

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

Entitled

The principle of judicial conviction in view of the rulings of the Federal Supreme Court

By

Mohamed Hasan Ismaeel Alaydarooos

Faculty Advisor

Dr. Gehad Mohamed Abdulaziz, Public Law Department

College of Law

Data & Venue

05:00 PM

Thursday, 18 April 2024

College of Law building (H2) meeting room (1005) on the first floor

Abstract

The principle of judicial conviction is the main pillar of the theory of criminal evidence, it is not imagined that the criminal judge issues his judgment without basing this judgment on a firm conviction that has no doubt or guess, as it is known that criminal judgments of conviction are based on certainty and certainty, and the principle of judicial conviction represents a major guarantee of reassurance of the validity and integrity of penal judgments and access to justice, and this study dealt with rooting and analyzing what the principle of judicial conviction is in the jurisprudence of positive law, UAE legislation and the rulings of the Federal Supreme Court, and what are the restrictions The principle and its controls are based on the historical principles of the principle and the penal evidence system in the United Arab Emirates and the scope of its application in the rulings of the Federal Supreme Court in the crimes of retribution, blood money and ta'zir crimes .

It should be noted the importance of the philosophical and legal rooting of the concept of judicial conviction and knowledge of the controls and restrictions contained therein, and the outcome of the judicial experience in the Federal Supreme Court in its rulings and the extent of its approach and difference with the philosophical foundations, especially since the court represents the pinnacle of the UAE judiciary, as the first article of Federal Decree Law No. 33 of 2022 regarding the establishment of the Federal Supreme Court stipulates that " the Federal Supreme Court is an independent judicial body, which is the supreme judicial body in the Federation, based in the Emirate of Abu Dhabi . It may hold its sessions as an exception when necessary in any of the emirates of the State."

The researcher reached several results, including the adoption of the UAE legislator system of free criminal evidence, known in accordance with the principle of judicial conviction , and his adoption of the legal procedural system in certain matters decided in the crimes of retribution and blood money, and subjecting them to the rules of evidence emanating from the provisions of Islamic Sharia in accordance with the analysis of the jurisprudence of the Federal Supreme Court, and this is a restriction on the principle of judicial conviction that governs the process of proving crimes in general in the UAE criminal evidence system, and not taking into account the legal evidence system , The researcher recommended the need to enact a federal law on the legal procedures for the crimes of retribution and blood money before the courts in the country, because of the absorption of legislative developments in the legislative arena in the United Arab Emirates, while examining the possibility of consolidating new principles of the Federal Supreme Court by adding some restrictions to the principle of judicial conviction with regard to the issue of evaluating evidence .

Keywords: criminal evidence system, nature of the principle of judicial conviction, restrictions on the principle of judicial conviction, controls of the principle of judicial conviction.