.com/1605/160507-food-theft.html)*

Task 12. Analyse the translation of the following information. Improve the translation if necessary.

Criminal Law

Criminal law concerns the system of legal rules that define what conduct is classified as a crime and how the government may prosecute individuals that commit crimes. Federal, state, and local governments all have penal codes that explain the specific crimes that they prohibit

and the punishments that criminals may face. Individuals who violate federal, state, and local laws may face fines, probation, or incarceration. Lawsuits against criminals are initiated by prosecuting attorneys who act on behalf of the government to enforce the law.

A crime is any act or omission of an act in violation of a law forbidding or commanding it. Most crimes are defined by statute, and they vary tremendously across different states and counties. The Model Penal Code (MPC) provides a good overview of the most common types of crimes, while the U.S. Code provides a list of all federal crimes. For a list of crimes in your state or local municipality, it is best to check your local penal code. While specific criminal acts may vary by jurisdiction, they can be broadly characterized as "felonies" and "misdemeanors." Felonies include more serious crimes, like murder or rape, and are usually punishable by imprisonment of a year or more. Misdemeanors are less serious offenses and are punishable by less than a year of imprisonment or fines.

Prosecution of Crimes

Unless a crime is a strict liability crime (meaning that no particular mental state is required), statutes typically break crimes down into two elements: an act (the "actus reus") and a mental state ("mens rea"), such as knowingly or recklessly. In order to be convicted of a crime, a prosecutor must show that the defendant has met both of these elements. For example, larceny is the taking of the property of another with the intent to deprive them of it permanently. Thus, the defendant must have committed the act of taking the property and have done so with the mental intention to take the property of another (as opposed to believing that the property belonged to him). It is not enough for a prosecutor to suggest that the defendant committed a crime. Rather, the prosecutor is required to prove each and every element of a crime "beyond a reasonable doubt" in order for a defendant to be convicted.

Police officers, prosecutors, and other government officials must also follow certain procedures in pursuing criminal activity. This is because all citizens have certain constitutional rights that the government must respect and protect. If these rights are not respected, it may prevent a prosecutor from obtaining a conviction in a case. The United States

Constitution sets forth these rights and the protections that are afforded to defendants. For instance, if a citizen is arrested for a suspected burglary, police officers may wish to question the individual in connection with the crime. However, the Fifth and Sixth Amendments of the Constitution protect citizens from unlawful questioning and interrogation by police officers. The police officers must provide before questioning can occur. Similarly, the Eighth Amendment of the Constitution protects criminal defendants from receiving punishment that is unusually cruel or excessive. Violation of any of these constitutional rights can lead to the exclusion of evidence from a criminal trial.

Dreptul penal

Dreptul penal se referă la sistemul de norme legale, care determină ce comportament se clasifică ca fiind o infracțiune și modul în care autoritățile pot urmări persoanele care au comis aceste infracțiuni. Organele locale, de stat și federale toate dețin coduri penale, care explică anumite infracțiuni pe care le interzic și pedepsele cărora pot fi supuși cei ce încalcă legea. Indivizii care încalcă legile la nivel local, de stat și federal, vor avea de a face cu amenzi, probațiune sau încarcerare. Procese împotriva infractorilor sunt introduse de către procurori, care sunt reprezentanți ai guvernului și au obligația să asigure respectarea legii. O infracțiune este orice acțiune sau inacțiune care încalcă o lege care o interzice sau o prescrie. Cele mai multe infracțiuni sunt definite prin lege și variază foarte mult de la stat la stat și județ la județ. Codul Penal Model (CPM) oferă o imagine de ansamblu asupra celor mai frecvente tipuri de infracțiuni, în timp ce Codul S.U.A. enumeră toate infracțiunile federale. Pentru o listă de infracțiuni din statul sau municipalitatea locală, cel mai bine este să verificați codul penal local. În timp ce actele penale specifice pot varia în funcție de jurisdicție, ele pot fi în general caracterizate ca "infracțiuni" și "contravenții". Infracțiunile penale includ infracțiuni mai grave, cum ar fi crima sau violul, și sunt de obicei pedepsite cu un an sau mai mult de privare de libertate. Contravențiile sunt infracțiuni mai puțin grave și se pedepsesc cu mai puțin de privare de libertate sau cu amendă.

Urmărirea penală a infracțiunilor

În cazul în care infracțiunea nu este o infracțiune de responsabilitate strictă (ceea ce înseamnă că nu este necesară o stare mentală anumită), legile împart de obicei infracțiunile în două elemente: o acțiune (“actus reus”) și o stare mentală (“mens rea”), de exemplu, cu bună știință sau din imprudență. Pentru ca acuzatul să fie găsit vinovat de o infracțiune, procurorul trebuie să demonstreze că inculpatul a îndeplinit ambele cerințe. De exemplu, furtul este luarea proprietății altcuiva cu intenția de a o priva în mod permanent.

Astfel, pârâtul ar fi comis acțiunea de luare a proprietății și a făcut acest lucru conștient și anume să ia proprietatea unei alte persoane (acțiune opusă celei de a lua o proprietate cu gândul că îți aparține). Nu este suficient ca procurorul doar să declare că pârâtul a comis o infracțiune, ci i se cere procurorului să demonstreze fiecare element al unei infracțiuni și să nu existe motive de dubiu, pentru ca pârâtul să fie găsit vinovat.

Ofițerii de poliție, procurorii și funcționarii guvernului trebuie, de asemenea, să respecte anumite proceduri în atunci când desfășoară activitatea sa. Din motiv că toți cetățenii au drepturi constituționale pe care guvernul trebuie să le protejeze și respecte. Dacă aceste drepturi sunt încălcate, s-ar putea să fie un impediment pentru procuror, în demonstrarea vinovăției inculpatului într-un anumit proces. Constituția Statelor Unite prevede aceste drepturi și protecții pentru cei acuzați. De exemplu, dacă un cetățean este arestat fiind acuzat de spargere, ofițerii de poliție ar putea să interogheze individul în legătură cu infracțiunea. Cu toate acestea, al cincilea și al șaselea amendament din Constituție protejează cetățenii de interogări ilegale și interogări de către ofițerii de poliție, aceștia trebuie să acorde informația dată înainte de a începe interogarea. La fel, amendamentul șapte din Constituție protejează inculpații în cazurile penale de pedepse care par a fi, de obicei, prea dure sau excesive. Încălcarea oricăror din aceste drepturi constituționale poate rezulta în excluderea dovezilor dintr-un proces penal.

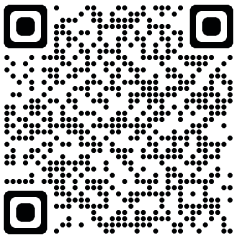
Task 13. Ask 5 questions in English on the text above for your colleagues.

Task 14. Anticipate what will happen next, using "snowball" technique.

O femeie a fost accidentată pe trecerea de pietoni.

Task 15.

- **Interpret the following audio/video material at sight.**
- **Record your interpretation and analyse it.**
- **Analyse the colleague's interpretation.**



***Teaching the Dangers of Distracted Driving, Before It's Too Late*/ https://www.youtube.com/watch?v=aW_e2Uz5AKY**

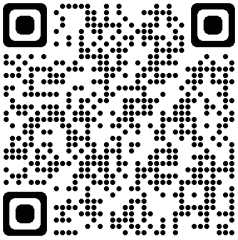
Task 16:

- **Identify the main ideas and the key words while listening.**
- **Interpret the following video material:**

Civil Law vs Criminal Law Explained
https://www.youtube.com/watch?v=BsTJnmhXNxQ

Task 17:

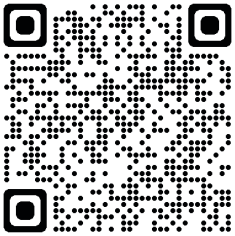
- **Identify the legal terms providing equivalents for them.**
- **Interpret the following audio/video material:**



What are the basic concepts of Criminal Law
https://www.youtube.com/watch?v=QWJQXsQn4cs

Task 18:

- **Identify the legal terms providing equivalents for them.**
- **Interpret the following audio/video material.**
- **Analyse the colleague's interpretation:**



Curs Penal Special - infracțiuni contra persoanei

https://www.youtube.com/watch?v=361huWjg_Uk, (min.16-30)

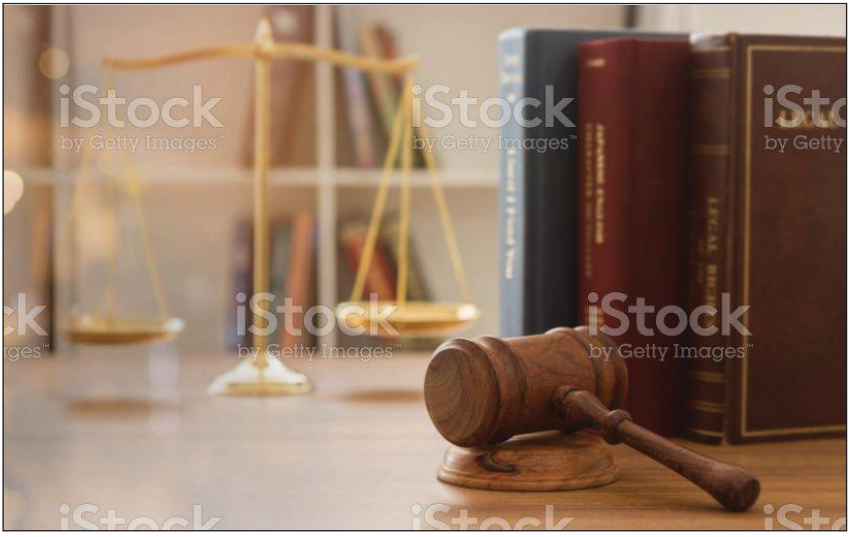
Task 19. Compile a bilingual glossary on the topic of Criminal Law which would include the terminological units encoutered in the texts above.

Romanian terminological unit	English terminological unit	Explanatory note

UNIT 5. CONSTITUTIONAL LAW

Learning Objectives:

- to identify the interpretation strategies;
- to determine the paraphrastic equivalents for the studied terms;
- to identify Romanian and foreign language equivalents for the studied terms and terminological units;
- to anticipate the message in various situations;
- to identify main and secondary ideas;
- to suggest reformulations for logical-semantic segments using appropriate methods;
- to identify translation difficulties;
- to use the legal terminology properly;
- to suggest suitable translation options;
- to simultaneously translate speeches in the field of constitutional law using the studied terminology correctly;
- to develop a terminological glossary.



(*image source: www.istockphoto.com***)**

Task 1. Give the English equivalents to the following terms and phrases:

- a reglementa forma de stat - a emite acte de conducere obligatorii - a împuternici Parlamentul - a îndeplini unele atribuţii de propunere - a neglija supremaţia constituţiei - a ratifica Pactele Internaţionale, - adoptarea de către parlament în prima lectură a proiectului de Constituţie - avizare şi control - bazele puterii - birourile permanente - comisiile parlamentare - Declaraţia Suveranităţii - Declaraţia Universală a Drepturilor Omului - dezideratele constituţionalismului modern, - dreptul constituţional în calitate de ramură de drept - forma de guvernământ - relaţii cu o dublă natură juridică - relaţii specifice de drept constituțional - structura de stat	- grupurile parlamentare - în conformitate cu cadrul legislativ - în procesul instaurării, menţinerii şi exercitării puterii de sta - legi ordinare - legi organice - libera dezvoltare a personalităţii umane - asigurarea drepturilor şi libertăţilor fundamentale principiul separaţiei puterilor în stat - materia dreptului constituțional - norme de drept constituțional - normele de drept constituțional - organele legiuitoare - organizarea administrativ-teritorială - organizarea şi funcţionarea parlamentului - prevederile constituţionale - ramuri de drept constituțional - raporturile de drept constituţionale - supremaţia Constituţiei - tendinţe de politizare

Task 2:

- **Work in pairs. Students A reads the following text at normal speed, while Student B shadows the text, paying attention to specialized vocabulary.**

➢ **Perform a sight translation from English into Romanian paying attention to to the words in italics.**

Woman wins $23 bn from tobacco company

A *court in the USA has ordered* the tobacco giant R.J. Reynolds *to pay a woman $23.6 billion in damages.* Cynthia Robinson *filed a lawsuit against R.J. Reynolds* in 2008 and *fought for six years for compensation.* Her husband Michael died of lung cancer in 1996 after two decades of smoking. He started smoking when he was 13 and died when he was 36. Mrs Robinson argued that the company was negligent in not informing her husband that nicotine is addictive and that smoking can lead to lung cancer. She said tobacco companies knew in the 1950s that smoking was potentially lethal and should have been more active in telling people. Johnson's lawyer said: "He couldn't quit. He was smoking the day he died." A lawyer for R.J. Reynolds, America's second-largest tobacco company, said *the compensation was disproportionate.* He said: "*The damages awarded in this case are grossly excessive and impermissible under state and constitutional law*." He added: "This *verdict goes far beyond the realm of reasonableness and fairness* and *is completely inconsistent with the evidence presented."* Mrs Robinson's lawyer Chris Chestnut said *jurors looked at R.J. Reynolds' aggressive marketing,* particularly campaigns aimed at young people. He said: "[R.J. Reynolds] lied to Congress, they lied to the public, they lied to smokers and tried to blame the smoker." He added that *the jury's decision was "courageous".*
(*source: https://breakingnewsenglish.com/1407/140722-tobacco-company-400_4.htm*)

Task 3. Perform a simultaneous translation of the following text paying attention to the words in italics: UK Constitutional Law

The UK is often said to have an 'unwritten' constitution. This is not strictly correct. It is largely written, but in different documents. But it has never been codified, brought together in a single document. In this respect, the UK is different from most other countries, which have codified constitutions. But not all: New Zealand and Israel also lack a codified constitution. Codified constitutions are typically produced following a major historic turning point, such as the grant of independence,

revolution, defeat in war, or complete collapse of the previous system of government. None of these things have happened to the UK, which is why it has never had cause to codify its constitution. (Our one revolution, in the 17th century, did briefly produce a written constitution: *Cromwell's Instrument of Government*).

This is the reason why the UK has not felt the need to codify its constitution. But the UK does have a constitution, to be found in leading statutes, conventions, judicial decisions, and treaties. Examples of constitutional statutes include the *Bill of Rights* 1689, *Acts of Union* 1707 and 1800, *Act of Settlement* 1701, *Parliament Acts* 1911 and 1949, *Human Rights Act* 1998, *Scotland Act, Northern Ireland Act and Government of Wales Act* 1998. Examples of conventions include that the monarch acts on ministerial advice; that the Prime Minister sits in the *House of Commons*; that the Queen appoints as Prime Minister the person most likely to command the confidence of the *House of Commons.* These and other conventions have themselves been codified in documents such as the *Cabinet Manual.*

Parliamentary sovereignty is commonly regarded as the defining principle of the British Constitution. This is the ultimate law-making power vested in the UK parliament to create or abolish any law. But parliament can limit its law making power, as in the Human Rights Act; or devolve legislative power, as in the *Scotland Act.* Other core principles of the British Constitution include the rule of law, the separation of government into executive, legislative, and judicial branches, the accountability of ministers to parliament, and the independence of the judiciary. The main disadvantage of an uncodified constitution is that it is harder to understand. Another is that it is easier to amend than in countries with written constitutions with elaborate amendment procedures. But this flexibility can also be seen as an advantage: it has enabled the removal of hereditary peers from the *House of Lords,* introduction of the *Human Rights Act*, devolution to Scotland, Wales, and Northern Ireland, and creation of the Supreme Court.

The UK constitution has multiple guardians. These include the Supreme Court, in its constitutional judgements (such as Miller/Cherry in 2019); the *House of Lords Constitution* Committee, and the *Commons Public Administration* and *Constitutional Affairs Committee*; the *Lord*

Chancellor; and specific constitutional watchdogs, such as the *Judicial Appointments Commission,* or the *Electoral Commission.* Since the vote to leave the EU, some have suggested that the UK faces a 'constitutional moment' which might lead to a codified constitution. But the difficulties of agreeing a written constitution should not be underestimated, and the democratic benefits of a written constitution should not be exaggerated. *(source: https://www.ucl.ac.uk/constitution-unit/explainers/what-uk-constitution*)

Task 4:

- **Identify the theme, main idea and 7-10 key words while listening.**
- **Interpret the following audio/video material.**
- **Record your interpretation and analyse it.**

Can a US President Be Charged With a Crime?

https://learningenglish.voanews.com/a/can-a-us-president-be-charged-with-a-crime/3975646.html

Task 5:

- **Work in pairs. Student A reads the following text at a normal speed, while student B shadows the text.**
- **Identify the main ideas of the text by making short notes.**
- **Student A reproduces the main ideas of the text based on his/her notes, while student B provides whispered interpretation of the speech.**

Georgia Is First Former Soviet Republic to Legalize Marijuana Use

Georgia has become the first former member of the Soviet Union **to legalize use of marijuana**. Yet Georgians are still barred from growing, storing or selling the drug. **Georgia's constitutional court** ruled on marijuana late last month. The court said in a statement that **marijuana use** is an act "guaranteed by the right of free self-development. "The statement added that there are still some situations in which using the drug would be illegal. These are situations where marijuana presents

"**a threat to third persons**," the court said. This would include use in schools, some public spaces and public transportation, as well as when children are present.

The ruling resulted from a case brought by activists of Georgia's Girchi party. One of those activists is Zurab Japaridze, a **former lawmaker**. Georgians remember seeing images of him planting marijuana seeds in a televised broadcast of a New Year's Eve event in 2016.

The Girchi party had long campaigned for **the legalization of marijuana**. Japaridze called the **court's ruling** a "big victory" that was years in the making. "This wasn't a fight for **cannabis**. This was a fight for freedom," he told reporters.

In November 2017, the **Constitutional Court decriminalized** the use of marijuana and other forms of **cannabis-based drugs**. But it kept in place a **non-jail punishment for marijuana use**, a $200 fine.

Rights activists say the Georgian government has used drug enforcement policies to justify extreme policing methods at popular **nightspots**. In May, thousands of people demonstrated for several days in the capital, Tbilisi, to protest such police activities.

Leaders of Georgia's Orthodox Church strongly condemned the court's marijuana ruling as a "**traitorous** decision." "The four judges are making disastrous decisions, ignoring the will of 4 million people," said Archbishop Andria. The church official called for the removal of the judges who decided the case. But other Georgians who would like an easing of drug policies felt the ruling went too far. The head of a health care committee in parliament told reporters he thinks the use of marijuana should only be legalized for medical purposes.

"Our aim was not to make marijuana **accessible** for everyone, but to reduce the number of **drug addicts**."

Task 6. Identify the legal terms providing equivalents for them. Perform a sight translation of the following texts: ***Noţiunea de drept constituţional ca ramură de drept***

Dreptul este ansamblul regulilor asigurate şi garantate de către stat, care au ca scop organizarea şi disciplinarea comportamentului uman în principalele relaţii din societate, într-un climat specific manifestării coexistenţei libertăţilor, apărării drepturilor esenţiale ale omului

şi justiţiei sociale. Dreptul fiecărui stat se prezintă ca un ansamblu sistematizat de norme juridice cuprinzând mai multe ramuri de drept: drept constituţional, drept administrativ, drept civil, drept penal, etc. Ramura principală a dreptului este dreptul constituţional care, prin normele sale, consacră şi ocroteşte cele mai importante valori sociale, economice, politice, culturale.

Dreptul Constituţional este ramura fundamentală a dreptului constituită dintr-un ansamblu unitar de norme juridice cuprinse prioritar în Constituţie prin care se reglementează relaţii sociale fundamentale ce apar în procesul instaurării, menţinerii şi exercitării puterii de stat. Astfel normele juridice ale dreptului constituţional reglementează forma de stat, forma de guvernământ, organizarea şi funcţionarea parlamentului, modul de organizare a societăţii în stat, relaţiile sociale fundamentale, drepturile şi îndatoririle fundamentale ale omului şi cetăţeanului. Conform opiniei multor savanţi în domeniu, există trei tipuri de definiţii ale dreptului constituţional ca ramură de drept: a) materială şi istorică, b)formală, c) pedagogică.

Definiţia materială şi istorică. Se consideră că aceasta cuprinde articolul 16 din Declaraţia drepturilor omului şi cetăţeanului, din 26 august 1789: „Orice societate în care garanţia drepturilor nu este asigurată, nici separaţia puterilor determinată, nu are Constituţie". Definiţia dată este considerată incompletă deoarece: nu defineşte totalmente dreptul constituţional care are ca obiect cu mult mai multe norme decât garantarea drepturilor şi separaţia puterilor; precizează doar ce ar trebui să includă o Constituţie; pune accent doar pe conţinutul reglementării, făcând abstracţie de forma acestea; folosind exclusiv definiţia dată am putea considera unele acte normative ale puterii executive ca fiind legi numai de aceea că materia reglementată este din domeniul legii (se neglijează supremaţia constituţiei).Definiţia formală a dreptului constituţional are elementul decisiv supremaţia normelor juridice constituţionale, dreptul constituţional fiind alcătuit din norme a căror supremaţie se impune faţă de toate celelalte, inclusiv faţă de legislator. Normele constituţionale au o forţă supremă faţă de celelalte norme juridice datorită obiectului lor de reglementare şi procedurii specifice de adoptare. Definiţia este considerată incompletă deoarece: face abstracţie de conţinutul reglementării; o normă poate

fi considerată constituţională pentru că ea a fost adoptată potrivit unei proceduri specifice, ceea ce nu este întotdeauna aşa;

Definiţia pedagocică desemnează dreptul constituţional drept instrument prin intermediul căruia se asigură coexistenţa paşnică a puterii şi libertăţii în cadrul unui stat-naţiune. Este utilizată mai mult în cadrul ştiinţei dreptului constitutional. Astfel, dreptul constituţional este acea ramură a dreptului unitar formată din normele juridice care reglementează relaţiile sociale fundamentale ce apar în procesul instaurării, menţinerii şi exercitării puterii de stat. Dreptului constituţional are un triplu obiect, respectiv trei mari componente ce constituie un ansamblu unitar:

1. *Drept constituţional instituţional*: are ca obiect tradiţional instituţiile politice şi bazele instituţiilor administrative şi jurisdicţionale.

2. *Drept constituţional normativ sau fundamental*: are ca obiect sistemul surselor dreptului sau sistemul normativ. 3. *Drept constituţional substanţial sau raţional*: are ca obiect drepturile şi libertăţile fundamentale ale omului.

Raporturile de drept constituţional reprezintă o grupă de raporturi sociale stabilite în procesul instaurării, menţinerii şi exercitării puterii de stat, ele sunt reglementate de normele dreptului constituţional. Există opinie conform căreia constituţia ar cuprinde în afara normelor de drept constituţional şi norme de drept civil, drept administrativ etc. Astfel normele din constituţie referitoare la proprietate sunt norme de drept civil deoarece relaţiile reglementate sunt specifice ramurii de drept indicate. Totuşi, majoritatea specialiştilor susţin că toate normele cuprinse în constituţie sunt norme de drept constituţional. Astfel normele constituţionale care privesc sistemul economic, relaţiile de proprietate, sistemul social consfinţesc esenţa şi bazele statului (economica, sociale, etc.). Dreptul constituţional are rolul conducător faţă de celelalte ramuri, stabilind principiile generale care le stau la bază deoarece constituţia ca legea fundamentală reglementează şi alte relaţii care sunt specifice altor ramuri de drept. Astfel, ajungem la concluzie că în obiectul dreptului constituţional sunt cuprinse două categorii de relaţii: *Relaţii cu o dublă natură juridică*: raporturile care fiind reglementate şi de alte ramuri ale dreptului sunt reglementate în acelaşi timp de către constituţie, devenind astfel şi raport de drept constituţional. *Relaţii specifice de drept constituţional:* formează obiectul de reglementare doar pentru

normele de drept constituţional. Toate aceste relaţii se nasc în procesul de instaurare, menţinere şi exercitare a puterii de stat. Obiectul dreptului constituţional îl formează raporturile (relaţiile) sociale care se nasc în procesul de instaurare, menţinere şi exercitare a puterii de stat şi care privesc bazele puterii şi bazele organizării puterii. *Bazele puterii* sunt elemente exterioare statului care generează şi determină puterea de stat în conţinutul său. Aceste baze sunt: factorii economici şi factorii sociali. *Bazele organizării puterii* sunt la fel elementele exterioare statului care condiţionează organizarea puterii de stat. Aceste baze sunt: teritoriul şi populaţia. Dreptul constituţional reglementează relaţiile privind: cât priveşte teritoriul: structura de stat, organizarea administrativ-teritorială etc.; cât priveşte populaţia: cetăţenia, drepturile şi îndatoririle fundamentale etc. Raporturile juridice ale dreptului constituţional constituie obiectul dreptului constituţional ca ramură de drept.
(*source: https://criminology.md/wp-content/uploads/2020/06/ispca_note_curs_d_a12.pdf)*

Task 7. Identify the legal terms providing equivalents for them. Interpret the text simultaneously: Particularităţile normei de drept constituţional

Norme de drept constituţional sunt normele care reglementează conduita oamenilor în relaţiile sociale fundamentale ce apar în procesul instaurării, menţinerii şi exercitării puterii de stat. Aceste norme sunt cuprinse atât în constituţie cât şi în alte acte normative care sunt izvoare de drept constituţional. Normele constituţionale, pe lângă unele prevederi care reglementează nemijlocit unele relaţii sociale, au şi prevederi care conţin formularea unor principii, consfinţesc bazele puterii, definesc unele instituţii.

Unele norme juridice, în care se cuprind şi normele constituţionale, cum ar fi normele-principii, normele care stabilesc direcţii economice, normele referitoare la organizarea unei autorităţi, nu sunt alcătuite după schema: ipoteza, dispoziţia, sancţiunea. Majorităţii normelor constituţionale nu conţin nici o prevedere concretă care ar stabili sancţiunea în cazul nerespectării ei. Astfel, pentru mai multe dispoziţii este prevăzută o singură sancţiune. Sancţiunile în drept constituţional sunt specifice: precum revocarea mandatului parlamentar, revocarea unui organ de stat, declararea

ca neconstituţional a unui act normativ etc. Pentru reglementările de principiu de largă generalitate cuprinse în constituţie, unele sancţiuni se regăsesc în alte ramuri de drept (ex.: drept civil, drept penal, etc.).

Normele de drept constituţional se clasifică în norme de aplicaţie mijlocită şi norme de aplicaţie directă. *Norme de aplicaţie mijlocită (indirectă)*:norme care dau reglementări de principiu. Pentru a fi puse în aplicare în cazuri concrete, sunt urmate de reglementări suplimentare prin alte ramuri de drept. Ex.: norma cuprinsă în constituţie care prevede că statul ocroteşte căsătoria şi familia şi apără interesele mamei şi copilului este urmată de reglementări date de codul familiei. *Norme de aplicaţie nemijlocită(directă)*: normele care reglementează direct relaţiile sociale şi nu au nevoie de a fi precizate printr-o lege organică sau ordinară. Ex.: norma cuprinsă în constituţie privind egalitatea în drepturi a cetăţenilor. (*source: https://criminology.md/wp content/uploads/2020/06/ispca_note_curs_d_a12.pdf)*

Task 8:

- **Interpret the following audio/video material.**
- **Record your interpretation and analyse it.**
- **Analyse your colleague's interpretation.**

Izvoarele dreptului constituţional ca ramură de drept

Termenul de „**izvoarele dreptului**" are două sensuri: material şi formal. **Izvoarele materiale** (denumite şi izvoare reale) sunt un sistem de factori sociali, politici, ideologici, materiali etc., care determină **acţiunea legiuitorului** sau dau naştere unor **reguli izvorâte** din necesităţile practice de reglementare prin norme juridice a unor relaţii sociale. **Izvoarele formale** ale dreptului presupune forma de adoptare sau sancţionare a **normelor juridice**, modul de exprimare a normelor (forma acesteia).

După opinia profesorului I.Muraru, pe care o susţin majoritatea savanţilor, pentru a identifica izvoarele de drept constituţional trebuie să apelăm la două criterii: **autoritatea publică emitentă** şi conţinutul actului normativ. **Izvoarele** formale ale **dreptului constituţional** *sunt* numai actele normative adoptate de autorităţile publice reprezentative. Acest acte normative trebuie să conţină **norme juridice** care să

reglementeze relaţii sociale fundamentale ce apar în procesul instaurării, menţinerii şi exercitării puterii de stat. Izvoarele formale ale dreptului constituţional sunt: constituţia şi legile de modificare a constituţiei, **legea ca act juridic** al Parlamentului, tratatele **internaţionale ratificate.** Luând în consideraţie faptul că izvoarele formale ale dreptului constituţional diferă de la un sistem la altul, vom analiza principalele izvoare de drept constituţional general recunoscute în toate sistemele de drept.

Constituţia consfinţeşte şi reglementează bazele regimului social şi de stat, stabileşte principiile formării şi activităţii organelor de stat, **proclamă drepturile**, libertăţile şi obligaţiile omului şi cetăţeanului. ***Legile constituţionale*** ocupă primul loc în ierarhia legilor atât prin conţinutul lor, cât şi datorită procedurii speciale de adoptare ale acestora. Legile constituţionale sunt legi care introduc texte noi în constituţie, **abrogă** anumite texte constituţionale sau le **modifică pe cele existente**. ***Legile organice*** ocupă locul secund în ierarhia legilor. Pot interveni numai în domeniile prevăzute expres de constituţie sau domenii pentru care Parlamentul consideră necesară adoptarea acestei legi organice. ***Legile ordinare*** intervin în orice domenii ale relaţiilor sociale, cu excepţia celor rezervate legilor constituţionale şi organice.

Acte normative ale şefului de stat (monarhului, preşedintelui etc.) cu caracter de drept constituţional (ordonanţe, decrete, hotărâri). *Acte normative ale organelor de control* constituţional. Deciziile autorităţilor competente (**Curtea Constituţională, Consiliul constituţional** etc.) cu privire la **constituţionalitatea legilor** şi a altor acte normative cu privire la competenţa organelor de stat. ***Regulamentele (statutele) Parlamentelor.*** Este izvor de drept constituţional deoarece determină organizarea internă a acestora.

Precedentul judiciar (jurisprudenţa) este decizia Curţii pe o cauză concretă, devenită obligatorie la examinarea unor cauze analoge ulterioare**.** În sistemul de **drept common law**, **jurisprudenţa** este considerată principalul izvor de drept. În ţara noastră, în general, practica judiciară nu este considerată ca un izvor de drept.

Cutuma. Cutuma juridică reprezintă normele formate în practica exercitării puterii de stat, având rolul de precedent, dar care nu au fost consfinţite legislativ sau judiciar. Rolul normei juridice în dreptul constituţional nu este semnificativ (cu excepţia Marii Britanii, parţial a Noii Zelande, Suediei, Israelului). De obicei, asemenea norme au o

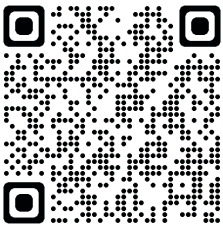
semnificaţie organizatorică care pot avea şi un anumit rol politic. În ţara noastră, cutuma ca izvor de drept are o sferă de aplicare restrânsă.

Codul regulilor religioase este sursa specifică a dreptului, inclusiv constituţional. În ţările din sistemul islamic de drept, normele de drept constituţional sunt cuprinse în Coran, Kiias, etc.

Contractele (tratatele) internaţionale. Pentru ca un tratat internaţional să fie izvor al dreptului constituţional, el trebuie să fie de o aplicaţie directă, să fie ratificat conform **dispoziţiilor (constituţionale** şi să cuprindă reglementări ale relaţiilor specifice dreptului constituţional. (*sursa: https://criminology.md/wp-content/uploads/2020/06/ispca_note_curs_d_a12.pdf)*

Task 9:

- **Interpret the following audio/video material at sight.**
- **Record your interpretation and analyse it.**

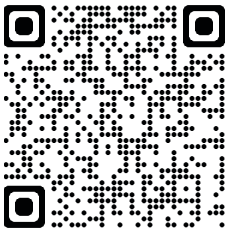


Why Constitutional Law Matters

https://www.youtube.com/watch?v=RI6-G7J2WVw

Task 10:

- Interpret the following video material.
- Record your interpretation and analyse it.
- Analyse your colleague's interpretation**.**



Justiţia sub lupă - Dreptul Constituţional, **https://www.youtube.com/watch?v=JBye62fSHmo&t=211s**

Task 11:

- **Identify the legal terms providing equivalents for them.**
- **Interpret the following audio/video material.**

Redobândire cetățenie română - Falsuri în dosar

https://www.youtube.com/watch?v=8xEBRtzmqpU

Task 12:

- **Create a PPT presentation on *Constitutional Law in the Republic of Moldova* for simultaneous interpretation.**
- **Identify the translation difficulties.**

Task 13. Compile a bilingual glossary on the topic of *Constitutional Law* which would entail the terminological units encountered in the texts above.

Romanian terminological unit	English terminological unit	Explanatory note

UNIT 6. CONFERENCE INTERPRETING

Learning objectives:

- to identify the stages of preparing for a conference interpretation;
- to develop the interpreter's professional portfolio;
- to develop thematic glossaries and terminological sheets on domains necessary to carry out a simultaneous translation;
- to identify stressful situations and ways to overcome them;
- to enumerate the interpreter's rights and obligations;
- to use the appropriate means (terminological dictionaries, explanatory dictionaries, specialized sites)
- to use the legal terminology correctly;
- to prepare speeches on the given topic;
- to use the translation equipment;
- to translate speeches simultaneously;
- to adopt the necessary behavior and attitude depending on the situation and the environment;
- to evaluate the colleague's simultaneous interpretation.

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Task 1:

- **Read the following definitions of conference interpreting and fill in the gaps with the terms/words in brackets. (*conference interpreters, conveying, setting, multilingual, real time*)**
- **Discuss your ideas in groups**.

The International Association of Conference Interpreters (AIIC) defines interpreting as the practice of _____the meaning of a speaker's message orally and in another language to listeners who would not otherwise understand. Conference interpreting is carried out at _____ meetings between for example representatives of national governments, international organisations or non-governmental organisations, to name but a few.()

Conference interpreting is translation in _____from one language to another. It is called conference interpreting because it is generally done within the formal setting of a meeting, although not always. (source: https://www.lourdesderioja.com)

Conference interpretation is the act of conveying a message, which has originally been spoken in one language, in one or more other languages, through a team of_____. It is used at meetings large and small: international summits, scientific congresses, medical and technical conferences, annual general meetings, corporate events, and financial press conferences, among others.
(*source:https://www.calliope-interpreters.org/interpretation-services/conference-interpretation*)

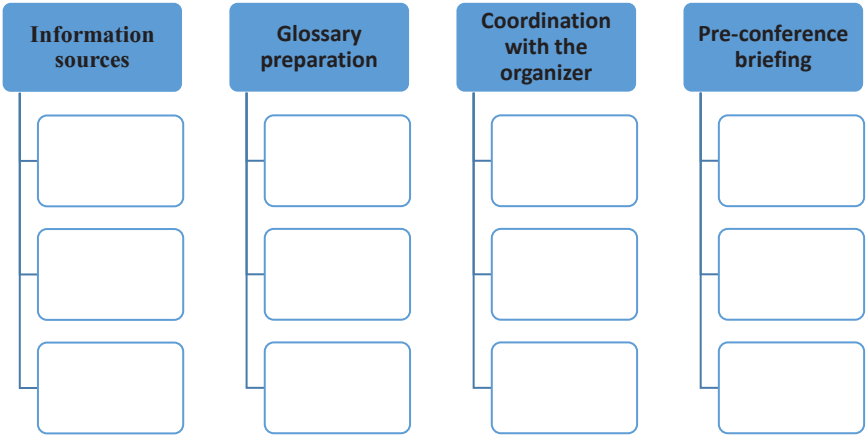
Task 2. Diligent preparation for conference interpretation is considered as one of the most important element for quality assurance of interpreting.

- **Work in pairs. Complete the diagram bellow with the stages and sources of information used in the process of preparation for conference interpreting.**
- **Use the following ideas, as well as yours**:

- prepare your own multilingual glossary for the meeting
- make sure that you know how to pronounce names and other proper nouns

- make sure that you know the names of all the relevant countries in all your working languages
- make sure that you have a logical system for sorting terms (e.g. by subject, organisation, committee, etc.
- ensure that technical and other arrangements are in place
- ask the experts informed questions
- take the opportunity to remind speakers of the need to provide to the interpreters a copy of any text hat is to be read out during the conference
- conference documents: program or agenda; background papers on the subjects and organisations involved; documents to be discussed, multilingual glossaries of the relevant terminology; summaries or minutes of previous meetings; list of speakers and delegates; speakers' bios
- encyclopedias, basic textbooks for beginners, pre-existing topical glossaries in the relevant languages.

Stages and sources of information in the process of preparation for interpreting



Task 3:

- **Read the following material in which a professional conference interpreter, working for the European Parliament, presents her ideas and experience regarding the importance of preparation before conference interpreting.**
- **Make notes referring to the main aspects she mentions. Discuss as a class.**

Preparation is an essential part of the job of conference interpreter. This cannot be repeated enough. At the same time, the concept of "meeting preparation" is all too easily simplified to: I will make a long list of words as a glossary, or: I will read all the documents they send me in advance. Which is of course fundamental – but meeting preparation is *not just about that*. By all means, always, always prepare the documents, the vocabulary. The more thoroughly you do this, especially when you're starting off in the profession, the better you will get at it over time. In fact, thorough preparation for one specific meeting can double up as preparation for many more. For my very first interpreting contract I literally spent a whole working week preparing. It was just a one-day meeting of one specific trade union, but apart from the documents available, I read up as much as I could on things like collective agreement traditions around Europe; I also made a long glossary, a very general one (well beyond the official documents), that I then used for years in many other trade union meetings, and kept updating. So meeting documents is often where you'll start, but they're also not enough. Conversely, not receiving a full set of documents is no excuse not to prepare: it is arguably even more important then, since you know a lot less about *what to expect*. If all you have is an agenda, try googling each point, find out about the people and organisations involved. Cut and paste in different ways, combine different keywords, Boolean symbols, just google anything and everything, even if you initially feel lost: the chances are that one thing will lead you to another and you will hit on something close to what will come up, and you'll be boosting your searching skills at the same time. If all you have is a title, the same applies. You must be selective: although there is far too much information online and much will be irrelevant, that's no excuse not to try. Through trial and error and practice, it will get easier over time, and increasingly useful. Quickly and accurately hitting

on what is relevant is a key skill to develop as an interpreter! This applies not just before a meeting, but also once it has started, such as to cover new points or to help out a colleague, and there speed is the key. In the Uyghur example I describe in the video, we managed to save the day as a team by quickly launching a very specific search based on what we had phonetically heard combined with keywords from the context it had come up in: and lo and behold, the second or third result gave us the answer.

At the same time, nobody knows what will come up when, so you shouldn't disregard the seemingly irrelevant either: maybe that interesting issue that you found out a month ago and that turned out not to come up then will be unexpectedly useful in your meeting today. Preparation in its widest sense is based on general knowledge, acquired even years before you even set foot in a booth, that further and further expands over time. I remember a meeting where the name "Dreyfus" was mentioned so totally out of context that it would have been easy to miss (and probably needed three sentences as a translation, as it carried so, so much more meaning than a mere surname). And even the totally random and apparently useless facts and information that so many of us interpreters take great pleasure in can, and do, come in handy in the most unexpected contexts. This knowledge can be explicit or implicit, or even simply stuff that catches your attention but that is not knowledge in the strict sense of the word. We cover so many different subjects without being experts at anything, and that's fine: it is all useful for the job. As in the Somalia/Somaliland example: all these little things we know or kind of know can and do help us identify *what to look out for* while listening (or indeed while preparing), which is essential for understanding the speakers.

Understanding how different types of meetings "work" is also acquired over time, through experience and attention; asking experienced colleagues is a perfect place to start. Being familiar with meeting dynamics and procedure in general will not just give you pointers as to how to select the relative importance you give to each document in your dossier or to each issue on the agenda: more importantly, it can also mean the difference between understanding what the speaker is trying to get at or rather feeling a bit lost even if there are no difficult words anywhere. Yes, this can and does happen and can be very confusing, but it's simply proof

that words are not (or not all) what interpreting is about: there's a whole communication setting that you need to *get* if you are to mediate well amongst participants, and proper preparation helps – including following the meeting attentively, of course. If you've prepared and followed well, you might find yourself *understanding the point* even when you don't actually know all the words!

The more you know what to expect before you step into the booth, the better job you will do. Every morning I start my day with a newsletter on European current affairs, which means I keep up with things that can and do come up at any time (you never know what will be useful when, etc), and also that I find out what's happening that day – I remember a meeting once started with the off-the-agenda topic of "the Danish referendum today" and how I was so, so relieved that I had read a paragraph about it over coffee! Football results are also a classic example of initial small talk, and something all interpreters should follow. In the video I also describe how I've been reading a quality weekly for almost twenty years. It is very much meeting preparation: not just because important current events will most certainly come up the following week, but also because over time, this builds up general knowledge and the understanding of *the issues at stake and the logic behind them* – as in the financial section and economic committee example. But at the same time, it's not just work: I read about these things because it's what I've always done, I enjoy it, I just pick the articles that catch my eye. Indeed, discovering the profession of conference interpreting was a stroke of luck for me: I not just fell in love with the activity itself, I even finally found a purpose for all the random knowledge that I had been gathering for years, for all those books and literature and science and art, for the travelling and the languages…

And that's what it's all about, to me. An insatiable curiosity, loving to be an interpreter, aiming to excel at the job… Interpreting is just so much fun, preparing for meetings and learning random stuff is just so much fun, and when they both come together you're much more likely to get that fuzzy feeling that you're doing a good job. Enjoy!

Isabel PAYNO JIMÉNEZ-UGARTE is a conference interpreter in the Spanish booth at the European Parliament (*source: https://www.lourdesderioja.com/2021/04/11/meeting-preparation-in-conference-interpreting*)

Task 4:

- **Read the topic and the details referring the speech made by Ursula von der Leyen, President of the European Commission, in the framework of the European Parliament plenary session.**
- **Suggest the information sources you should use in order to get ready for interpreting.**

Speaker: Ursula von der Leyen, President of the European Commission

Topic: State of the Union Address - A Europe United in Responsibility

Domains: Institutional Affairs, Politics

Terminology: IPCC (Intergovernmental Panel on Climate Change) report, New European Bauhaus, price on pollution, fair green transition, Social Climate Fund, energy poverty, COP26, President Xi, hyper-competitiveness, Afghan Support Package, Jens Stoltenberg, EU-NATO Joint Declaration, hybrid attacks, arms race, European Defence Union, battlegroups, EU entry forces, Joint Situational Awareness Centre, interoperability, European Cyber Defence Policy, European Cyber Resilience Act, Strategic Compass, Trade and Technology Council, Eastern Partnership, Agenda for the Mediterranean, EU - Indo-Pacific strategy.

Task 5:

- **Work in pairs. Using the resources you have prepared, perform the simultaneous interpretation of the speech you find accessing the following link: https://webgate.ec.europa.eu/sr/group/31082**
- **While student A is interpreting, student B should be supportive by tacking notes related to proper names, numbers or some complex terms.**
- **Change the roles.**
- **Discuss the difficulties and challenges you have encountered during interpreting**.

Task 6:

- **Read the topic and the details referring the speech made by former president of Romania, Traian Băsescu at EU Council.**
- **Suggest the information sources you should use in order to get ready for interpreting.**

Speaker: former president of Romania, Train Băsescu
Topic: Economic crisis
Domains: General
Terminology: pactul de stabilitate si creştere, mecanism permanent de gestionare a crizelor, mecanism de prevenţie, sancţiuni preventive, suspendarea dreptului de vot, task force, atenţionare, standarde fiscale

Task 7. **Work in pairs. Using the resources you have prepared, perform the simultaneous interpretation of the speech you find accessing the following link: https://webgate.ec.europa.eu/sr/speech/concluziile-consiliului-octombrie-2010**

- **While student A is interpreting, student B should be supportive by tacking notes related to proper names, numbers or some complex terms.**
- **Change the roles.**
- **Discuss the difficulties and challenges you have encountered during interpreting**

Task 8. Simulate a conference interpretation on the following topic.

1. **Domestic violence: reasons and solutions.**
2. **Penitentiaries in the Republic of Moldova and abroad.**

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INTERNET RESOURCES

1. https://e-justice.europa.eu
2. https://webgate.ec.europa.eu/sr/
3. http://www.breakingnewsenglish.com
4. http://www.voanews.com.
5.https://www.academia.edu/6457848/Anticipation_in_
simultaneous_interpreting
6. https://www.ohchr.org/en/ohchr_
7. https://translatorthoughts.com
8. http://www.criminology.md

ANNEXE NO.1

COUNTRIES OF THE WORLD

Countries	Țări/Страны
Afghanistan [æf'gænistæn] –	Afganistan/Афганистан
Albania [æl'beiniə]	Albania/Албания
Algeria [æl'ji:riə]	Algeria /Алжир
Andorra [æn'do:rə]	Andorra/Андорра
Angola [æŋ'goulə]	Angola/Ангола
Argentina [,a:rjən'ti:nə]	Argentina /Аргентина
Azerbaijan [,a:zərbai'ja:n]	Azerbaidjan/Азербайджан
Bahamas [bə'ha:məz]	Bahamas/ Багамы
Bahrain [ba:'rein]	Bahrain/ Бахрейн
Bangladesh [,bæŋglə'desh]	Bangladesh/Бангладеш
Belarus, Byelarus [,bela:'rus]	Bielorusia/Беларусь
Belgium ['beljəm]	Belgia/Бельгия
Benin [be'ni:n]	Benin /Бенин
Bhutan [bu:'ta:n]	Butan/Бутан
Bolivia [bə'liviə]	Bolivia/Боливия
Bosnia and Herzegovina ['bozniə ənd ,hertsəgou'vi:nə]	Bosnia si Hertegovina / Босния и Герцеговина
Botswana [bot'swa:na:]	Botswana/Ботсвана
Brazil [brə'zil]	Brazilia/Бразилия
Brunei [bru:'nei], [bru'nai]	Brunei/Бруней
Bulgaria [bʌl'geəriə], [bul'geəriə]	Bulgaria/Болгария
Burkina Faso [bər'ki:nə 'fa:sou]	Burkina Faso/Буркина-Фасо
Burundi [bu'ru:ndi]	Burundi/ Бурунди
Cambodia [kæm'boudiə]	Cambodgia /Камбоджа
Cameroon [,kæmə'ru:n]	Camerun/ Камерун
Canada ['kænədə]	Canada /Канада
Cape Verde ['keip 'vərd]	Capul Verde /Кабо-Верде
Central African Republic	Центральноафриканская Республика/Republica Centrală Africană

Chad [chæd	Ciad/Чад
Chile [‘chili]	Chilie, Чили
China [‘chainə]	China/ Китай
Colombia [kə’lʌmbiə]	Columbia/Колумбия
Comoros [‘komərouz]	Comore/Коморы
Congo [‘koŋgou]	Congo/Конго
Costa Rica [‘kostə ‘ri:kə]	Costa Rica/Коста-Рика
Cote d’Ivoire [,kout di’vwa:r] (Ivory Coast)	Coasta de Azur/Кот д'Ивуар (Берег Слоновой Кости)
Croatia [krou’eishiə]	Croația/Хорватия
Cuba [‘kyu:bə]	Cuba/Куба
Cyprus [‘saiprəs]	Cipru/Кипр
Czech Republic [‘chek ri’pʌblik]	Republica Cehă /Чешская Республика
Denmark [‘denma:rk]	Danemarca/ Дания
Dominican Republic [də’minikən ri’pʌblik]	Republica Dominicană/ Доминиканская Республика
Ecuador [‘ekwədo:r]	Ecuador/Эквадор
Egypt [‘i:jipt]	Egipt/Египет
El Salvador [el ‘sælvədo:r]	Salvador/Сальвадор
Equatorial Guinea [,ekwə’to:riəl ‘gini]	Guineea Ecuatorială/ Экваториальная Гвинея
Estonia [es’touniə]	Estonia/Эстония
Ethiopia [,i:θi’oupiə]	Etiopia/Эфиопия
Fiji [‘fi:ji:]	Fiji/Фиджи
Finland [‘finlənd]	Finlanda/Финляндия
France [fra:ns]	Franța/Франция
Gambia [‘gæmbiə]	Gambia/Гамбия
Georgia [‘jo:rjə]	Georgia/Грузия
Germany [‘jərməni]	Germania/Германия
Ghana [‘ga:nə]	Ghana/Гана
Greece [gri:s]	Grecia/Греция
Grenada [gri’neidə]	Grenada/Гренада
Guatemala [,gwa:tə’ma:lə]	Guatemala/Гватемала
Guinea [‘gini]	Guineea/Гвинея

Guinea-Bissau [‘gini bi’sau]	Guineea-Bissau/Гвинея-Бисау
Guyana [gai’a:nə]	Guyana/Гайана
Haiti [‘heiti]	Haiti/Гаити
Honduras [hon’durəs], [hon’dyurəs]	Honduras/Гондурас
Hungary [‘hʌŋgəri]	Ungaria/Венгрия
Iceland [‘aisländ]	Islanda/Исландия
India [‘indiə]	India/Индия
Indonesia [ˌində’ni:zhə]	Indonezia/Индонезия
Iran [i’ra:n]	Iran/Иран
Iraq [i’ra:k]	Irac/Ирак
Ireland [‘aiərländ]	Irlanda/Ирландия
Israel [‘izreiəl]	Izrael/Израиль
Italy [‘itəli]	Italia/Италия
Jamaica [jə’meikə]	Jamaica/Джамайка
Japan [jə’pæn]	Japonia/Япония
Jordan [‘jo:rdən]	Iordania/Иордания
Kazakhstan [ˌka:za:k’sta:n]	Kazahstan/Казахстан
Kenya [‘kenyə]	Kenya/Кения
Kiribati [ˌkiri’ba:ti]	Kiribati/Кирибати
Korea	Coreea/Корея
Kuwait [ku:’wait], [ku’weit]	Kuweit/Кувейт
Kyrgyzstan [ˌkirgi:z’sta:n]	Kârgâzstan/Киргизстан
Laos [‘la:ous], [‘leios]	Laos/Лаос
Latvia [‘lætviə]	Letonia/Латвия
Lebanon [‘lebənən]	Liban/Ливан
Lesotho [le’soutou]	Lesotho/Лесото
Liberia [lai’bi:riə]	Liberia/Либерия
Libya [‘libiə]	Libia/Ливия
Liechtenstein [‘liktənshtain]	Liechtenstein/Лихтенштейн
Lithuania [ˌliθu:’einiə]	Lituania/Литва
Luxembourg [‘lʌksəmbərg]	Luxemburg/Люксембург
Macedonia [ˌmæsi’douniə]	Macedonia/Македония
Madagascar [ˌmædə’gæskər]	Madagascar/Мадагаскар
Malawi [ma:’la:wi]	Malawi/Малави
Malaysia [mə’leizhə]	Malaezia/Малайзия

Maldives [‘mældaivz]	Maldive/Мальдивы
Mali [‘ma:li:]	Mali/Мали
Malta [‘mo:ltə]	Malta/Мальта
Marshall Islands [‘ma:rshəl ‘ailəndz]	Insulele Marshall/Маршалловы Острова
Mauritania [,mo:ri’teiniə]	Mauritania/Мавритания
Mexico [‘meksikou]	Mexico/Мексика
Moldova [mol’douvə]	Moldova/Молдова
Monaco [‘monəkou]	Monaco/Монако
Mongolia [moŋ’gouliə]	Mongolia/Монголия
Montenegro [,montə’ni:grou]	Montenegro/ Черногория
Morocco [mə’rokou]	Moroc/Марокко
Mozambique [,mouzəm’bi:k]	Mozambic/Мозамбик
Namibia [na:’mibiə]	Namibia/Намибия
Nepal [nə’po:l]	Nepal/Непал
Netherlands [‘neðərləndz]	Olanda/Нидерланды
New Zealand [‘nyu: ‘zi:lənd]	Noua Zeelandă/Новая Зеландия
Nicaragua [,nikə’ra:gwə]	Nicaragua/Никарагуа
Niger [‘naijər]	Niger/Нигер
Nigeria [nai’ji:riə]	Nigeria/Нигерия
North Korea [‘no:rθ kou'ri:ə], ['no:rθ ko:'ri:ə] –	Coreea de Nord/Северная Корея
Norway [‘no:rwei]	Norvegia/Норвегия
Oman [ou’ma:n]	Oman/Оман
Pakistan [‘pæki,stæn]	Pakistan/Пакистан
Palestine [‘pælistain]	Palestina/Палестина
Panama [‘pænəma:]	Panama/Панама
Papua New Guinea [‘pæpyu:ə ‘nyu: ‘gini]	Papua Noua Guinee/Папуа-Новая Гвинея
Paraguay [‘pærəgwai]	Paraguay/Парагвай
Peru [pə’ru:]	Peru/Перу
Philippines [‘filə,pi:nz]	Filipine/Филиппины
Poland [‘pouləndˌ]	Polonia/Польша
Portugal [‘po:rchugəl]	Portugalia/Португалия
Qatar [‘ka:ta:r]	Qatar/Катар

Romania [rou'meiniə]	România/Румыния
Russia ['rʌshə]	Rusia/Россия
Rwanda [ru:'a:ndə]	Ruanda/Руанда
Samoa [sə'mouə]	Samoa/Самоа
San Marino [ˌsæn mə'ri:nou]	San Marino/Сан-Марино
Saudi Arabia [sa:'u:di: ə'reibiə], ['saudi ə'reibiə]	Arabia Sauditǎ/ Саудовская Аравия
Senegal [ˌsenə'go:l]	Senegal/Сенегал
Serbia ['sərbiə]	Serbia/Сербия
Seychelles [sei'shelz]	Seychelles/Сейшелы
Sierra Leone [si'erə li'ouni], [si:'erə li:'oun]	Sierra Leone/Сьерра-Леоне
Singapore ['siŋgəˌpo:r], [ˌsiŋgə'po:r] –	Singapore/Сингапур
Slovakia [slou'va:kiə]	Slovacia/Словакия
Slovenia [slou'vi:niə]	Slovenia/Словения
Solomon Islands ['soləmən 'ailəndz] – Honiara [ˌhouni'a:rə];	Insulele Solomon/Соломоновы Острова
Somalia [sou'ma:liə	Somalia/Сомали
South Africa ['sauθ 'æfrikə]	Africa de Sud/Южная Африка
South Korea ['sauθ kou'ri:ə], ['sauθ ko:'ri:ə]	Coreea de Sud/Южная Корея
South Sudan ['sauθ su:'dæn]	Sudanul de Sud/Южный Судан
Spain [spein]	Spania/ Испания
Sri Lanka [sri: 'la:ŋkə]	Sri Lanka /Шри-Ланка
Sudan [su:'dæn]	Sudan/Судан
Swaziland ['swa:ziˌlænd]	Swaziland/Свазиленд
Sweden ['swi:dən]	Suedia/Швеция
Switzerland ['switsərlənd]	Elveția/Швейцария
Syria ['si:riə]	Siria/Сирия
Tajikistan, Tadzhikistan [ta:ˌjiki'sta:n]	Tadjikistan/Таджикистан
Tanzania [ˌtænzə'ni:ə], [ˌtæn'zæniə]	Tanzania/Танзания
Thailand ['tailənd]	Tailanda/Таиланд
Tunisia [tu:'ni:zhə], [tu:'nishə]	Tunisia/Тунис

Turkey [‘tərki]	Turcia/Турция
Turkmenistan [,tərkmeni’sta:n] (Turkmenia [tərk’mi:niə])	Turkmenistan /Туркменистан (Туркмения)
Uganda [yu:’gændə]	Uganda/Уганда
Ukraine [yu:’krein]	Ucraina/Украина
United Arab Emirates [yu:’naitid ‘ærəb ə’mi:rits; e’mi:reits]	Emiratele Arabe Unite/ Объединённые Арабские Эмираты
United Kingdom [yu:’naitid ‘kiŋdəm]	Regatul Unit/Соединённое Королевство
United States [yu:’naitid ‘steits]	Statele Unite/Соединённые Штаты
Uruguay [‘yurəgwai]	Uruguay/Уругвай
Uzbekistan [,uzbeki’sta:n]	Uzbekistan/Узбекистан
Vatican [‘vætikən]	Vatican/Ватикан
Venezuela [,veni’zweilə], [,venə’zwi:lə]	Venezuela/Венесуэла
Vietnam [,vi:et’na:m]	Vietnam/Вьетнам
Yemen [‘yemən]	Yemen/Йемен
Zambia [‘zæmbiə]	Zambia/Замбия
Zimbabwe [zim’ba:bwei]	Zimbabwe/Зимбабве

ANNEXE NO.2

The legal system of the different languages is rich in **Latin terms**, which are written in their initial form. All these terms are successfully used in the modern legal terminology, especially in documents written in the English courts.

ab extra - from outside
ab initio - from the beginning
actus reus – a guilty deed or act
ad hoc - for this purpose
ad infinitum - to infinity, without limit, forever
alibi - elsewhere, at another place
aliunde - from elsewhere, from a different source
ante - before
bona fide - sincere, in good faith
bona vacantia - vacant goods, i.e., goods without an owner
cadit quaestio - question falls, i.e., the matter admits of no further argument
certiorari - a write from a High Court to Lower Court
ceteris paribus - other things being equal
consensu - unanimously, by general consent
consensus ad idem - agreement as to the same things
contra - to the contrary
contra bonos mores - contrary to good morals
coram non judice - before one who is not a judge
corpus - body
corpus delicti - the body of the offense
custos morum - a guardian of morals
de bonis asportatis - of goods carried away
de die in diem - from day to day
de facto - in fact
de futuro - in the future
de integro - as regards the whole
de jure - rightful, by right
de lege ferenda - what the law ought to be (as opposed to what the law is)

de lege lata - what the law is (as opposed to what the law ought to be)
de novo - starting afresh
doli incapax - incapable of crime
dominium - ownership
dubitante - doubting the correctness of the decision
et cetera - other things of that type
ex cathedra - with official authority
ex concessis - in view of what has already been accepted
ex facie - on the fact of it
ex gratia - out of kindness, voluntarily
ex parte - proceeding brought by one person in the absence of another
ex post facto - by reason of a subsequent fact
faciendum - something which is to be done
factum - an act
fructus naturales - vegetation which grows naturally without cultivation
idem - the same person or being
id est (i.e) - that is
in camera - in private
in delicto - at fault
indicia - marks, signs
in esse - in existence
in extenso - at full length
in limine - at the outset, on the threshold
in loco parentis - in place of a parent
in omnibus - in every respect
in pleno - in full
in situ - in its place
in solidum - the whole
inter alia - amongst other things
interium - temporary; in the meanwhile
in terrorem - as a warning or a deterrent
ipsissima verba - the very words of a speaker
ipso facto - by that very fact
jus - a right that is recognised in law

jus naturale - natural justice
locus in quo - scene of the event
mala fides - bad faith
mens rea - guilty state of mind
mutatis mutandis - things being changed which are to be changed
nemo dat quod non habet - no one can give a better title than he has
nexus - connection
nisi - unless
non compus mentis - not of sound mind and understanding
non constat - it is not certain
non est factum - it is not her/his deed
non sequitur - it does not follow, i.e., an inconsistent statement
onus probandi - burden of proof
orse - otherwise
par delictum - equal fault
pari passu - on an equal footing
per curiam - in the opinion of the court
per minas - by means of menaces or threats
per quod - by reason of which
post mortem - after death
prima facie - on the face of it
prima impressionis - on first impression
pro hac vice - for this occasion
pro tanto - so far; to that extent
pro tempore - for the time being
publici juris - of public right
quaere - consider whether it is correct
quaeitur - the question is raised
quantum - how much; an amount
quid pro quo - consideration; something for something
re - in the matter of...
res - matter, affair, thing, circumstance
res gestae - the thing done
res nulis - nobody's property
sciens - knowingly

secus - the legal position is different, it is otherwise
stet - do not delete, let it stand
sub modo - within limits
sub nomine - under the name of
sub silentio - in silence
suggestio falsi - the suggestion of something which is untrue
sui generis - unique
suppressio veri - the suppression of the truth
talis qualis - such as it is
uberrima fides - good faith
uno flatu - at the same moment, with one breath
verbatim - word by word, exactly
vice versa - the other way around
vide - see
volens - willing
Bancus Communium Placitorum - Court of Common Pleas
bona mobilia - moveable property
bona peritura - perishable goods
bona vacantia - unclaimed property
felo de se - a suicide
locum tenens - a deputy
lex talionis - the law of retaliation
bona fiscalia - public property
chartae libertatum - charters of liberties
capias ad audiendum - writ ordering appearance in court
capias ad respondendum - writ ordering the arrest of a person
capias ad satisfaciendum - writ ordering satisfaction of an order
dies juridicus - a day on which the court is in session
dies non juridicus - a day on which the court is not in session
alimenta - means of support (i.e., food, clothing, shelter)
altercatio - forensic argumentation; cross-examination
ambigendi locus - room for doubt
amicus curiae - friend of the court (i.e., impartial spokesperson)
bona fides - documents proving identity (or 'good faith')
custos - guardian
fieri facias - writ authorizing execution of a judgment

ANNEXE NO.3

DISCOURSE MARKERS

Words and phrases that compare
also as well as both in common in comparison like too same as similar similarly
Words and phrases that contrast
as opposed to but contrary to differ different from however on the other hand unlike while
Words and phrases that express addition
in addition as well as moreover what is more not only...but also... furthermore besides also too

Words and phrases of purpose
so that in order that so as to lest to fear of
Phrases to express conditions
provided that nevertheless on condition that otherwise
Phrases to express consequence
consequently as a result for that reason hence, therefore so that as a consequence thus

ANNEXE NO.4

TONGUE TWISTERS

1. Peter Piper picked a peck of pickled peppers
   A peck of pickled peppers Peter Piper picked
   If Peter Piper picked a peck of pickled peppers
   Where's the peck of pickled peppers Peter Piper picked?

2. How much wood would a woodchuck chuck
   if a woodchuck could chuck wood?
   He would chuck, he would, as much as he could,
   and chuck as much wood as a woodchuck would
   if a woodchuck could chuck wood.

3. To sit in solemn silence in a dull, dark dock,
   In a pestilential prison, with a life-long lock,
   Awaiting the sensation of a short, sharp shock,
   From a cheap and chippy chopper on a big black block!

4. Fuzzy Wuzzy was a bear.
   Fuzzy Wuzzy had no hair.
   Fuzzy Wuzzy wasn't very fuzzy, was he?

5. Which wristwatches are Swiss wristwatches?
   Which wristwatches are Swiss wristwatches?
   Which wristwatches are Swiss wristwatches?

6. To sit in solemn silence in a dull, dark dock
   in a pestilential prison with a life-long lock,
   awaiting the sensation of a short, sharp shock
   from a cheap and chippy chopper with a big, black block.

7. I slit a sheet, a sheet, I slit.
   Upon a slitted sheet, I sit.

8. A skunk sat on a stump and thunk the stump stunk,
   but the stump thunk the skunk stunk.

9. Betty Botter bought some butter, but she said “This butter’s bitter!
   But a bit of better butter will but make my batter better.”
   So she bought some better butter, better than the bitter butter, and it made her batter better so ’twas better Betty Botter bought a bit of better butter!

10. A skunk sat on a stump.
    The stump thought the skunk stunk.
    The skunk thought the stump stunk
    What stunk the skunk or the stump?

11. I’m not a pheasant plucker,
    I’m a pheasant pluckers son.
    And I’m only plucking pheasants
    ’till the pheasant plucker comes.

12. Through three cheese trees three free fleas flew.
    While these fleas flew, freezy breeze blew.
    Freezy breeze made these three trees freeze.
    Freezy trees made these trees’ cheese freeze.
    That’s what made these three free fleas sneeze.

GABRIELA ȘAGANEAN **VICTORIA SOLOVEI**

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