

١٤/٧/٢٠١٤

الرقم الامتحاني:  
المدة: ساعتان.  
العلامة العظمى: 100 درجة  
السنة الرابعة



جامعة دمشق  
كلية العلوم السياسية  
نظام التعليم المفتوح  
برنامج الدراسات الدولية والدبلوماسية

امتحانات الدورة الفصلية الثانية للعام الدراسي 2010 - 2011  
سلم درجات امتحان مقرر القانون الدولي الخاص باللغة الانكليزية

**Part 1- (Question 1 - 20) (60 Marks)**

**Complete these sentences: (5×5)**

- 1- The status and the legal capacity of persons are governed by:  
The law of the country to which they belong by reason of their nationality.
- 2- The fundamental conditions relating to the validity of marriage are governed by:  
The (national) law of each of the two spouses.
- 3- Non-contractual obligations are governed by:  
The law of the State in whose territory the act that gave rise to the obligation took place.
- 4- When, it appears that the law to be applied is the law of a state in which several legal systems exist, the law applicable shall be determined by:  
The internal law of that state.
- 5- Proof established in advance is governed by:  
provisions of the law in force at the time when the proof was established or at the time when such proof should have been established

**Define these Legal terms: (5×3)**

- 6- Foreigner:  
Any person not holding the nationality of the Syrian Arab Republic or that of any other Arab country.
- 7- Expatriate Citizen:  
Any person of Arab origin who is neither resident of an Arab state nor holding the nationality of an Arab country.
- 8- Private international Law:  
Any of these definitions is acceptable:
  - "That branch of law which determines the nationals of the state, the treatment of aliens in the state, and also decides the proper solutions that should be followed in cases of conflict of laws and conflict of jurisdiction of courts."
  - "The branch of law which is concerned with regulation of international relations of individuals".
  - "The branch of law that seeks to resolve the status and legal relationships that contain a foreign element."
  - "The rules of Private international Law are those formulated either to regulate relations of individuals belonging to different nations, or to regulate relations connected with more than one country".
- 9- Nationality:  
Nationality is a legal and political bond uniting a person to a particular State
- 10- A stateless person:  
Any one is acceptable
  - A person who is not considered as a national by any State under the operation of its law.
  - OR: a person has to prove a negative: that he/she has no legal bond with any relevant country.



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Define the following legal terms with the matching description: (10×2)

|     |                        |    |  |
|-----|------------------------|----|--|
| 11- | Lex loci solutionis    | F- | the law of the place of performance (of a contract).                                 |
| 12- | lex loci celebrationis | I- | The law of the place where a marriage is celebrated.                                 |
| 13- | lex loci delicti       | J- | The law of the place where the tort was committed.                                   |
| 14- | lex patriae            | C- | The law of nationality.  |
| 15- | jus sanguinis          | B- | The law of blood.  |
| 16- | lex situs              | G- | the law of the place where the property is situated.                                 |
| 17- | lex fori               | K- | the law of the court in which the trial is taking place.                             |
| 18- | lex incorporationis    | A- | the law of the place of incorporation.   |
| 19- | lex protectionis       | D- | the law under which legal protection of an intellectual property right is conferred. |
| 20- | lex contractus         | E- | the law which governs a contract.  |

Part 2- (Question 21 - 23) (40 Marks)

Answer the following questions:

21- List three cases in which a person shall be considered as Syrian Arab Isopo Facto. (18)

Any three of the following:

- A. Anyone born inside or outside the country to a Syrian Arab father .
- B. Anyone born in the country to a Syrian Arab mother and whose legal family relationship to his father has not been established .
- C. Anyone born in the country to unknown parents or to parents of unknown nationality or without one. a foundling in the country shall be considered born in it, at the place in which he is found unless proved otherwise.
- D. Anyone born in the country and was not, at the time of his birth, entitled to acquire a foreign nationality by virtue of his parentage.
- E. Who is originally belong to the Syrian Arab Republic and does not neither acquire other nationality nor apply to choose the Syrian nationality within the time period specified by the previous Laws and decrees .

22- Briefly, mention conditions that should be present in a foreigner who applied to naturalize into Syrian Arab citizenship. (18)

- the applicant has the full exercise of his mental faculties and was not declared legally incompetent.
- resident in the country for at least five continuous years prior to the submission of his application.

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- in good health.
- of good reputation and without criminal record.
- of employable skills or independent means.
- fluent in Arabic reading and writing.

23- List the four Sources of the Syrian Private International Law. (4)

- International treaties.
- National law / National legislation.
- Custom.
- Principles of Private International Law.

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