



جامعة الإمارات العربية المتحدة
United Arab Emirates University

**The College of Graduate Studies and the College of Law Cordially Invite
You to a**

Master Thesis Defense

Entitled

***The legal impact of the international treaties on the national regime and
judicature***

By

Fahad Nayef Hamdan Al Shammari

Faculty Advisor

Dr. Mohammed Hassan AL-Qassimi, Public Law Department

College of Law

Date & Venue

11:00 AM

Tuesday 27/11/2018

Room 1005, first floor, H2 Building

Abstract:

Indeed the international treaties have become organizing the legal life within the State due to its interference with various fields in which were previously limited to the internal law rules. As result of this importance, this thesis highlights the perspective of the legal impact of the international treaties on the national regime and judicature and the practical problems encountered by such treaties while being under processing for effecting its legal impacts; in particular, its contradiction with the internal law's rules and application of the national judicature of the same.

This thesis aims processing the lack of the legal system of Kuwait and Emirates of constitutional solutions if such treaties are in conflict with the internal laws. Also, through this thesis, we're looking forward to correcting the perspective of the national judicature about the international treaties and confusing its enforceability and pleading with it. Accordingly, we're looking forward that the international treaty can have real impact and effectiveness within the aspects

of the national judiciary , in addition to, its elevation and superiority in the State's constitutional regime than other laws .

For studying the subject in details, it has been divided into three chapters. In the first chapter, we highlight the relationship of the international law to the internal law and reaction of both the Emirati and Kuwaiti legal regimes towards this matter. However, the second chapter highlights the issue of the international treaty's validity to the national judiciary regime and applying its contained provisions for defining the difference between the forcibility of an international treaty and applying it before the national judiciary and its resulting contradiction between it and the internal laws .

The third chapter is deemed as practical reflection of the response of the Kuwaiti and Emirati judiciaries regarding such issues related to the international treaty. In brief, this thesis observes the international treaty commencing from applying it to the internal legal system till it generates its legal impacts .

Keywords: International treaties, national regime and judiciary.