Academic Legal Writing Guide 2018–2019

University of Eastern Finland
Law School
Name of the seminar or course
3.9.2018 (date of presentation)
Writer: (name and student number)
Supervisor: (first name and last name)
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LITERATURE


Bjørnebye, Henrik, Electricity Generation Capacity Tenders in the Security of Supply Interest: It's All Wrong but It's All Right. EUI Working Paper RSCAS No. 2007/06.


OFFICIAL SOURCES

**European Union Documents**

**European Commission**


**European Environment Agency**


**United Nations Documents**

**CBD Decisions**

CBD COP 2 Decision II/11. “Access to Genetic Resources” UN Doc UNEP/CBD/COP/2/19.

CBD COP 10, Decision X/1. “Access to genetic resources and the fair and equitable sharing of benefits arising from their utilization” (29 October 2010) UN Doc UNEP/CBD/COP/DEC/X/1.

**General Assembly Resolutions**

GA Res. 832 (IX), 18 December 1954. International assistance to refugees within the mandate of the united nations high commissioner for refugees.

GA Res. 41/133, 4 December 1986. Right to development.

**ECOSOC**

ECOSOC Res. 1/8, 15 February 1946. Establishment of a commission to deal with the problem raised by the discovery of atomic energy.

**Security Council**


**Other UN documents**


**World Trade Organization**


CASE LAW

**European court of human rights (ECHR)**

*Vilho Eskelinen ja muut v. Suomi*, 63235/00, grand division, 19.4.2007. (*Vilho Eskelinen* -case)

*Ciubotaru v. Moldova*, 27138/04, 27.4.2010. (*Ciubotaru* -case)

**The Court of Justice of the European Union (CJEU)**


**The General Court (EGC)**


**International Court of Justice**


**INTERNET SOURCES**


European Commission, Natura 2000. 29 August 2016.
International Court of Justice, Current Members. 12 June 2015.


World Intellectual Property Organization (WIPO), Traditional Knowledge. 5 May 2014  

OTHER SOURCES

Interviews

**ABBREVIATIONS**

All abbreviations utilised in the text should be included in the abbreviations list and vice versa.

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>CBD</td>
<td>Convention on Biological Diversity</td>
</tr>
<tr>
<td>CMLR</td>
<td>Common Market Law Review</td>
</tr>
<tr>
<td>DG</td>
<td>Directorate General</td>
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<td>ECJ</td>
<td>European Court of Justice</td>
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<td>European Case Law Identifier</td>
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<td>ECR</td>
<td>European Court Reports</td>
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<td>European Union</td>
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<td>GHG</td>
<td>Greenhouse gases</td>
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<td>Intergovernmental Panel on Climate Change</td>
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<td>OJ</td>
<td>Official Journal of the European Union</td>
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<td>PSO</td>
<td>Public service obligation</td>
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<tr>
<td>RES</td>
<td>Renewable energy sources</td>
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<td>SGEI</td>
<td>Services of general economic interest</td>
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<td>TFEU</td>
<td>Treaty of the Functioning of the European Union</td>
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<td>Treaty of the European Union</td>
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<td>United Nations Framework Convention on Climate Change</td>
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<td>WTO</td>
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FIGURES AND TABLES

Figure 1. EU Immigration by Citizenship in 2014.
Table 1. Evolution of intra EU28 export trade, 2002-2013 (EUR 1 000 million).
1 INTRODUCTION

The purpose of this writing guide is to briefly present the general guidelines for writing and referencing drafted by the University of Eastern Finland (UEF) Law School. This writing guide is to be applied to every written assignment given in the courses/seminars of the UEF Law School, unless otherwise instructed in the course. This writing guide is designed as an introduction to academic legal writing for students majoring or minoring in law.

The guidance and referencing style recommended in this writing guide have been modified as simple as possible. The referencing and documentation technique used in this guide follows the general rules of academic legal writing. However, it should be noted that there are broad variations in writing and particularly referencing techniques within the field of law. For instance, journals and books differ in their referencing style and variations are found even between different journals. The purpose of these guidelines is to give students clear, simple and consistent instructions on how to write written assignments at UEF Law School.
2 STUDY MODES

2.1 General

The starting point in law studies is that a course is completed entirely with a book exam on a general exam date. Some courses can be completed either partly or entirely with an essay. It is also possible to draft a learning diary based on some of the lectures. If the course can be partly or entirely completed with an essay or learning diary, it is specifically mentioned in the course description. For other courses, it is for the responsible teacher to decide whether or not there is a possibility to complete the course in question with these study modes.

The length of essays and learning diaries is defined separately and may vary between different courses. If an essay or a learning diary is defined to be a part of completing the course, a student usually gets either additional points to the book exam with the essay/learning diary, or may replace one or more questions in the book exam with it. More detailed instructions will be given for every course separately.

If a course is completed with two or more different study modes, all parts of the course should be completed within the same academic year. Parts of completion and extra points do not expire within that academic year, unless it is otherwise instructed in the course description. However, the parts of completion do not transfer to the next academic year. Completion of the course will be registered in the study register, when the course is entirely completed. Students must always indicate possible part(s) of a course that have already been completed, when registering for the exam of that course. If the student is not able to complete all the parts of the course within the same academic year, he/she must start the completion of the course from the beginning in the next academic year.

2.2 Learning diary

Learning diary is a written work, which is drafted based on lectures or academic seminars. The central idea of learning diary is commenting the lectures or seminar, and highlighting the central themes discussed there. Even though the starting point is that a learning diary is based on the
lectures, also home assignments and possible problems that rose in handling them can be included in it. Students may also point out issues that were not clarified comprehensively enough during the lectures in their learning diaries.

In a well-written learning diary, the writer utilizes legal sources (laws, preliminary works, case law, other official materials, legal literature) and other additional sources (eg. newspaper articles) to deepen the central questions raised in the lectures. The idea of a learning diary is to present the writer’s own experiences, opinions and questions about the topics discussed in the lectures. However, a learning diary is NOT a summary of the lectures, but a coherent, independent text based on the lecture themes and topics.

A learning diary should be drafted on a daily basis, for instance, after every lecture. However, learning diary is returned to the responsible teacher only after it has been modified to be a coherent text. The length of a learning diary may vary between different courses, and the teacher responsible for the course will in the end define the length.

The formal requirements of a learning diary are less strict than in other written assignments. For instance, the use of footnotes is not demanded unless it is otherwise instructed in the course. The language is not required to be strictly professional, but it is even recommended that the writer comments and describes his/her own experiences freely.

In some courses (e.g. International Business Contracts, Contract Negotiations), that are partly completed by writing a learning diary, the learning diaries are graded from 1 to 5. For grade 1, student is required to show that he/she has understood, what the lectures or seminar were about. In addition, learning diary indicates what has been done to complete the home assignment, although student’s own comments and analysis may not be profound enough for higher grades. For grades 2 and 3, a student needs to be able to write a coherent and logical text handling the central themes of the lectures or seminar. The text must also show that the student has put a real effort into solving the home assignments, and has been able to include some own analysis and comments regarding the topics. For grades 4 and 5 the learning diary must include carefully
reasoned and critical argumentation regarding the themes of the lectures or seminar. The text must also include the student’s independent and original viewpoints of the above-mentioned themes.

2.3 Essay

An essay is a text that has been drafted using acceptable legal source material (especially statutes, their preliminary works and case law), and that contains the writer’s own thoughts. An essay is written with the help of legal literature on a specifically outlined topic that is related to the theme of the course in question. The writer’s own analysis and viewpoints are a central part of an essay. The writer’s arguments must be well reasoned, and they must be based on legal sources.

An essay demonstrates that the writer masters the whole complex of issues and can outline his written work as required. Thus, the essay must be structured consistently and it should form a coherent ensemble. The text must fulfill the requirements of scientific writing: objectivity, referencing (separating one’s own and other people’s thoughts and argumentation), focusing on the discussed matter, clear argumentation etc. The idea of an essay is to practice legal writing and using legal sources in one’s texts.

2.4 Literature analysis

By writing a literature analysis, student familiarises him/herself with special questions related to his/her field of research. The analysed books can be eg. doctoral dissertations. The books to be analysed should be agreed on with the professor responsible for the course in question. The length of a book analysis varies between different courses, and should also always be separately agreed on with the professor.

In an acceptable literature analysis, the writer must show that he/she has read the books and understood their central contents. To get a good grade, the student must always bring his/her
own contribution to the text. The book must be analysed critically and the analysis must be connected to other research in the field in question.

In the analysis a student can handle e.g. the following questions:

1) Research topic, research question, method(s)

- What is the subject of the research?
- Is the subject of the research judicially and societally relevant?
- To which questions the research looks for answers?
- Is the phrasing of the research question successful?
- How is the research outlined?
- Is the outlining of the research successful?
- What research methods are used in the research?
- How do the methods fit together with the research question?
- How does the writer handle the topic? How does he/she argue and use legal sources?
- Is the writer’s argumentation convincing?

2) Central content and results

- How can the central contents of the research be densified?
- How are the general doctrines of the field of law in question handled in the book?
- What are the writer’s research results and with what grounds does he/she end up with those results?
- How does the outlining of the research question affect the interpretation of the results?

3) The context and meaning of the book

- What are the temporal, geological and legal contexts of the book?
- How is the book in relation to previous research in the field?
- What has been the affect of the book on the later research in the field?
- How significant are the research results?
- How do changes in society/legal field affect the significance of the research results or argumentation nowadays in the interpretation of legal problems?

4) Own learning

- What did I learn from the book?
- What kind of thoughts or questions the book raises?
- What is the meaning of the book for my own thesis?
2.5 Seminar report

A seminar report is approximately 20 pages in length. The contentual requirement of a seminar report includes that a writer is able to independently perceive the most relevant elements of the topic in question. The topic must be defined with such accuracy that also others than the writer, are able to form an overall picture of the topic.

Seminar report can be considered to be a small thesis and, therefore, it is important that the report is well structured and the topic is focused enough to form a meaningful and concise scientific paper including independent conclusions of the study. A student must identify relevant research questions and methods of research, and use relevant academic and legal materials when writing the report. Active participation to the seminar sessions is also an important part of writing the report.

2.6 The objectives and grading of exams and answering technique

Many of the law courses are completed by taking a literary exam. The objective of an exam is to measure how well student has adopted the ensembles and details presented in the study materials. According to the University of Eastern Finland degree regulations, exams are evaluated either accepted or failed. Furthermore, the accepted study attainments can be graded on the scale 1–5. The degree regulations also require that the exam results must be published in Weboodi and on the noticeboard three weeks after the exam at the latest. A student has a right to get the information of the basis of grading of his study attainment. Written study attainments must be stored for at least six months after registering the results.

The first requirement for an acceptable exam is that the student, who has written the answer, can be easily identified. Therefore, students must write down their name, student number, social security number, name of the course and name of the teacher responsible for the course on the front page of every separate exam paper. The informations are to be written down clearly.
Exam answers must be readable. This means that the answers are written with a clear handwriting using a pen or a pencil within margins drawn with a ruler on both sides of the paper. Also possible length limitations for the answer must be considered.\(^1\) If the length limitation is not followed, the text written outside the reserved space is usually not read and a student will not get any points for that part of the answer.

In an exam answer, one must pay attention to the asked question. Read the question carefully and answer only to what is asked. One of the most common mistakes in exam answers is that a student answers to something else than the question asked in the exam paper or describes the background of the question topic too widely or briefly.

An exam answer must be carefully formulated consistent ensemble, which answers only to the asked questions. If the information given in the answer is incorrect, it can reduce the amount of points given for the answer.

### 2.7 Preparation for completing courses

One should start preparing for courses with lectures early before the first lecture. It is recommended that a student familiarizes oneself with the course material given in WebOodi before the first lecture. This way a student gets the best possible benefit from the lectures and can discuss the questions relating to the topic with the lecturer.

For book exams of 5 ECTS courses one should start preparing for three weeks before the exam at the latest. All the materials should be read through carefully, so that a student is able to answer the exam questions thoroughly.

Preparation for thesis seminar should be started with reading literature relating to general doctrines of law and general research methodology. In order to specify and outline the final research question, one should contact and consult the supervising professor.

\(^1\) Examiners often limit the length of an answer to one or two pages, if the question is such that the answer can easily be fitted into that limited space.
2.8 Plagiarism detection

Originality testing of theses (bachelor’s, master’s and licentiate) and doctoral dissertation completed at the University of Eastern Finland, has become obligatory from the beginning of the year 2016. However, the originality of other written assignments may be also tested. To test the originality of written works, the University of Eastern Finland uses an electronic plagiarism detection system, Turnitin.

In addition to verifying the originality of a thesis, the system can also be used to guide students towards the correct quotation and referencing practices required in high-quality academic texts. Thus, students are advised to use Turnitin and test the originality of their written assignments also independently.

The Turnitin system has been integrated into the Moodle online learning environment: https://moodle.uef.fi/course/view.php?id=5502
3 MASTER’S THESIS AND SEMINAR

3.1 Objectives and requirements of Master’s thesis seminar
During the course, student familiarizes oneself to doing and planning scientific research in a way that he/she is able to write a research plan and master’s thesis. In addition to that, a student rehearses his/her presentation skills by presenting the research to other students, and acts as an opponent to one or more of the fellow students regarding their theses.

Master’s thesis seminar lasts at least one academic year. The UEF Law School Master’s thesis seminar is divided into smaller groups based on different fields of law. The seminar consists of drafting a research plan, presenting a research report, acting as an opponent and participating in scientific discussion in the seminar meetings.

Every student writes approximately 60-100 pages long Master’s thesis as a part of the seminar. The objective of the thesis is that a student learns how to plan a research project, masters the requirements of scientific writing and masters the methods of legal academic research.

3.2 Instructions for Master’s thesis seminar
The purpose of Master’s thesis seminar is to help the students to write their Master’s theses. The seminar is divided into starting meeting in the autumn and multiple seminar meetings in the autumn and spring. During the seminar meetings, a student has an opportunity to bring the draft of his/her thesis to collective discussion.

Students are encouraged to participate in the Master’s thesis seminar, when their studies are in such phase that they have the possibility to finish their theses during the seminar. For international MDP students this is usually in the beginning of the second year of their studies.

Master’s thesis seminar begins with the starting meeting, in which students and professor discuss about every student’s topic and writing an academic thesis in general. A student entering the seminar should have some kind of an idea of his/her own research topic. During the seminar
every student outlines his/her research question independently and drafts an idea paper/research plan about that research question.

After the starting meeting students draft first an idea paper and then a research plan. The research plan must include:

- Preliminary title of the thesis
- Student’s name, student number, major and amount of credits completed
- Research problem
- Outline of the research
- Research method and reasoning that lead to the choice of the method
- Short abstract of the topic
- Draft of the table of contents
- Central statutes, preliminary works, case law and literature.

Everyone presents his/her research plan after which students comment each other’s plans. Every student has to give at least two oral presentations and participate actively in the seminar meetings in order to complete the Master’s thesis seminar. The goal of the seminar is that after the compulsory meetings, every student participating in the seminar returns a finished Master’s thesis.

3.3 Returning Master’s thesis to evaluation process

A student returns his/her finished Master’s thesis electronically in a pdf.-form to the Faculty of Social Sciences and Business Studies to be evaluated. The dean nominates examiners to the thesis and the faculty forwards the thesis to them. The examiners must give a statement of the thesis within one month of the day they have been nominated as examiners. The student is allowed to read the statement after which he/she notifies whether he/she accepts the statement or wishes to cease the evaluation process.

2 An idea paper means a preliminary draft of the research questions, research method and source material. A research plan means more clearly structured consistent ensemble, which follows this writing guide and gives answers to questions: What do I research? Why do I research? How do I research?
When a student restarts the evaluation process, he/she has had to rewrite the thesis at least partly or widely amend it. If a student accepts the statement, the dean decides of its official acceptance. The student has a possibility to demand for rectification following the instructions attached to the decision.

3.4 Grounds for Evaluation

Master’s thesis is evaluated on a scale from 1 to 5. The Dean evaluates Master’s theses based on the examiners’ statement, if both of the examiners end up with the same grade. If the examiners suggest different grades or the student so wishes, the thesis will be sent to faculty council to be evaluated. The student gets a written decision of the evaluation attached with the statements.

The grade is given based on especially the following components:

- Formulation of the research question, its outlining and the scientific and societal importance of the topic. A well-formulated and outlined research question enables the writing of a high-quality thesis. Without a well-formulated research question the result is often too superficial and rambling. The research question must also be scientific and societally important. The most common difficulties concerning societal importance is that students try to choose topics that are already comprehensively researched and, therefore, they have nothing new to bring to the scientific discussion. Writing a thesis of that kind of a topic is not worthwhile. A student should discuss these matters with the supervising professor already in the beginning of the seminar, before he/she actually begins writing the thesis.

- Source materials and knowledge of the existing research in the field. One of the most common mistakes in a Master’s thesis is the lack of knowledge of previous studies handling the same field.

- Language and formalities. A student should follow this writing guide carefully in order to avoid errors in formalities.

- Mastering research methods. The two biggest problems are usually the lack of knowledge of the theoretical discussion involving the chosen research method, and that
a student states that he/she is using a certain method, but is in fact using some completely different method.

- Quality of argumentation. The quality of argumentation is largely dependent on the chosen research methods. Central is to perceive what kind of argumentation the research method requires.

- Producing new scientific knowledge. Producing new scientific knowledge is not an absolute requirement for a Master’s thesis to be accepted. But if a student is able to produce new scientific knowledge, it will increase the grade of the thesis.

- Active participation in the seminar meetings.
4 STRUCTURE AND FORM OF A WRITTEN WORK

4.1 General

The following instructions are drafted mainly considering Master’s thesis, but these instructions are also to be followed for suitable parts in writing other written works. The starting point is that the appearance of every written work should be uniform, elaborate and coherent. This writing guide should be followed in all of the legal written assignments and works during a student’s studies at UEF but how strictly; this varies somewhat between different study modes. For instance, usually learning diaries can be modified more freely when essays, seminar reports and theses must follow the writing guide precisely. Supervisor’s instructions must always be followed.

Table of contents, abbreviations and a list of tables and figures are placed in the beginning of a work. The text is written with following settings:

- adequate margins (upper and lower margin 2,5cm; left margin 3cm and right margin 2,5cm)
- line spacing 1,5 (in footnotes and also with lists 1)
- font Times New Roman
- font sizes
  - main text 12pt
  - footnotes 10pt
  - tables and figures 11pt
  - headings:
    - 1. level headings 14pt, bold, written in capital letters, starts always from new page
    - 2. level headings 12pt, bold
    - 3. level headings 12pt, italics (not bold)
  - Eg. when describing case law, the paragraph should be indented 1cm, font is 11pt and line spacing 1,5
  - both borders of the text are justified (applies to both main text and footnotes)
  - text is hyphenated
  - an empty line is left between two paragraphs, the first row af the paragraph is not indented.

3 See this instruction p. II-X.
Headings should be used only up to 3rd level so that the structure of the text does not become scattered. If subheading is used, there must be at least two subheadings for every main heading (eg. 1.1 and 1.2 etc. / 1.1.1 and 1.1.2 etc.). There must not be introductory paragraphs between heading levels. Appendixes are put in the end of the written work. Directory is not required in seminar works.

4.2 Cover page

Cover page is the first page of a written work. It includes the name of the work, the name and student number of the author, the purpose of the work (eg. Master’s thesis), university and department, date and the name of the supervisor.\(^4\)

Notice that the title of the work must start from the 8. row (7 line breaks in font 16pt before the title) and the title is centered. Identifiers of the work are located in bottom right of the page.

Formation of the title:

- font Times New Roman
- font size 16pt

Formation of the identifiers:

- font Times New Roman
- font size 12pt

4.3 Page numbers

Page numbers are Roman numerals (I, II, III) in index pages and Arabic numerals (1, 2, 3) in the main text pages. The main text pages begin from number 1. The page number should not be visible on the cover page. For using Roman and Arabic numerals, the document must be divided into two parts using section break.

\(^4\) See the cover page of this document.
4.4 Table of Contents

Table of contents follows the cover page and the page number is II. Table of contents includes every heading and subheading with their hierarchical numbering, and the page numbers of which the paragraphs related to these headings start. Notice that the indicative headings inside the list of references are not marked in the table of contents (literature, case law etc.)

The names and page numbers of index pages are marked in the beginning of the table of contents, before the headings of the main text. Also tables and charts are catalogued in the table of contents. They are put last before the headings of the main text. Appendixes are marked in the end of the table of contents without page numbers. Remember to update the table of contents before submitting the final work.

The table of contents should be drafted using automatic Word table of contents. Please notice that the font and font size of the automatic Word table of content styles must be formatted according to this writing guide.

The table of contents should be formatted as follows (headings of different levels should be separated with 1 cm indentation):

3 MAIN CHAPTER 10
  3.1 First subchapter 10
  3.2 Second subchapter 11
    3.2.1 First subheading 11
    3.2.2 Second subheading 13
  3.3 Third subchapter 15

In the table of contents, the main chapter begins from the left side of the page, second level subchapter has 1 cm indentation and third level subheading has 2 cm indentation. The headings
of the main chapters are written entirely in capital letters.⁵ So-called introductory paragraphs between main chapter heading and subheadings are not to be used.

4.5 Figures and tables

Figures and tables can be used in legal theses to clarify and illustrate the written presentation. Figures and tables can be either black and white or colored. However, one should consider whether the final work is going to be printed in black and white or in colors before choosing the coloring of figures and tables. That way the author can ensure the best possible visibility of those in the final work. In figure the title is marked under the figure (Notice! The font size of the title is 11pt):

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<td>1.4</td>
<td>15.3</td>
<td>7.8</td>
<td>84.7</td>
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<td>5.9</td>
<td>55.5</td>
<td>4.4</td>
<td>54.6</td>
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<tr>
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<td>80.4</td>
<td>4.8</td>
<td>19.6</td>
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<td>5.9</td>
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<td>1.8</td>
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<tr>
<td>Netherlands</td>
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<td>28.9</td>
<td>107.8</td>
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<td>11.3</td>
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<td>54.0</td>
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<td>105.6</td>
<td>83.2</td>
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<td>United Kingdom</td>
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<td>81.3</td>
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<td>87.1</td>
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<td>3.4</td>
<td>64.2</td>
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<td>Liechtenstein</td>
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<td>20.7</td>
<td>0.5</td>
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<td>10.3</td>
<td>50.0</td>
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<td>28.2</td>
<td>16.7</td>
<td>136.1</td>
<td>83.2</td>
</tr>
</tbody>
</table>

Figure 1. EU Immigration by Citizenship in 2014.

With tables the heading is marked above the table (Notice! The font size of the title is 11pt):

⁵ See the table of contents of this document, p. II.
Table 1. Evolution of intra EU28 export trade, 2002-2013 (EUR 1 000 million)
5 LIST OF REFERENCES

5.1 Books, articles and other literary sources

The purpose of the list of references is to inform the reader of the sources the writer has used in the text. In Master’s theses, the writer must use various types of source material. Acceptable sources are, for instance, statutes and government bills, memoranda and statements of different official committees, case law, decisions of governmental authorities, books, scientific articles, internet sources, interviews etc. Sources must be referenced clearly and in a detailed way so that the reader is able to find the referenced information from the source. The author expresses the used sources both in the main text/footnotes and the reference list. However, list of references may not include sources the writer has read but not used (i.e. made reference to) in the final work. Different source materials should be separated from each other in the list of references by using subheadings (e.g. literature, official sources, Internet sources, case law etc.). Please see an example of the list of references in the beginning of the guide.

In the list of references, referring to literature should be done in the following form:

Books: [author’s surname, first name], [title of the publication]. [edition, if not the first]. [publisher + year of publication].


6 A mere reference to ‘google’ for example, is never sufficient.
7 Statues and case law are referred to in the main text, other references are inserted in footnotes. The full identification information of the source is given only in the reference list. In the text and in footnotes the reference is shortened, and the purpose of it is to guide the reader to find the source from the reference list.
Article in a journal: [Author’s surname, first name], [Name of the article]. [Title of the journal] [Vol. (Issue/number)] [year of publication], p. [pages of the article].


Chapter/article in an edited book: [authors last name, first name], [title of the chapter/article], p. [pages] in book name(s) of the editor(s) (ed(s)), title of the edited book. Publisher + year of publication.


If there are multiple writers, the names of the writers should be separate with a dash.


If only editor(s) of the publication are mentioned, abbreviation (ed/eds) is added after the name of the editor(s).


If the referenced literature is a translation:

8 Notice! In this case the 77 refers to the volume and (5) to the number in the series.

If the same author has more than one publication from the same year, the publications must be identified with letters (a, b, c etc.) at the end of the source in parentheses, which will be the version utilized in the footnotes.


5.2 Official sources

Official sources can be eg. preparatory documents of EU or international legislation; reports, manuals, guidelines or instructions of governmental or non-governmental bodies or international organizations. The legal binding force of these sources varies. For instance, preliminary works of legislation are significant to interpretation of rules, but manuals and reports do not usually have a very high legal authority. Official sources from different authorities should be divided using subheadings.

Communications and legislative proposals of the European Commission should be cited with abbreviation, number and date. Other EU documents can be cited either with an abbreviation, if such exists, or with the name of the authority which has drafted the document. The full title of the document should be included in the list of references.


\(^9\) In classical literature sources, the original publication year can be added in square brackets.
Citing the United Nations (UN) documents varies between different types documents. The general guidelines are the following (Notice! The example list is not meant to be comprehensive.):

General Assembly Resolutions

GA Res. 832 (IX), 18 December 1954. International assistance to refugees within the mandate of the united nations high commissioner for refugees.

BUT, From the 31st session the session number is cited in Arabic numbers

GA Res. 41/133, 4 December 1986. Right to development.

Security Council resolutions can be marked in two different ways:


OR


Economic and Social Counsil documents are cited in different ways depending on in which session the document has been given.

First and second session:
ECOSOC Res. 1/8, 15 February 1946. Establishment of a commission to deal with the problem raised by the discovery of atomic energy.
Afterwards until 1978 (63rd session):
ECOSOC Res. 801 (XXX), 21 December 1966.

From 1978:
ECOSOC Res. 3, 4 May 1981.

or if no date is indicated:
ECOSOC Res. 1981/3.

There are also other UN documents that are not necessarily specifically categorized under any subdivision.


World Trade Organization documents are cited as follows:


5.3 Internet sources

Internet sources are typically supporting, secondary sources for academic papers. Internet sources should be used with consideration, i.e. only when it is necessary and when such sources provide information that is not available elsewhere.
Please note that search engines such as Google or similar are not sources. They can be used for searching materials but are not to be referred to as a source. Also, public, user-based encyclopedias such as Wikipedia are not to be used as a source. A student may look for information via Wikipedia but references must always be made to the original source, e.g. to an article or book.

When citing to information on a website, a student needs to identify the authorship of the website and the date of publication or latest update. Information on websites are written in the list of references in a following format:

Authority of the website, Name of the page where the information is found. Date of publication or latest update. [URL of the page] (date of access)

There are two ways of writing the citation in the list of references:


OR

http://www.unep.org/ > Climate Change > Mitigation (30.8.2016)

When using a list of references, the internet source may be referred in footnotes in a shorter form:

6 MAIN TEXT

6.1 Referencing to legislation (eg. directives, regulations, international treaties)
Legislation is referred to only in the main text; no list of legislation is added to the list of references. When the piece of legislation is mentioned for the first time, the whole name of it must be written down. Subsequent citations may use a shortened form, which should be given in parentheses after the entire name. If the rule referred to is EU regulation, directive or decision, their publication in the official journal (OJ) should be stated in footnote.


If the reference concerns an international treaty, the first citation ought to give its full title, its place of signature, its date of signature, the date (where applicable) it came into force, and a citation for where the material can be consulted (e.g., International Legal Materials, United Nations Treaty Series, European Treaty Series, etc.).


Subsequently, in the same chapter, this can be referred to simply as: Article 2 of the Kyoto Protocol.

6.2 Referencing to case law
Court cases are listed in the list of references. Cases from different courts are divided under subheadings. European Union cases are numbered as they are registered at one of the two European courts – the Court of Justice of the European Union (CJEU) and the General Court (GC,

10 OJ 25.10.2003 L 275/32
established in 1989). Since that date, CJEU cases are prefixed by ‘C-’ and GC cases are prefixed by ‘T-’. Before the establishment of the CFI (now GC), ECJ (CJEU) numbers had no prefix. In the text, the case name should be abbreviated of the full name, if it is commonly used and unequivocal and the full name as published in the European Court Reports (ECR) should be specified in footnote. The name should be printed in italics. References to specific paragraphs should be made by using the abbreviation (‘para.’).

The CJEU has adopted a new method of citing case-law. Following the recommendation of the Council that the Court of Justice of the European Union adopt the European Case-Law Identifier system, the Court has assigned an ECLI to all decisions delivered by the Courts of the European Union since 1954 and to the Opinions and Views of the Advocates General. The method of citing the case-law adopted by the Court of Justice of the European Union combines the ECLI with the usual name of the decision and the case number in the register. It has gradually been brought into use by each EU Court/Tribunal since the first half of 2014 and was harmonised as between the Courts of the European Union in 2016.\(^\text{11}\)

\textit{Schempp -case}^\text{12}

The previous style utilized the European Court Reports -system.

\textit{Van Gend en Loos -case}^\text{13}
\textit{World Wildlife Fund (WWF) -case}^\text{14}

Cite a case before the International Court of Justice (ICJ) or the Permanent Court of International Justice (PCIJ) or the Permanent Court of Arbitration by an abbreviation of the case name (as it appears in the official report), if it is commonly used and unequivocal. If an official report of a

\(^{11}\) For more information on the new citation system, see [https://curia.europa.eu/jcms/jcms/P_126035/en/].
\(^{12}\) C-403/03, Schempp, EU:C:2005:446, para 19.
\(^{13}\) 26/62\textit{Van Gend en Loos} (1963) ECR, 1, section 12.
recent case before the ICJ is not available, materials may be cited to the Court’s official website <www.icj-cij.org>. Give a date of access for these reports.

International Court of Justice

_Pulp Mills -case_15

Permanent Court of International Justice

_Mavrommatis Palestine Concessions_16

Permanent Court of Arbitration

_MOX Plant -arbitration_17

International Tribunal for the Law of the Sea

_MOX Plant -case_18

The International Law Reports is a key source of international court and tribunal decisions and arbitral awards.

_Rainbow Warrior_19 (New Zealand/France) (Arbitration Tribunal) 82 ILR, p. 499, 30 April 1990.

6.3 Bolding and italicization

Bolding should never be used in the main text as effects. It is only used in level 1 and level 2 headings.

Names are italicized when they appear in the text for the first time in certain context. For instance, in one paragraph, the name is italicized only once even if it is used multiple times. When the context changes, the italicization is strated over. Italicization helps the reader to perceive

16 1924 PCIJ Series A, No. 2.
17 (Ireland/United Kingdom), Jurisdiction, (2003) PCA.
18 (Ireland/United Kingdom), Provisional Measures, Order of 3 December 2001, ITLOS No. 10.
19 (New Zealand/France) (Arbitration Tribunal) 82 ILR, p. 499, 30 April 1990.
which quarters the writer has chosen as a part of his legal text. The names of court cases cited in the text are italicized every time they are mentioned.

6.4 Abbreviations

All abbreviations utilised in the text should also be included in the abbreviation list and vice versa. Abbreviations should be spelled out when they are first used, followed by the abbreviation in parentheses. The writer must never start a sentence with an abbreviation. Punctuation is not necessary for abbreviations (e.g. “UN” rather than “U.N.”):

- Clean Development Mechanism (CDM)
- United Nations (UN)

In the text, the following abbreviations can be used when appropriate, but with caution:

- e.g. (= for example)
- i.e. (= that is)
- et seq. or et sqq. (= and the following)
- et al. (= and others)

In footnotes, the following abbreviations should be used at all times:

- (ed) (= editor) but (eds) (= editors)
- Ibid. (= same source as the previous citation) should only be used to refer to immediately preceding references.
- Art./Arts. (= Article/Articles)
- para./paras. (= paragraph/paragraphs)
7 FOOTNOTES

7.1 General

Information used in the text must be documented. In other words, the author must inform the reader from which source and from which part of the source the information has been gathered. In legal texts the documentation is done with footnotes in the bottom of the page. Please see the instructions for the form and layout of footnotes in Chapter 5.

The starting point is that the length of the footnotes has not been limited. However, if the length is closing up to half a page, the author should consider, if the text should be located in the main text or as an indented paragraph.

7.2 Documenting sources in footnotes

The source used in the footnote is documented as follows: surname or the author(s) + publication year, page numbers. There should be a comma after the name(s) and publication year, and a small letter ‘p’ before the page numbers. After the abbreviation ‘p’ there is a space before the number(s). When referencing to a book or article, it is marked in the footnote eg.:

Klabbers 2013, p. 66, 69 and 70. (Information has been gathered from pages 66, 69 and 70.)
Klabbers 2013, p. 80–82. (Information has been gathered from pages 80, 81 and 82. Notice the dash between page numbers)
Talus 2003, p. 63.

If there are multiple writers the names are separated with a dash:

Johnston – Block 2012, p. 85–90.

If there are four or more writers, the reference is shortened to the form below. In this situation only the name of the first author is mentioned and the other names are replaced with abbreviation ‘et al.’ With this technique the abbreviation should be marked in parentheses in the reference list after the entire name of the source.

If the writer uses source material written by two different writers with the same last name, he must separate these persons’ production by using the first letter of their first name.


If the source material is a translation, one must use the year of the translation instead of the original year of publication. e.g.:


Citations to official sources are marked in the footnotes as literature citations.


If the official source does not have a generally accepted abbreviation, then the drafter of the source (person(s) or organization) is marked as the author and after this the publication year and page number is included in the footnote as literature citations.

UN Committee on Economic, Social and Cultural Rights 2011, p. 35.

Internet source may be referred in footnotes in a shorter form:


7.2.1 Location of the footnote number
The starting point is that the footnote number is located in the main text after the dot. There are two exceptions to this.
First, if the reference clearly concerns only a separate concept inside a sentence, the footnote number can be placed in the middle of a sentence. Second, the footnote number can be placed before the dot, if the reference concerns only the last sentence of the paragraph and this would otherwise be unclear.

7.2.2 Direct quotations
If a sentence (or multiple words in the same order) has been taken directly form a source, the direct quotation should be marked with quotation marks. Direct quotations should however be avoided. If a direct quotation is considered necessary, the quotation must equate to the original text precisely with all punctuation marks and possible errors.

Using direct quotations is an effect that should always be considered carefully. The main rule is that a direct quotation is justifiable, if the quoted matter is frased in the original source especially well, or the author wants to point something out from the quotation. Direct quotations should be kept as short as possible (approximately one sentence).

7.2.3 Latin terms used in legal writing – a small glossary
When reading cases of international courts or legal academic articles you may frequently encounter words or short sentences in ancient Latin. They are often used to define unambiguously a typical situation or a general principle. The use of such terminology has roots in the history of law and for various reasons it has become a tradition.

Some Latin expressions have become a universal language in different legal fields (e.g. public international law, criminal law, civil law etc.) and they are still strictly connected with academic English. Therefore, the knowledge of these expressions remains a necessity for legal scholars, students or lawyers with an international vocation.

A small glossary of most common Latin terms and official translations has been created by the United Kingdom’s Ministry of Justice. Listed below are the most common ones:
Actus Reus - Guilty act
Ad Hoc - For this purpose
Ante - Before
Bona Fide - In good faith
Cor (Coram) - In the presence of
De Facto - In fact - "As a matter of fact"
De Lege Ferenda\(^{20}\) - With a view to the future law; How the law should be
De Lege Lata\(^{21}\) - The law as it exists
De Jure - By right
Erratum - An error
Ex Officio - By virtue of his office
Ex Parte - By a party
Ex Post Facto - By a subsequent act
Forum Conveniens - At a convenient place - A Court having jurisdiction in a particular case
Ignorantia Juris non excusat - Ignorance of the law is no excuse
Inter Alia - Among other things
Intra - Within
Intra Vires - Within the power of
Ipso Facto - By the fact
Locus in quo - The place in which
Mens Rea - Guilty mind
Nota Bene - Note well
Pro Forma - A matter of form
Pro Tempore (Pro Tem) - For the time being
Quasi - As if
Res Judicata - A thing adjudged
Sub Judice - In the course of trial


\(^{21}\) *Ibid.*
Videlict (Viz) - Namely

To see the entire glossary of the Ministry of Justice visit the following website: http://www.justice.gov.uk/courts/glossary-of-terms

For other resources, you can find useful legal glossary containing both words and definitions in the following website: http://dictionary.law.com/

For Finnish students, see also ”Lakimieslatinan Käsikirja” (Kaius Tuori, toim. Kalle Kärkkäinen, Edita 2007)
8 ADDITIONAL INFORMATION

You can ask question of the writing guide from teachers responsible for the courses that have written works as study modes.

The writing guide is updated yearly. Feedback and suggestions for developing the guide are highly appreciated, and they can be directed to research assistant Otso Myrsky: omyrsky@uef.fi.