

**Wo-master of Advanced Studies in European International
Business Law
Universiteit Leiden**

Report of the panel for re-accreditation

March 2012

Table of contents

Preface	ii
0 Summary	iii
1 Introduction	v
1.1 Site visit	v
1.2 Content and structure of the report.....	v
1.3 Process of the programme assessment.....	vi
1.4 Description of the programme	vi
1.5 Institutional profile	vii
1.6 Programme profile	vii
1.7 Enrolment and graduation rates.....	viii
1.8 Ambitions.....	viii
2 Standard 1. Intended learning outcomes.....	1
2.1 Findings	1
2.2 Considerations	3
2.3 Judgement.....	5
3 Standard 2. Teaching-learning environment	6
3.1 Findings	6
3.2 Considerations	11
3.3 Judgement.....	14
4 Standard 3. Assessment and learning outcomes.....	15
4.1 Findings	15
4.2 Considerations	17
4.3 Judgement.....	18
5 General conclusions	19
6 Recommendations	20
7 Appendices	22
7.1 Composition of the panel.....	22
7.2 Score table of panel judgements	23
7.3 Schedule of the site visit.....	24
7.4 List of theses and grades.....	29
7.5 Declarations of independence and confidentiality.....	30

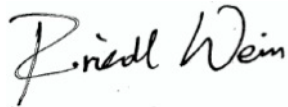
Preface

From November 16th up to and including November 18th, 2011 a panel visited the Leiden University in the process of the limited programme assessment of the following four advanced master programmes offered by the Leiden Law Faculty:

- Advanced Studies in European and International Business Law (EIBL);
- Advanced Studies in Public International Law (PIL);
- Advanced Studies in International Tax Law (ITL);
- Advanced Studies in Air and Space Law (ASL).

For each of the programmes a separate report has been drafted. This report concerns the European and International Business Law programme.

This report has been drafted by the secretary, and has, after approval by the panel members, been submitted to the Leiden University for verification. This has led to some factual corrections in the report. Thereupon the final version of the report has been drafted by the secretary and chairman of the panel.



Prof. Friedl Weiss
Chairman



Drs. Carlo Hover
Secretary

0 Summary

Leiden University offers four advanced master programmes in International Law. These have been jointly visited by an assessment panel as part of the re-accreditation process. The findings with regard to the *European and International Business Law* programme are summarized below. This programme (60 ECTS) is offered in a full-time and part-time variant.

Standard 1. Intended learning outcomes

There is a relevant set of eight learning outcomes concerning knowledge, research abilities, presentation of knowledge, application of knowledge, working environment, ICT-skills and keeping up knowledge. The orientation is primarily professional, but students are also being prepared for academic research. The programme demands that students are aware of the theoretical foundations of European and International law, have knowledge about the theory and practice of international business and know about key historical and current developments in the field. Research skills and methodology are stressed to preparing students for continued academic education or research within advanced professional settings.

The learning outcomes are academically robust and clearly aim at a master's level and above. Looked at from an international perspective, the programme has a specific and sufficiently distinctive position in terms of learning outcomes, level, content and method of delivery. Professional orientation is explicitly incorporated in the learning outcomes as well as in the academic skills and attitudes and research abilities. The needs of agencies, institutions and companies in the field are met with.

The panel judges the programme with regard to standard 1 as excellent.

Standard 2. Teaching and learning environment

The programme puts a clear focus on business-related aspects of European Law in a regional and global perspective. There are eight (mandatory) courses in the programme.

Each course is interactive, following an integrated format of lecturing, presentations and discussion and reflects a 'Socratic' teaching methodology. Classes students engage in a high level of academic debate and emphasize academic writing skills and presentation. The coursework includes assignments aimed at preparing legal advice, motions and briefs, and presentations. The European Law Moot Court competition plays a key role in developing students' discussion, debating and presentation skills.

Engagement with the professional field is ensured by the working experience of the teaching staff and their large network, input from guest lecturers from the professional field and through various field trips.

The research element in the programme's coursework is based particularly on a case-method approach. Emphasis is put on the workings of European and international business law by using a combined research and transfer of knowledge methodology. As EU Law is predominantly a case-law based legal system, students learn to work with actual court cases through reading, analysis, discussion, the writing of papers and presentations.

The programme strives for international excellence and is highly selective. The main

selection criterion is the academic record of applicants, most notably the reputation and content of prior academic education in combination with the grades achieved for the qualifying law degree. Additional criteria are the student's motivation and capacity to engage in advanced-level academic study.

The panel is impressed by the quality of the staff, the structure and coherence of the programme, the students' facilities and support structure and also by the commitment of the students. All this makes for a dynamic and highly productive teaching and learning environment; this is also the case for the blended learning variant.

The panel judges the teaching and learning environment as excellent.

Standard 3. Assessment and learning outcomes

The assessment method for each of the programme's courses is established in advance and indicated clearly in the course descriptions. Within courses, the weighting of the final grade is established according to the percentages indicated for each assessed component. Within the programme as a whole, the courses are weighted on the basis of their ECTS value. This is transparent for students

The directors of the four programmes, together with the Dean, form a 'Quality Assurance Standing Committee'. Through regular reviews of course evaluations, student exit reports, cross-examination of papers, jointly agreed assessment forms and cross-reviewing of theses, it is ensured that the quality and level across all four programmes remains at a consistent, and high level.

Students write a thesis that addresses a substantive issue of European and International Business Law. It must investigate and present new and innovative findings in areas which have already been defined, and should not be merely descriptive. Students must strive for a thesis of publishable quality.

Each thesis is graded by the thesis supervisor and the thesis along with the written findings of the supervisor and the grade are submitted to the programme coordinator. Thesis grading is done on the basis of a common procedure and grading sheet for all four Advanced Studies programmes.

The panel is very impressed by the quality of the theses and can agree with the (generally high) grades that are awarded. Therefore the panel judges the programme with regard to standard 3 as excellent.

Conclusion and recommendations

The programme is, in terms of learning outcomes, curriculum, staff and theses produced by the students, certainly of an advanced nature in comparison to regular masters' programmes. The panel wants to stress that the quality (control) of the programmes is, to a substantial degree assured by the formal cooperation between the four advanced studies. For a single programme this would be difficult to achieve (and to maintain).

The panel feels that there is some room for further improvement of the already strong coherence in profile between the four programmes and formulates a number of recommendations in this respect.

1 Introduction

In this report, the panel for the re-accreditation of the *Advanced Studies in European and International Business Law* (EIBL) presents its findings, based on the study of documents, theses and a site visit in November 2011. The initial accreditation decision by the NVAO dates from May 2007. Two of the current panel members (F. Weiss and J. Tiley) were also members of the panel for the initial accreditation (site visit December 2006).

The name of the programme has in the meantime been changed from *Advanced Studies in European Business Law* to *Advanced Studies in European and International Business Law*, from the start of the 2008-2009 academic year. The change was made to more adequately reflect the programme's emphasis on important international law components (notably on the law of the World Trade Organization and on arbitration law), and on the impact of EU law on international business patterns and processes, and more generally to the increasingly global arena of business law.

1.1 Site visit

From November 16th up to and including November 18th, 2011 a panel visited the Leiden University in the process of the limited programme assessment of the following four advanced master programmes offered by the Leiden Law Faculty:

- Advanced Studies in European and International Business Law (EIBL);
- Advanced Studies in Public International Law (PIL);
- Advanced Studies in International Tax Law (ITL);
- Advanced Studies in Air and Space Law (ASL).

A clustered visitation was possible given many similarities between the programmes in terms of generic learning outcomes, orientation, academic level, entry requirements, programme structure, assessment system, support structure and student facilities.

The composition of the panel was as follows:

- Professor Friedl Weiss, chairman
- Professor Anna Masutti, member
- Professor John Tiley, member
- Asja Hegeman LL.M., member
- Drs. Carlo Hover, panel secretary

The panel composition is in compliance with the requirements stated in paragraph 3.3 of the NVAO Assessment frameworks for the higher education accreditation system (December 2010). All panel members have signed a declaration of independence and confidentiality. See appendix 7.1 for more information about the panel and appendix 7.3 for the schedule of the site visit.

1.2 Content and structure of the report

The report closely follows the requirements as formulated in paragraph 3.4.4 of the *NVAO Assessment frameworks for the higher education accreditation system* (December 2010). The report is structured on the basis of the three standards that constitute the basis of

the assessment framework.

1.3 Process of the programme assessment

In preparation for the site visit, the panel members have studied the critical reflection and the appendices of the four programmes as required in conformity with paragraphs 3.6.1 and 3.6.2 of the NVAO Assessment.

The panel members also assessed, prior to the site visit a number of theses; see appendix 7.4 for the list.

On the evening before the site visit, the panel had a preparatory meeting. In this meeting the panel members exchanged their general impressions of the programmes, discussed the quality of the theses and their grading and made an inventory of questions and discussion points for the various meetings.

During the site visit, the panel has spoken with the programme directors, the programme managers, teachers, students, alumni and representatives of the respective professional fields. The schedule for the meetings was established in collaboration with the support staff of the programmes. The panel has set aside time for open consultations, which was, at the panel's request communicated to students and staff of the four programmes. No one took advantage of this opportunity either at the announced time or on any other occasion during our site visit. During the site visit the panel studied additional documents (theses, course material, exams, and quality assurance reports) in compliance with paragraph 3.6.3 of the NVAO Assessment frameworks.

In judging the various standards and in formulating the final conclusion the panel closely followed paragraph 8 and 9 of the NVAO Assessment frameworks as well as the *NVAO Guideline for the assessment of final projects* (July 2011).

The panel greatly appreciates the support provided by management and staff of the programmes. Additional information that was needed by the panel was promptly delivered. The discussion in the various meetings had a very open character.

1.4 Description of the programme

Country

The Netherlands

Institution

Universiteit Leiden

Title of the programme (as registered in CROHO)

Master Advanced Studies in European and International Business Law

Registration number in CROHO

75025

Orientation and level of the programme

Academic Master's programme ['post-initial' master]

Number of ECTS

60

Degree

Master of Laws (LL.M.) in Advanced Studies in European and International Business Law

Location

Leiden

Variations in which the programme is offered

Full-time (one academic year) and part-time (two academic years)

Working language

English

Funding

The institution is a public organisation funded by the Dutch government. However, the Master of Laws in Advanced Studies programmes are so-called 'non-funded' programmes. No government funding is received and therefore the tuition fees – set at the same level irrespective of nationality – cover the full programme costs. The tuition fee in the academic year 2010-2011 amounted to € 14.200.

1.5 Institutional profile

Leiden University is an international research university, offering 49 bachelor's programmes and 95 master's programmes to 18.000 students; there are about of 4.000 staff members.

The University has seven faculties, of which the Leiden Law School is one.

The Leiden Law School offers 4 bachelor's programmes, 4 'regular' master's programmes (with 9 specialisms) and 4 'advanced' master's programmes to about 4.250 thousand students.

Leiden University has opted to concentrate its research activities in 11 research profile areas that transcend the traditional boundaries between specialist fields and faculties. These research profile areas offer opportunities for top-level fundamental research, but also reflect key areas of debate in contemporary society. The aim in focusing on these themes is to increase the visibility of crucial research areas, as well as to enhance the cohesion of these areas.

Teaching at Leiden University is closely integrated with research. The University wants students to develop into responsible academics, fully aware of the ethical consequences of academic research and innovation, and of their conduct in society.

1.6 Programme profile

The Master of Laws programme in Advanced Studies in European and International Business Law is an advanced level postgraduate programme in the field of European and international business law. It is designed for law graduates, who already are, or desire to become, legal

practitioners in internationally operating law firms, companies or organisations, research institutions or in governments, or who wish to pursue further (post) academic research.

The Master of Laws programme in Advanced Studies in European and International Business Law focuses on the impact of the law of the EU on government and enterprises in a global economy, and its repercussions on, and interaction with, other international institutions, in particular the World Trade Organization.

The programme is aimed, in particular, at lawyers who wish to specialise in the area of European and International Business Law, and who already are, or desire to become, international legal practitioners in internationally operating law firms and companies, as well as (EU) bodies, organs and agencies.

The curriculum provides students with a thorough knowledge of EU law and the legal systems governing international business transactions with an EU component. Students become confident in the handling and presentation of complex legal materials, orally and in writing, using the specific vocabulary of European and International Business Law.

The programme takes one full academic year, for full time students (two for part-time students) from September until the end of August, and the programme's core structure comprises eight (compulsory) courses and a final thesis.

1.7 Enrolment and graduation rates

Table 1 shows the number of applicants and graduates of the EIBL programme from the academic year 2007/08 until 2010/11.

Table 1. Enrolment and graduation rates

Enrolment characteristics	07/08	08/09	09/10	10/11	Progression	07/08	08/09	09/10	10/11
No. of Students *	11	16	29	32	Completed in allocated time	11	15	28	
No. of Nationalities	8	14	17	18	Cum laude awards	1	4	3	
Tuition Fee €	12.900	13.750	13.750	14.200	Average grade	7.97	7.25	7.4	
Male	6	4	12	13	Extended Study Time	0	1	1	
Female	5	12	17	19	Withdrawn	0	0	0	0
Full Time	10	14	27	31	Transferred	2	0	0	0
Part Time	1	2	2	4	Failed programme	0	0	0	

* This figure includes part-time students. Part-time students are listed in each of the (two) academic years they are enrolled on the programme.

1.8 Ambitions

In the critical reflections the four programmes mention their, partly collective, ambitions. During the site visit the panel discussed these also with the Law School Board. The Leiden Law School views the four advanced master's programmes as its flagship programmes: "they

are our business card". The School wishes to expand the opportunities for students to take such courses in Leiden but has rejected the idea of doing so by admitting more students to the current programmes. Given the number of applicants, that might appear to be a feasible option but this would be to the detriment of the small-scale and interactive character of the programmes. Moreover, it would be improbable to hire sufficient suitable staff. Expansion will therefore be sought by offering new advanced master's programmes for the international student market.

The current programmes will be limited to a maximum of 40 – 45 students and will keep their selective character.

The ambition of the EIBL programme for the future is to consolidate and further strengthen its present position. One particular ambition has been to cater for students from totally different (cultural) backgrounds, a task that has proven more challenging with the increasing diversity of their student body.

2 Standard 1. Intended learning outcomes

The intended learning outcomes of the programme have been concretised with regard to content, level and orientation; they meet international requirements.

As for level and orientation (bachelor's or master's; professional or academic), the intended learning outcomes fit into the Dutch qualifications framework. In addition, they tie in with the international perspective of the requirements currently set by the professional field and the discipline with regard to the contents of the programme.

2.1 Findings

Subject specific frame of reference

With reference to all academic law degrees in the Netherlands, a joint 'subject specific reference framework' was drawn up in 2009, by the Discipline Committee for Law, of the Association of Research Universities in the Netherlands. It concerns a joint framework of subject specific requirements for bachelor and master's degrees in Law. According to this framework, an academic law programme needs to provide insight into the key features of the law: its role in society; key concepts; the primary legal fields and their interconnectivity; the boundaries of the law, as well as its relativity from a multidisciplinary point of view. Law is considered as part of a European, international and comparative context.

The programme objectives have been set in line with this orientation.

The programme is designed for law graduates, who already are, or desire to become, legal practitioners in internationally operating law firms, companies or organisations, research institutions or in governments, or who wish to pursue further (post) academic research. The programme addresses the practical effects of the co-existence of business law at different levels, e.g. of the regional trade law of the European Union with the global or near-global trade law of the World Trade Organization, as well as with national law in this field.

The essence of the programme is on the impact of the law of the EU on government and enterprises in a global economy, and its repercussions on, and interaction with, other international institutions, in particular the World Trade Organization.

Level and orientation

The intended learning outcomes of the programme have remained stable since the initial NVAO accreditation in 2007.

In all, there are eight learning outcomes. These concern knowledge (basic, overarching and specialist knowledge), research abilities, presentation of knowledge, application of knowledge, working environment, ICT-skills and keeping up knowledge.

For illustrative purposes the panel quotes learning outcome number 3, 'specialist knowledge':
"The graduate is capable of researching legal questions in European and International Business Law by formulating coherent and concise problem statements, collecting and analysing data, judging their validity and relevance as well as by thorough analysis and interpretation of legal sources, literature, and complex cases relating to questions of European and International business Law. He/she is able to critically read

and analyse the case law of the European court of justice and the decision-making practices of EU institutions as well as of EU legislation. He/she is able to pose critical questions, formulate an independent opinion, draw founded conclusions, provide innovative solutions to challenges in the field of European and International Business Law, and to make recommendations for further research.”

The orientation is primarily professional, but students are also being prepared for academic research. The programme aims at striking a balance between theory and high-level professional practice. It demands that students are aware of the theoretical foundations of European and International law, have knowledge about the theory and practice of international business and know about key historical and current developments in the field.

In terms of research skills and methodology, students obtain the capacity to apply respective knowledge, to formulate important research questions and to design and carry out appropriate research strategies, based on both quantitative and qualitative methodologies, in order to answer these questions. The academic knowledge and skills obtained in the programme, including the capacity to apply adequate legal scientific research methods and tools, and the ability to present academic results, also prepare students for continued academic education or research in the framework of advanced professional settings.

The programme is presented as an ‘an advanced level postgraduate programme’ in comparison with the ‘regular’ LL.M programmes. In the critical reflection this is made explicit in the following way.

“The LL.M. Advanced Studies programmes differ from regular LL.M. programmes both in their level of teaching and learning. The Advanced Studies programmes are specifically designed for excellent students with legal experience and for qualified lawyers who wish to enhance their career prospects. Regular LL.M. programmes are the final part of the standard Dutch law curriculum, and form a required programme for Dutch students wishing to gain the right to enter legal practice in the Netherlands. The regular programmes the Leiden Law School offers are also accessible for international students (and attract many), and are aimed at those participating directly after completing a bachelor’s programme in Law.

In terms of level of study, the Advanced Studies programmes are substantially more in-depth and demanding. In just one academic year they offer a thorough and focused education on a specific area of legal expertise. Advanced Studies students benefit from teaching based on the Socratic Method, as well as both a practical and theoretical approach to the subject area. The Advanced Studies programmes are not in the first place research programmes. Whilst they are an excellent vehicle for the further development of research skills and as such also offer entry into PhD research, the programmes are first and foremost professional in their orientation. They cater exclusively for a group of students who benefit from close contact with their professors and with expert practitioners from the relevant legal field. There are very few universities that offer LL.M. programmes at this level.”

The learning outcomes for the full-time and the part-time programme are identical.

International perspective

In the absence of internationally accepted standards with regard to the required qualifications, aims and objectives of degree courses at a postgraduate level in the domain of European

and/or International (Business) Law, the learning outcomes have been set based on the academic and professional judgement of the programme staff on the basis of on-going assessments of programmes in the academic field and input from professional field (e.g. prospective employers).

The critical reflection contains a comparative analysis of existing LL.M. programmes in the area of European and/or international business law, both within The Netherlands as within other countries.

Requirements set by professionals and discipline

The programme, although academically rigorous, is professional in its orientation. A key element in the programme's learning outcomes is the application of acquired knowledge, research and practical skills, at an advanced level, in the professional arena.

2.2 Considerations

Subject specific frame of reference

The panel has no doubt that the programme complies with, if not exceeds national or international standards, if any, for an LL.M programme.

Level and orientation

On the basis of the documents studied and the discussions in the various meetings, it has become clear that the programme has a very strong professional orientation, while maintaining academic standards. The learning outcomes clearly reflect this and the profile is recognized and appreciated by the students, as became evident in the meeting with students and alumni. The panel can confirm that international institutions, corporate organisations and research institutions have a need for graduates with this kind of orientation and with these qualifications. This was also confirmed in the meeting with representatives from the professional field.

The learning outcomes convincingly comply with the Dublin descriptors (master level). These refer to Knowledge and understanding, Application of knowledge and understanding, Judgement formulation, Communication and Learning skills. These are all evident from the learning outcomes.

The panel has no doubt about the master level of the learning outcomes of the programme. The panel has however given much attention to the 'advanced' nature of programme. This arises not only with Standard 1 (learning outcomes), but also with Standard 2 (content, curriculum, entry requirements) and with Standard 3 (thesis requirements). Because of the relatedness of these aspects and the importance of clarity about the level of the programme, the panel treats this issue here at some length and also with regard to the other two standards (to avoid repetition).

Despite the evident quality, also in terms of level of the programme on the basis of the various documents, at the start of the site visit the exact nature of the 'advanced level' was not entirely clear to the panel. In the meetings with director and coordinator of the programme, teaching staff and students and alumni, this has been given a lot of attention. Interestingly, it was students and alumni that shed most light on the matter.

The panel understands that the ‘advanced’ character of the programme consists of three elements.

Firstly the learning outcomes build upon the completion of a full law degree that offers entry to legal practice in the country in which it was obtained. In some cases, but this varies between countries, this implies that candidates already have obtained a master’s degree. Furthermore the learning outcomes (and their operationalization in terms of level and content) clearly set high demands for both application of knowledge and understanding at a high professional level and for research capabilities necessary for further academic study. Even though the orientation is primarily professional, the specialist knowledge that is being applied and the quality of the research that students learn to use are of high academic standard. According to the panel, the programme distinguishes itself in this respect from most existing, comparable programmes.

Secondly (and the panel will further illustrate this while discussing Standard 2), the programme content (e.g. the number of level 600 courses; see footnote 1), structure and delivery modes meet standards that surpass those of ‘regular’ (i.e. government funded) master programmes in The Netherlands. The quality of the teaching staff is outstanding; the intensity of the education is very high as are the demands in terms of learning outcomes of the various courses and of the thesis.

Thirdly, the set of entry requirements, and the admittance procedure contribute to creating a highly qualified, highly motivated and – in terms of relevant background and credentials – mixed learning group in which, as one of the students stated ‘people rise to the occasion’. The panel will elaborate on this in Standard 2.

Solely on the basis of the textual formulation of the learning outcomes it is perhaps not possible to firmly establish the ‘advanced’ character of the level of the programme, which is also caused by the fact that internationally accepted descriptions are lacking.

Students and alumni who participated in the meeting with the panel all stressed that the programme offers more depth and high-level interaction, for instance compared with other master’s programmes they have followed. They related this to study load, the depth reached in interactive discussions in class and with the staff, and to the way they learned to read cases and to practice case law in for instance the moot courts. One of the alumni compared the programme in terms of level and quality with an honours programme and this seems to be not far off the mark.

As the NVAO assessment frameworks stresses the importance of weighted and integrated judgements, the panel can confidently state the level of the programme is indeed of an advanced level in comparison with ‘regular’ LL.M programmes.

The programme in national and international perspective

The documents provided compare the programme with related programmes in The Netherlands, Europe and the rest of the world. The comparison makes it clear that the programme has a specific position in terms of learning outcomes, level, content and method of delivery.

The programme has, given title and content alone, definitively an international orientation. The learning outcomes also explicitly specify this.

The documents provided further contain a positioning of the programme vis-a-vis international programmes in and outside Europe. The panel considers the international positioning of the programme as relevant. Compared to related programmes offered within the international academic community the EIBL programme definitively has something to add both for the professional and the academic domains. The profile is also sufficiently distinctive.

Requirements set by professionals and discipline

The Leiden Law School is situated in the proximity of various relevant international organisations. The relevance of the programme, given the importance of European Business Law and International Business Law in general and for business and commerce is evident. The representatives from the professional field have attested to this.

The name of the programme has in the meantime been changed from *Advanced Studies in European Business Law* to *Advanced Studies in European and International Business Law*, from the start of the 2008/09 academic year. The change was made to more adequately reflect the programme's emphasis on important international law components (notably on the law of the World Trade Organization and on arbitration law), and on the impact of EU law on international business patterns and processes, and more generally to the increasingly global arena of business law.

The panel agrees that the change of the name better reflects the learning outcomes of the programme.

In the initial accreditation process the then panel suggested to involve the professional field by means of an Advisory Board. The programme is part of the Europa Institute that is governed by a curatorium. The annual meetings of this curatorium, along with the structural engagement of the Europa Institute in terms of research, conferences and projects provide the programme with a continual input from the field. The panel considers this an adequate operationalization.

2.3 Judgement

That the programme meets the requirements of an academic master level, conform the standards of the NVAO assessment frameworks, is evident to the panel. There are however no established standards to assess an advanced master level. Given the formulation of the learning outcomes, the explanation of the notion of 'advanced' master's programme in the documentation and the statements of students and alumni, the panel is satisfied that the programme aims for learning outcomes above the regular master's level.

Therefore the panel judges the programme with regard to standard 1 as excellent.

3 Standard 2. Teaching-learning environment

The curriculum, staff and programme-specific services and facilities enable the incoming students to achieve the intended learning outcomes.

The contents and structure of the curriculum enable the students admitted to achieve the intended learning outcomes. The quality of the staff and of the programme-specific services and facilities is essential to that end. Curriculum, staff, services and facilities constitute a coherent teaching-learning environment for the students.

3.1 Findings

The programme of the part-time variant is identical to that of the full-time variant. The only difference between the two programmes is the duration: one versus two academic years. Part-time students participate in the classes of the full-time students. There is no separate grouping of full-time and part-time students; they follow the same (daytime) courses, but spread over a longer period. Also the facilities offered to the students are exactly the same.

The number of part-time students is small; 4 of a total of 32 students (2010-2011).

In all, there are 282 contact hours and the student staff ratio is 9.34

Curriculum

The programme puts a clear focus on business-related aspects of European Law in a regional and global perspective. This choice is reflected in the type and sequence of the courses as they are taught in the framework of this programme.

There are eight courses in the programme. All courses are compulsory. All courses, except the first course (The Legal Foundations of the European Union have a level of 600 (the first course has a level of 500).¹

In the first semester, from September to December, the two so-called foundation courses are delivered (The Legal Foundation of the European Union and The Law of the Internal Market and Harmonisation). These are followed by courses of 'impact' (European and International Intellectual Property Law, European Competition Law, WTO Law, and European Company Law) and 'complementary' courses (European and International Private Law), taught between November and July.

Thesis writing takes place in July and August, although the research process begins earlier; students are encouraged to give thought to their thesis topics and begin research for them as early as around the middle of the first semester.

¹ The Leiden register of courses provides the following definitions. Level-500 implies that courses have an academic orientation and cover advanced literature. Tests and or independent research, in which students evaluate the studied materials critically and in an independent way. The 600-level courses are highly specialized. They are based on the analysis of recent academic articles, recent advances in academic thinking on a topic and require an independent contribution by students to a problem that is not yet resolved, as well as an oral presentation.

Parallel to the courses there are a number of assignments, including the European Law Moot Court (first semester) and a number of case law preparations (first and second semester). Research methodologies are offered early on in the curriculum and developed further in each course through a number of assignments, culminating in the supervised writing of the thesis.

The sequence of courses, and particularly, the assignments and assessment methods in each of them, reflect the gradual acquisition of the ability to apply the acquired knowledge and understanding at an advanced level. Students are asked to research issues of substance and present their findings in a variety of ways including class presentations and papers. The character of the case preparatory work deliberately progresses from the more obvious to complex cases with incomplete or limited information and multi-level jurisdictional aspects.

Building on methodological research training received in the first two courses, the scope and level of research skills training are increased incrementally through a number of research assignments. At the end of the year, students have to perform largely independent research and deliver a thesis of publishable quality, which in certain cases can qualify as the start for a PhD proposal. The final thesis is the culminating point in the students' research work for the EIBL programme.

Approach to teaching and learning

Application skills are further developed through preparation for, and active participation in, the prestigious European Law Moot Court Competition (as part of the first semester), in which students simulate a case before the European Court of Justice. With its combination of intense research, written and oral submissions, the Moot Court in many ways resembles a *Privatissimum*².

Interactive class discussions with permanent staff and guest lecturers (particularly in the second semester) on the basis of prepared materials, and consultations with various officials at the European Commission and the European Court of Justice during the field trip in June, constitute further ways in which the application of knowledge and understanding are enhanced.

Through this approach, students on the programme obtain a profound knowledge and understanding of areas of international and business law that are most affected by the transfer of powers from national legal orders to the European Union, as related and intertwined with international law. By the end of the programme, students can substantiate and analyse the interrelatedness between the different levels of law (national, European and international) pertaining to business transactions, and demonstrate thorough legal understanding on the resolution of disputes that may arise in the context of the substantive rules discussed. A critical understanding of the policy considerations underlying these bodies of law, as well as (appropriate) contexts of international relations and comparative contexts, is a distinct focus in most of the courses offered.

Each course is interactive, following an integrated format of lecturing, presentations and discussion. This is also called the 'Socratic' teaching methodology. Readings for all courses consist of important works and articles from leading academic journals on the subject. The

² A *Privatissimum* is a more academically oriented practical where one (not too limited) subject is studied in a group from all sides, including in a context of Comparative Law. Its focus is on writing papers and presenting research results, followed by a discussion. Assessment is based on the oral and written contributions.

course papers need to report theory, hypotheses, results, and conclusions of a specific analysis. Class attendance is mandatory.

Classes take place in the form of seminars, normally held in two to three-hour sessions (or four hours in the case of The Legal Foundations of the European Union and The Law of the Internal Market), two to three times a week per course. The preparation work for the seminars is usually quite heavy.

In preparation for classes - requiring students to engage in a high level of academic debate - students study not only the law; including case law, and text book material, but there is a strong emphasis on academic writing skills and presentation. The teaching methods and assessments are aimed at further developing the student's skills in writing, analysis and communication. From early on in the first semester, therefore, the coursework includes written and oral assignments next to traditional written exams. These include preparing legal advice, motions and briefs, and presentations - individually as well as in the form of group work. The European Law Moot Court competition plays an additional key role in the context of students' discussion, debating and presentation skills.

Engagement with the professional field

The programme incorporates and encourages active engagement with the professional field. This is evident in terms of course content and delivery throughout the programme, and this ultimately aims to facilitate a smooth transition to the professional world for its graduates also.

The programme engages with the professional field in a number of ways.

Firstly, a number of the professorial and lecturing staff on the programme either were or still are actively involved in legal practice or business.

Secondly, practitioners from the professional field are invited to teach as guest lecturers in a number of courses. Guest lecturers are chosen for their expertise in relevant professional fields and less on the basis of formal academic merit.

Thirdly, the students themselves bring in a professional component also. More than half of the students joining the programme have some or considerable work experience, which is reflected in the level and depth of discussions in class. Other opportunities for students to engage with the professional field are available through (non-mandatory) internships.

Another important element of professional experience is participation in the European Law Moot Court. This prestigious moot court competition is divided into both written and oral rounds in order to more accurately simulate pleading before the European Court of Justice.

Finally, field trips are arranged as part of the programme: to the EU institutions in Brussels and Luxembourg, and law firms active in the area of European and International Business Law. Consultations with EU officials at the political institutions and at the European Court of Justice enable students to gain valuable first-hand knowledge of the workings of these institutions.

Emphasis on research

Leiden University is a research-intensive university with a strong commitment to high quality research as the main inspiration for teaching. A strong interaction between research and teaching is reflected in several ways. The selection and appointment of staff, as well as their professional development track incorporates qualified and quantified research and teaching requirements.

The Leiden Law School has a longstanding tradition of research in European law. Particularly through its 'Europa Institute' it has, since the 1950s, acquired a substantive research reputation and expertise in the field of European law. The Europa Institute has excellent contacts with the EU institutions in Brussels and Luxembourg. It also publishes the leading academic journal in the field of EU Law, namely the *Common Market Law Review*.

Research at the Leiden Law School is concentrated in six faculty-wide research programmes, in which researchers from different (legal) disciplines work together. The Law School's research programme that is most relevant to the area of European and International Business Law is *Securing the rule of law in a world of multilevel jurisdiction*.

The research element in the programme's coursework is based particularly on a case-method approach. Whilst other programmes are either exclusively research-oriented or provide mainly traditional teaching in the sense of transfer of knowledge, the EIBL programme puts emphasis on the workings of European and international business law by using a combined research and transfer of knowledge methodology. Given the fact that EU Law is predominantly a case-law based legal system, particular emphasis is put on perfecting research skills and legal reasoning by learning how to work with actual court cases through reading, analysis, discussion, the writing of papers and presentations.

Staff

Most of the core members of staff teaching on the programme are Professors.

A number of the professorial and lecturing staff on the programme either were or still are actively involved in legal practice or business. The staff members currently teaching on the WTO Law course, the International Arbitration Law course, European and International Intellectual Property Law, European and International Private International Law, European Competition Law and European Company Law are actively involved in legal office or business at this time.

Practitioners from the professional field are invited to teach as guest lecturers in a number of courses.

Programme-specific services and facilities

The EIBL programme, along with the other Advanced Studies LL.M. programmes at the Leiden Law School, has a dedicated support structure. Recruitment, selection, student and programme support are arranged through the Office for International Education, in close consultation with each of the programmes. A streamlined procedure for admissions, programme management and quality assurance has been set up and is implemented by programme - and academic coordinators within each of the programmes. The staff involved in this structure have international educational backgrounds and experience, and have a good understanding of international students' needs and requirements.

Furthermore there is a dedicated management and organisational structure supporting all four Advanced Studies LL.M. programmes. The directors of the four programmes, together with the Dean, form the so-called 'Quality Assurance Standing Committee'. In this committee a range of issues surrounding the programmes are being discussed and decided upon, dealing with admissions, programme structure, assessment and evaluation, appeals procedures and any other quality related issues or problems that may arise. The board continually reviews the prevailing rules and regulations, and has recently put in place a structure for cross-reviewing exams and theses, in order to monitor and compare performance and assessment levels across the four programmes.

The Standing Committee is supported by two staff members of the Office for International Education: a dedicated Quality Assurance Manager, who coordinates the organisational and monitoring structure for all four programmes, and the head of the office, who carries responsibility for the Law School's internationalisation policy and activities, including the process of student recruitment and admissions.

Student progress is in the first instance monitored by the course lecturers. Lecturers discuss any concerns regarding student progress and performance with the Programme Coordinator, the Academic Coordinator, or in the second instance, the Programme Director - dependent on the type of issue or problem. More often than not, potential problems are identified before any assessment is undertaken, as in addition to taking attendance, lecturers monitor individual students' input and participation in class. Additional support (e.g. a one-to-one session, additional reading, and pastoral care) may be offered to students who appear to be struggling with specific course components.

Incoming students

The programme strives for international excellence. Entry standards for the programme are high. Admission is increasingly competitive, as more applications are received each year. The main selection criterion is the academic record of applicants, most notably the reputation and content of prior academic education in combination with the grades achieved for the qualifying law degree. Additional criteria are the student's motivation and capacity to engage in advanced-level academic study – demonstrated through a statement of motivation and evidence of relevant work experience. Two required letters of recommendation provide the selection committee with helpful additional information. Another essential factor in the advanced level entry for the programme is the entry standard for the level of English, which is set at IELTS 7.0 or equivalent.

Students come from a wide range of countries and educational backgrounds; often from renowned universities, across Europe, North and South America, and Asia. The intention is to accept no more than 40 students enrolling in the programme each year. During 2010/11 the EIBL programme had 34 students, which is the highest number to date.

About a quarter of the students have obtained (prestigious) scholarships, based on academic merit; some receive funding from their employers.

Admissions are discussed in the Standing Committee, also because students can (and in practice do) apply for more than one of the four advanced master's programmes. It also happens that a student may be advised to apply for a different programme ('regular' or advanced') than that of his first choice. A 'downgrading' to a regular master's programme is

sometimes needed in case of Chinese students when their command of English and their ability to think independently is not of the required level.

3.2 Considerations

Curriculum

On the basis of a table in the documents that provides a description for each course, providing a cross-reference to the learning outcomes and listing also the method(s) of assessment, the panel concludes that the curriculum adequately covers the learning outcomes as treated under Standard 1.

The panel commends the structure and content of the curriculum. The fact that all courses are compulsory adds to its coherence and ensures that all students reach a comparable level of insight and understanding of the broad field of European and International Business Law. A programme offering optional courses could not as easily accomplish that. This may not appeal equally to all students, but is clearly communicated to them in the application process. The students attested to this in their meeting with the panel. All students are offered the option to attend one course in any of the three other advanced master programmes of the Law Faculty (without charge) to further broaden their horizon and or deepen specific knowledge. The panel considers this as an excellent bonus.

During the initial accreditation process the then panel recommended giving students more options instead of only compulsory courses. The programme board has kept to the original format. The panel supports the reasoning that the compulsory structure has its benefits.

An asset of the programme is the diversity of the student body in terms of countries of origin. This forces the programme to structure the curriculum in such a way that a common ground is built to bring all students at the same level. The two foundation courses bring this about.

In comparison to the programme's content and structure at the time of the original accreditation, two courses (*Tax Law and Principles* and *Practices of Legal Scholarship*) have been abandoned. This was done in response to student comments regarding study load in general and questions about the usefulness of the courses. Basics of Tax Law are now integrated in the course *The Internal Market and Harmonisation*.³ The course *Principles and Practices of Legal Scholarship* has been replaced with enhanced support in thesis writing, and detailed guidance on avoiding plagiarism, offered in the form of workshops.

Other courses have been updated in response to developments in the field. Especially the December 2009 Treaty of Lisbon has changed a lot of the terminology and added to institutional and procedural complexity that had to be incorporated in the programme.

At the initial accreditation, the then panel suggested that the programme could pay more attention to interdisciplinary questions. Topics within the *European Company Law* course have been altered to reflect this recommendation; the course now pays more attention to interdisciplinary approaches, and the curriculum now reflects in more detail the important developments in European capital markets and financial services law.

³ Students in want of a more thorough introduction can always follow one of the courses of the Tax programme.

The programme does pay attention to relevant social, economic and political aspects, given the importance of these factors for the development and implementation of European and International Business Law. The programme is however not interdisciplinary in the sense that professors from those other academic disciplines actually teach in the programme.

The panel supports this position; a truly interdisciplinary programme would fall short in terms of learning outcomes that are required for the highly specialized jobs that students are being prepared for. Interdisciplinarity *within the field of law* is enhanced by the fact that all students are offered the opportunity to follow one course from one of the other three programmes. The panel understands that students actually use this opportunity.

Another remark by the former panel was that the programme should better reflect the important developments in European capital markets and financial services law. In response to this, course content has been changed, particularly within the *European Company Law* course.

The panel has established that the curriculum is, in terms of content up to date. The panel has browsed course material during the site visit and concludes that relevant and up to date books and other sources are being used.

Approach to teaching and learning

It is a very intense programme, requiring hard work and active participation in an interactive setting. As became evident in the meeting with students and alumni, they appreciate this and praise the Socratic method, the assignments, the Moot Court and above all the direct interaction and the approachability of the professors.

Given that the number of student that withdraw, or are transferred to another programme, or need extended study time or fail the programme is very small (or even zero), the panel concludes that that the approach to teaching and learning is an effective one. See Table 1.

Staff

Almost all of the staff members are professors. Guest lecturers are chosen for the expertise in relevant professional fields and less on the basis of formal academic merit.

On the basis of their CV's, and based on the impressions gained in the meeting with the staff, the panel concludes that they are well up to the tasks they set themselves. The very positive remarks of students about the quality and dedication of the teaching staff is also relevant in this respect.

The panel regards the teaching staff as leading scholars and/or professionals in the field. The newly appointed programme director has given a new impetus to the development of the programme.

Programme-specific services and facilities

The panel has spoken with staff members of the Office for International Education, visited the library and some lecture rooms/halls. The Office for International Education turns out to offer a great deal of support (well before the actual start of the programmes) to the students in order to facilitate administrative issues (visa etc.) and their settling down in Leiden. The office also offers guidance with regard tot applications for scholarships. A substantial number

of students do have a scholarship. With this the programme board has followed a suggestion from the panel during the initial accreditation.

The panel regards all this as more than adequate.

There is a dedicated management and organizational structure supporting the four Advanced Studies LL.M. programmes. This has already been described under 'Findings'.

The panel has spoken with the programme directors and the Dean who form this *Quality Assurance Standing Committee*, as well as with the support staff. The panel also studied minutes from the meetings and annual review reports on the programme reflecting on programme improvements and changes, and reporting on student performance at course and programme level. These reports also include an evaluation written by student representatives from the programme.

The panel considers this overarching structure (that also facilitates with regards to standards concerning assessment; see Standard 3) as a valuable facility that adds a robustness that each relatively small programme could not very well establish on its own.

Incoming students

The programme has a selective profile. It took the panel some time however to get a full insight into the entry requirements. There seemed to be a discrepancy between the entry requirements as written down in the documents and the information on the programme website. The confusion arose because of an incorrect link between pages; the panel was pleased that the faulty link was corrected during the site visit.

Main entry requirement is possession of a full law degree i.e. one entitling the holder to enter legal professions. However, these requirements vary between countries (in some cases a master's degree is required, in other cases a bachelor degree may suffice). This can lead to variations in terms of entry level. Besides that there are also differences in terms of content that has been studied. Chinese students (whatever their degree) will have had much less introduction to EU law than students from EU-countries. The panel understands that it is neither feasible nor appropriate to apply rigid formal entry requirements, given the differences between countries with regard to entry into legal professions and content of Law curricula.

The selection procedure does not only look at academic credentials, but also takes the professional experience into account. Furthermore, the admission procedure not only weighs individual credentials but also aims at an adequate mix in the group, a mix of academic, professional and regional backgrounds in such a way that an inspiring and complementary learning environment is created.

Any differences that remain in terms of level and content are 'equalized' during the 'foundation' courses. Furthermore, some students are admitted only with the proviso that they finish additional reading requirements before the start of the programme or follow a course to improve their English (only in the case the score on the test is just below the requirements).

If during the programme students express the need for extra information or coaching (or as staff deems that necessary) additional workshops or coaching are offered. This has for instance happened with regard to the topic of plagiarism.

In the meeting with the students and alumni from all the four programmes, one alumnus mentioned that in his group one of the students had been a dentist. But upon inspection of the files it appeared to be a student with a double degree.

The panel has furthermore studied short biographies of all the current students, which confirmed that the admission procedure indeed results in a diverse and dynamic group of students. This substantiates the claim made by the programme that the admission procedure takes a lot of factors jointly into consideration. It has also become clear that the programme management is very much aware of the potential risks of combining a great diversity of nationalities within the student group, resulting in an elaborate admission procedure.

3.3 Judgement

The panel is impressed by the content and coherence of the curriculum, the intensive and interactive mode of delivery, the selectivity of the admission procedure and the quality of the support structure.

The panel has also established that recommendations from the initial accreditation panel have all been adequately followed up.

Therefore the panel judges the programme with regard to standard 2 as excellent.

4 Standard 3. Assessment and learning outcomes

The programme has an adequate assessment system in place and demonstrates that the intended learning outcomes are achieved.

The level achieved is demonstrated by interim and final tests, final projects and the performance of graduates in actual practice or in post-graduate programmes. The tests and assessments are valid, reliable and transparent to the students.

4.1 Findings

Assessment system

The assessment method for each of the programme's courses is established in advance and indicated clearly in the course descriptions. Within courses, the weighting of the final grade is established according to the percentages indicated for each assessed component. Within the programme as a whole, the courses are weighted on the basis of their ECTS value.

Lecturers are free in general to decide on their own assessment methods and the weighting thereof. They must however inform the students, in advance through the course descriptions in the E-prospectus, and again at the start of the course, about the applicable assessment methods and their weighting for the final course grade.

The exam and the grading are discussed at the beginning of each course. Former exam questions are usually included in the course reader, or provided through Blackboard. Assessment results are given to the students on an individual basis, usually by email. A joint review session is then held for each exam taking place within a course. Students are also able to discuss their performance with the lecturer individually, upon appointment.

Students may appeal the grades they are awarded. There are four (consecutive) levels of appeal (the relevant lecturer, the Programme Board, the Board of Appeals for the Advanced Studies programmes and Leiden University's Board of Appeals for Examinations).

The directors of the four programmes, together with the Dean, form the so-called 'Quality Assurance Standing Committee'. The Standing Committee currently acts as an overarching Exams Committee. Whereas the Academic Board of each individual programme (in the EIBL programme consisting of the Programme Director and the Academic Coordinator) is responsible for the correct and consistent grading of academic work within the programme, the Standing Committee, through its regular reviews of course evaluations, the student exit reports, the cross-examination of papers, the jointly agreed assessment forms and the cross-reviewing of theses, ensures that the quality and level across all four programmes remains at a consistent, and high level.

Taking into account the new rules being introduced in Dutch Higher Education legislation, in the context of debate in the Dutch Higher Education sector on the 'independence' of exam committees, Leiden University has decided as a general policy to establish for each of its academic programmes an exam board structure that is - as much as possible - separate from the possibly conflicting pressures of programme completion requirements and is independent from the Dean and/or any programme board.

In light of this new policy, the Board of the Law School, in close consultation with the Quality Assurance Standing Committee, has decided to put in place a new Exam Board for the four programmes, as from the academic year 2012/13. In the new set-up the exam board will consist of four members of teaching staff, one from each of the Advanced Studies programmes. These members of staff will not be members of the programme boards, so as to maintain a certain level of independence from the roles and views of programme management.

The Quality Assurance Standing Committee will maintain its current role(s), with the exception of the monitoring and appeals procedure regarding examinations, which will be taken over by the new Exam Board. The rules and regulations of the programmes will be amended accordingly prior to the start of the 2012/13 academic year.

Thesis

Following the successful completion of the instructional components of the programme, students are required to complete and submit a thesis on a topic of their choice and agreed upon with the programme board (10 ECTS). It must address and analyse a substantive issue of European and International Business Law. The thesis can be either comparative or restricted to a single paradigm. It is supposed to investigate and present new and innovative findings in areas which have already been defined, and should not be merely descriptive. Students must strive for a thesis of publishable quality.

The 'Europa Institute' of the Leiden Law School publishes the leading academic journal in the field of EU Law, namely the *Common Market Law Review*. Students are requested to draft their thesis with a potential publication in that journal in mind.

Following the end of the teaching period, students have about six weeks to finalise the work on their thesis. The topic of the thesis is chosen well before that period. Students are free in their choice of subject, but have to submit a thesis proposal for approval. Students can apply for coaching or supervision during the process. In fact, one of all staff contact hours is spent on thesis supervision.

Each thesis is graded by the thesis supervisor and then the thesis along with the written findings of the supervisor and the grade are submitted to the programme coordinator. Depending on the topic, there may be a second supervisor, in which case the second supervisor also grades the thesis.

Selections of the theses, from each of the supervisors and across a range of grades, are read by the Programme Director and the Academic Coordinator to ensure consistency in the grading.

Thesis grading is done on the basis of a common procedure and grading sheet for all four Advanced Studies programmes, along the same lines as indicated above for exam assessments. The grade consists of the following components, each given a particular weighting:

- Structure: balanced organization of paper and clarity of discussion;
- Drafting (language): spelling; grammar, comprehensibility of the English text;
- Quality of the analysis of the thesis: description and analysis of existing writings and knowledge, developing new ideas, clear formulation and sound underpinning of ideas;

- Quality: ease of reading and understanding: executive summary and overview of main findings;
- Qualitative statement: indication as to amount of supervision or help was required with regard to idea formation, execution of research and writing.

Performance in actual practice

Many of the students, when starting the programme, already have some or even considerable working experience. According to annual alumni surveys, the majority of the graduates enter or continue their careers in international departments of law firms, international businesses and international bureaus of government service, or other international organisations (such as the European Energy Community and, of course, the European Union).

According to the programme management, alumni do well in finding jobs quickly after graduation, although they see graduates facing fiercer competition - for a smaller number of interesting and senior positions - in the current economic climate.

The Office of International Education makes use of alumni to support the programme with job possibilities, opportunities for internships and to serve as a point of contact for future students.

With regard to academic research, after completion of the programme the students have all the necessary skills to proceed further as PhD research students. Some alumni of the programme have in fact obtained PhD degrees.

4.2 Considerations

Assessment system

According to the panel, the Standing Committee has performed well as an overarching Exams Committee. The structure warrants that the quality and level across all four programmes remains at a consistent and high level. Each programme by itself could not achieve this. The panel has seen the system at work in grading sheets that were received together with the theses that the panel members have studied. During the meeting the panel has also studied exams.

The panel especially appreciates the role of the 'Standing Committee' to enhance correct and consistent grading of academic work within the programme, including the cross-reviewing of theses. Still, the panel supports the plan to warrant a division of responsibilities by creating a separate, independent Exam Board.

The joint review sessions that are held for each exam add to the transparency of the assessment system and besides provide valuable feedback to the students.

The panel received no indication of conflict of interest between 'financial' and 'academic' objectives. This also follows from the fact that the programme is highly selective and the number of applicants is larger than the number of students admitted.

Thesis

The panel has studied a number of theses; see appendix 7.4.

The panel is impressed by the quality of the theses and considers the grades as correct.

An important factor is guidance and supervision offered to the students; one-third of the total teaching hours of the staff are spent on thesis supervision.

One of the theses that the panel has read had the grade adjusted by the programme director, as part of the procedure (described under the paragraph 'Findings') to check the consistency of the grading. The average grade for the theses in the academic year 2009-2010 was 7.4. There is quite a number of high grades (grades 9 – 9,5) but according to the panel, these grades are fully justified.

The panel has also seen a list (and examples) of theses that have been published or have led to a Ph.D.

Performance in actual practice

The panel has no doubt, given the professional orientation of the programme and the character of the various assignments, and also on the basis of the meetings with students, alumni, and representatives of the professional field, that the programme prepares students adequately for the demands of legal practice in European and international business law. The preparation for the specific field is obvious, but students also acquire a lot of transferable skills, that can equally be put to good use in other fields.

Of course, a degree can never be a guarantee and the completion in the application for interesting jobs is fierce.

The quality of the theses convinces the panel that students are also well prepared to continue an academic career leading to a PhD degree.

4.3 Judgement

The programme has an adequate assessment system in place and convincingly demonstrates that the intended learning outcomes are achieved. The panel is impressed by the professional orientation and academic level of the theses. These surpass the level that one may expect from 'regular' master's programmes and thus attest to the 'advanced' character of the programme.

Therefore the panel judges the programme with regard to standard 3 as excellent.

5 General conclusions

A score table of the judgements of the panel is provided in appendix 7.2.

Overall, the panel is positively impressed. During the site visit it has become clear that the programme is, in terms of learning outcomes, curriculum, staff and theses produced by the students, certainly of an advanced nature in comparison to regular masters' programmes. The panel wants to stress that the quality (control) of the programmes is, to a substantial degree assured by the formal cooperation between the four advanced studies. For a single programme this would be difficult to achieve (and to maintain).

There is however no formal assessment framework for this type of advanced studies. Therefore the general conclusion of the panel is that the programme, with regard to 'regular' Dutch LL.M programmes, can be considered as excellent.

In the NVAO assessment frameworks, 'excellent' is defined as follows:

"The programme systematically well surpasses the current generic quality standards across its entire spectrum and is regarded as an (inter)national example.

This judgement could be operationalized as follows:

- The level and/or orientation of the learning outcomes fit within the (inter)national qualification frameworks and have been concretised into subject- or programme- specific performance levels. These are given a specific interpretation based on the programme's explicit and unique views. The programme serves as an example both nationally and internationally.
- The aggregate of curriculum, staff, services and facilities constitutes an innovative, original learning environment.
- The learning outcomes achieved are of excellent quality and translate into awards and (inter)national publications."

Given the 'advanced' nature of the programme and considering the learning outcomes and orientation of the programme, it can be considered as exemplary in comparison with other programmes internationally on offer. All three 'operationalizations' apply to the programme.

The panel therefore advises the Board of the NVAO to extend the accreditation of the programme.

6 Recommendations

Two of the panel members took also part in the initial accreditation of the EIBL programme in 2006 together with three other advanced LL.M programmes. Given the many similarities between the four programmes, in terms of academic level and orientation, curriculum structure, didactics, assessment, quality control etc., the panel's recommendations for the four programmes overlap considerably.

During the, soon expiring, first accreditation term the programme has matured, partly under the influence of the newly (in 2009 appointed programme director, partly in response to student evaluations and also by incorporating recent developments in the relevant professional and academic domains of EIBL.

The panel is pleased to find that one of the strengths of the original concept of the four advanced masters' programmes, the overarching 'Standing Committee' and the common support structure, has been further elaborated. The panel especially appreciates the quality control that has been developed with respect to assessment and grading. The panel endorses the decision to create a separate, independent Exam Board.

The panel feels that there is perhaps some room for further improvement.

In terms of learning outcomes there is a strong convergence between the four programmes. In this respect it is somewhat surprising that there is a slight differentiation in terms of the generic titles of the learning outcome 'knowledge'. For this learning outcome the titles differ between 'basic, overarching and specialist', 'overarching and specialist' and 'basic and overarching'. Also there are some differences between the concrete texts of the learning outcomes. The differences are small, and do not seem evidently related to 'real' differences in terms of orientation, content and level. Therefore the panel suggest that the standing committee look into the matter.

Furthermore, one of the programmes has a separate learning outcome 'contribution to academic and professional debate'. The panel considers this a relevant learning outcome, but has no indication that the other three programmes do not in fact realize this outcome. Such a learning outcome could, according to the panel, very well be fitting for the programmes given their 'advanced' nature.

The current description of the advanced nature of the programme was initially not entirely clear to the panel. If that is the case, it might be possible that it is likewise unclear for other audiences either. The panel has established that the programme does indeed distinguish itself from regular LL.M programmes, certainly in The Netherlands. Given the selective character of the programmes, it is right to communicate correctly with possible applicants about the level and orientation of the programme so as to motivate members of the intended target groups to submit an application. This might especially refer to the weighted nature of the admissions procedure where both individual credentials and the overall composition of the group are relevant.

The panel is convinced that students are well prepared for the demands of the job market. Even in times of economic crisis, globalization will continue and the importance of business law (both European and international) will certainly not diminish. This is to the advantage of

the alumni. They are being prepared to fulfil top positions but the competition in that segment of the market is fierce. All four programmes have, in varying degrees some provision for career counselling. The International Tax Law programme offers an annual job fair and has a career counsellor; the Air and Space Law programme provide for a compulsory internship that can also function as a venue to a career.

The panel feels that this element could be strengthened, not because that would be a formal prerequisite, but because an advanced support structure fits with the concept of an advanced study as the Leiden Law School markets it.

With this suggestion, the panel joins a similar recommendation made in the last internal mid-term review of the four programmes to develop a better system for career development.

The four programmes differ somewhat with regard to thesis requirements. Partly these are due to differences in the curricula (for instance in relation to the number of papers students write in the rest of the curriculum). Relevant differences should of course remain; there is no reason to harmonize only for the sake of harmonization. Still, the panel suggest looking into the existing differences, especially with regard to the required number of words. The panel stresses this with regard to requirement from the professional and academic fields: conciseness and analytic rigour, without sacrificing depth and breadth, is important. Adhering to the standard of requirement of a leading journal in the field is an interesting operationalization.

This would of course not have to exclude the possibility of exception, to the discretion of the Exams Committee. In fact the panel has seen an example of a thesis where the student was allowed to write more pages, given the nature of the topic. Another example was a case where two students worked consecutively (and independently) on the same research question. Such flexibility is unusual and to be commended.

There is a large convergence between the four programmes as regards the approach to teaching and learning. Still, there are differences, e.g. the use of oral presentations, role-playing etc. The panel considers these as relevant ways for training important professional competencies. There is no need to rigidly harmonize the programmes, but they could benefit from cooperation in developing these didactical methods (also with regard to their grading).

Finally, the panel wishes to support the ambitions of the programme as stated in paragraph 1.8. These show that the programme is being continuously improved.

7 Appendices

7.1 Composition of the panel

The composition of the panel for the assessment of the

Professor Friedl Weiss, chair of the panel

Professor of European Law, European and International Economic Law, Institute of European, International and Comparative Law, University of Vienna, Austria

Professor, Vienna Diplomatic Academy

Visiting Professor, Bratislavská vysoká škola práva, Slovak Republic

Prof. Weiss acted as subject specific expert for the Public International Law Advanced Studies Programme and the European and International Business Law Advanced Studies Programme.

Professor Anna Masutti, member

Tenured Professor of Air Law at the University of Bologna (Aerospace Law and Commercial Law).

Member of the Board for the Master's Degree in Aviation Sciences and Flight Security and responsible for the School in Aviation Management organized by the University of Bologna and the Italian air navigation service provider (ENAV).

Professor for the master's course Competition and Regulation for Public Utilities, University of Rome.

Professor for the master's course Transport Economics – University of Bologna.

Prof. Masutti acted as subject specific expert for the Air and Space Law Advanced Studies Programme

Professor John Tiley, member

Professor of the Law of Taxation, University of Cambridge (1991); Emeritus since October 2008

Prof. Tiley acted as subject specific expert for the International Tax Law Advanced Studies Programme

Asja Hegeman LL.M., member

Student Master Public International Law University of Amsterdam

Asja Hegeman acted as student representative

Drs. Carlo Hover, panel secretary

Smets + Hover +

Advisors for Professional Organisations, NVAO certified secretary

7.2 Score table of panel judgements

Standard	Judgement EIBL	Judgement PIL	Judgement ITL	Judgement ASL
Standard 1. Intended learning outcomes The intended learning outcomes of the programme have been concretised with regard to content, level and orientation; they meet international requirements.	Excellent	Excellent	Excellent	Excellent
Standard 2. Teaching-learning environment The curriculum, staff and programme-specific services and facilities enable the incoming students to achieve the intended learning outcomes.	Excellent	Excellent	Excellent	Excellent
Standard 3. Assessment and achieved learning outcomes The programme has an adequate assessment system in place and demonstrates that the intended learning outcomes are achieved.	Excellent	Excellent	Excellent	Excellent
Programme overall	Excellent	Excellent	Excellent	Excellent

7.3 Schedule of the site visit

Programme on-site visit Leiden University, 17 & 18 November 2011

Visitation Panel

Professor dr F. (Friedl) Weiss (Chair)
Professor dr A. (Anna) Masutti;
Professor dr J. (John) Tiley;
Ms A. (Asja) Hegeman (Student Representative)
Mr C. (Carlo) Hover (NVAO accredited Secretary)

Wednesday, 16 November 2011

19:00 Evening dinner; Panel members introduction, preparation and discussion of key points and questions

Thursday, 17 November 2011

09.00 - 09.30 **Meeting with the Leiden Law School Board and Head, Office for International Education Leiden Law School**

- *Professor dr Rick Lawson, Dean*
- *Mr Dennis Hoitink, Financial Controller Leiden Law School*
- *Ms Els Lemaire, Head, Office for International Education*

09.30 - 11.00 **First meeting with the directors and coordinators of the four programmes**

Programme Directors:

- *Professor dr Christa Tobler, Programme Director European and International Business Law*
- *Professor dr Kees van Raad, Programme Director International Tax Law*
- *Professor dr Larissa van den Herik, Programme Director Public International Law*
- *Drs. Tanja Masson Zwaan, Deputy Programme Director Air and Space Law*

Academic and Programme Coordinators:

- *Mr Wouter Oude Alink, Programme Coordinator Air and Space Law*
- *Mr Agis Karpetas, Academic Coordinator European and International Business Law*
- *Ms Sheena Bruce, Programme Coordinator European and International Business Law*
- *Mr Mike Tegos, Programme Coordinator International Tax Law*

- Ms Mette Léons, Programme Coordinator Public International Law

11.15 - 12.45 Meeting with teaching staff of the four programmes

Air and Space Law:

- Drs Tanja Masson Zwaan, Deputy Director
- Mr. Patrick Honnebier LL.M. LL.M. (double LL.M.), Guest Lecturer

European and International Business Law:

- Professor dr Stefaan Van den Bogaert, Professor of European Law
- Professor dr Tom Ottervanger, Professor of European Law
- Dr Jorrit Rijpma, Associate Professor European Law

International Tax Law:

- Prof. dr. René van der Paardt part-time professor in indirect taxes at the Faculty of Economic Sciences at the Erasmus University Rotterdam and a member of the practice group VAT, Customs and International Trade of Loyens & Loeff N.V. (partner).
- Dr Stefano Simontacchi, Guest Lecturer, Partner at Bonelli Erede Pappalardo

Public International Law:

- Professor Jaap de Hoop Scheffer
- Dr Eric De Brabandere, Associate Professor

12.45 - 13.45 Lunch and closed meeting of panel

13.45 - 14.30 Open Consultation Meeting

14.30 - 15.20 Study time additional materials

15.20 – 15.30 Walk to the Leiden Law School

15.30 - 16.00 Facilities and library tour

Library staff

- Marjo Oldenhof, subject librarian,
- Emke Clifford Kock van Breugel, team leader front office,
- Kees Konings, Manager Information and Knowledge Services.

16.00 – 16.15 Tour of the Kamerlingh Onnes Building

- Ms. Els Lemaire
- Ms. Sheena Bruce

16.15 – 16.30 Walk to the Faculty Club

16.30 - 17.30 **Meeting with representatives from the professional field**

- *Air and Space Law*

Jorn Wegter: Corporate Legal Counsel at KLM Royal Dutch Airlines

- *European and International Business Law*

Mr. Christof Swaak, partner, **Stibbe Amsterdam**

Mr. Garth Schofield. Legal Counsel, **Permanent Court of Arbitration**

- *International Tax Law*

Mr Wim Wijnen, Counsel to the Academic Chairman of **IBFD, Amsterdam**, Professor of International Tax Law, **LUISS University Italy**. Part-time judge of the **Court of Appeal, 's-Hertogenbosch** (The Netherlands).

Prof. Jan de Goede, Senior Principal, Tax Knowledge Management at the **IBFD Tax Knowledge Centre**.

- *Public International Law*

Dr Marten Zwanenburg, *Legal Adviser*, **Ministry of Defence, NL**

Wayde Pittman (**ICTY**)

17.30 - 19.00 **Free time**

19.00 **Dinner and Closed Panel Meeting**

Friday, 18 November 2011

09.00 - 10.30 **Meeting with students and alumni of the four programmes**

Air and Space Law

• **Students**

Ana Dedijer and Jose Ignacio Garcia Arboleda

• **Alumni**

Stephanie Golinvaux - Associate, Brussels - Field Fisher Waterhouse

Public International Law

• **Students**

Esteban Jorge Guidici and Robynne Croft

• **Alumni**

Markus Eikel - Investigator, ICC,

William Worster, Lecturer, The Hague University of Applied Sciences,

Ekaterine Kikalishvili - ICC Prosecution

Jennifer DePiazza – International Bar Association Fellow in the Appeals Chamber, ICTY

Tax Law

• **Students**

- Eleonora Calandri and Jose Francisco Sepulveda
- **Alumni**
Rafael Miraglia - [Associate Baker & McKenzie Amsterdam](#)

European Business Law

- **Students**
Anna Szegedi and Wika Febrina Putri
- **Alumni**
Yanying Li - PhD Student & Assistant Legal Counsel, Permanent Court of Arbitration
Araz Alasgarov - Former Legal Advisor, Organisation for the Prohibition of Chemical Weapons, currently LL.M. Advanced PIL Student

10.45 - 12.15 **Second meeting with the directors and coordinators of the four programmes**

Programme Directors

- Prof. dr Carsten Stahn, *Programme Director Public International Law*
- Prof. dr Larissa van den Herik, *Programme Director Public International Law*
- Prof. dr Kees van Raad, *Programme Director International Tax Law*
- Prof. dr Pablo Mendes de Leon, *Programme Director Air and Space Law*
- Prof. dr Christa Tobler, *Programme Director European & International Business Law*

Academic and Programme Coordinators

- Ms. Mette Leons, *Programme Coordinator Public International Law*
- Mr. Wouter Oude Alink, *Programme Coordinator Air and Space Law*
- Mr. Mike Tegos, *Programme Coordinator International Tax Law*
- Mr. Agis Karpetas, *Academic Coordinator European Business Law*
- Ms Sheena Bruce, *Programme Coordinator European Business Law*

Faculty Office for International Education

- Ms Els Lemaire (MA), Head

12.15 - 12.45 **Tour of new ITC student residence halls (Gerecht 10, Leiden)**

12.45 – 13.45 **Lunch and closed meeting of panel at Faculty Club restaurant**

13.45 - 16.30 **Closed meeting of panel**

16.30 – 17.00 **Summary and Feedback session**

Dean of Law School

- Prof. dr Rick Lawson

Programme Directors

- Prof. dr Carsten Stahn, *Programme Director Public International Law*

- Prof. dr Larissa van den Herik, *Programme Director Public International Law*
- Prof. dr Kees van Raad, *Programme Director International Tax Law*
- Prof. dr Pablo Mendes de Leon, *Programme Director Air and Space Law*
- Prof. dr Christa Tobler, *Programme Director European & International Business Law*

Academic and Programme Coordinators

- Ms. Mette Leons, *Programme Coordinator Public International Law*
- Mr. Wouter Oude Alink, *Programme Coordinator Air and Space Law*
- Mr. Mike Tegos, *Programme Coordinator International Tax Law*
- Mr. Agis Karpetas, *Academic Coordinator European Business Law*
- Ms Sheena Bruce, *Programme Coordinator European Business Law*

Faculty Office for International Education

- Ms Els Lemaire (MA), *Head, Office for Internationalisation*

Academic and Educational Affairs Leiden University

- Ms. Julia van Proosdij
- Ms. Marijke Visch

7.4 List of theses and grades

Programme	Student number	Grade
Air and space law	0875198	6.5
	0891452	8.0
	1062018	9.5
	1056573	9.5
International tax law	833401	9.0
	949558	6.0
	1056212	8.5
	1030736	7.5
European and international business law	027492	7.0
	0503983	9.0
	1062743	8.5
Public international law	1063626	9.0
	053027	9.5
	1077775	9.0

7.5 Declarations of independence and confidentiality

All members and the secretary have, prior to the assessment process signed a Declaration of independence and confidentiality that has been submitted to the NVAO.