

Assessment report  
Limited Programme Assessment

**Master International Business Law**

VU University Amsterdam

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## 1. Executive summary

In this executive summary, the panel presents the main considerations which have led to the assessment of the quality of the Master International Business Law programme of VU University Amsterdam, having been assessed according to the NVAO Assessment Framework (22 November 2011).

The programme management has taken up the recommendations made by the panel who conducted the initial accreditation of the programme in 2007. The following adaptations have been made to the programme, following these recommendations. The name of the programme has been changed from International Law to International Business Law. The research component in the programme has been strengthened by the introduction of the Research Seminar and by the participation of a number of lecturers in several research groups of the Faculty of Law. The intended learning outcomes and the curriculum have been adapted in order to ensure that all the learning outcomes are met.

The panel considers the objective of the programme, familiarizing the students with the legal aspects of international commercial or investment and trade decisions, to be sound. The intended learning outcomes reflect this objective very satisfactorily. The panel applauds the emphasis the programme management has put on the academic knowledge and skills the graduates are to acquire. Also, the programme is a true reflection of the requirements of the business practice for a broadly trained international lawyer, being able to apply their knowledge of international business law to real-life cases and situations. The panel supports the intentions of the programme management to install an advisory board with representatives of the professional field.

The programme management has compared this programme to similar programmes, highlighting the commonalities and the differences between the programmes and the profile of this programme. From the comparison of the intended learning outcomes with the Dublin descriptors the panel has been able to deduce the intended learning outcomes to represent the master's level.

The panel considers the entry requirements for the programme, a bachelor's degree in law and a strong motivation, to be valid and to be enforced quite appropriately by the admission committee.

All the learning outcomes have been covered in the courses. The contents and the level of the courses meet the requirements. The panel regards the new two track curriculum as being well-designed. The objectives of the tracks are relevant and the contents are solid. Also, the Research Seminar is comprehensive, addressing both research methodologies and academic skills. The panel encourages the programme management to emphasize more the economic aspects, to give the course Financial Markets a more prominent place in the curriculum and to consider making this course mandatory for each of the tracks. If upgraded in this manner, this course will give the students the opportunity to gain an understanding of the important economic aspects of international business law such as corporate strategy and corporate finance.

The qualities of the lecturers in the programme regarding their expertise, research capabilities and didactical qualities are up to standard. Because the majority of the lecturers are active in the professional field, the students gain first-hand information about the professional practice of international business law.

The didactical concept and the learning methods, aimed at promoting active and self-directed learning, are beneficial to the learning processes of the students. The study load of the programme is quite high, but, as the students have indicated, doable. As these students are talented and very motivated, a number of them manage to obtain more than the required 60 EC. The panel would suggest offering also a part-time study mode to accommodate other groups of students.

The communication about the programme is effective, as the curriculum and regulations are explained to the students in the first weeks of the programme. The panel is impressed by the study guidance, especially for the foreign students in the first weeks of their stay in the Netherlands. The lecturers are accessible for the students. The quality assurance system of the programme is adequate and the positions and the roles of the various boards and committees are well-defined.

The examination and assessment policy and regulations of the Faculty of Law are appropriate, addressing relevant issues concerning the quality of the examinations. Although steps have been taken and are being taken in the implementation process, the programme management and the examination board are to continue and to intensify this process. Also, a representative of the programme is to sit on the examination board in order to give an expert assessment of the programme's examinations.

The panel considers the contents and the level of the examinations to be perfectly appropriate. Also, the methods of examination are adequate. The contents, the level and the structure of the master's theses meet the requirements of this International Business Law master's programme. The grades which have been given by the examiners, generally are in line with the grades the panel members would have given. In 2010/2011 the number of graduates, assessed with *cum laude*, seemed to be disproportionately high, but was caused by coincidental gathering of outstanding students in one year. In addition, in 2011/2012, the programme management adopted a system to award distinctions in line with university standards. This has reduced the number of *cum laude* distinctions. The panel suggests improving the transparency in the assessments and the grading of the theses. Also, the panel would advise no longer to allow an unsatisfactory grade for one of the criteria to be compensated. The careers the graduates have pursued provide evidence that the programme meets the academic and professional requirements.

The panel gives the advice to the NVAO to assess the master International Business Law programme to be satisfactory and to grant a re-accreditation to this programme.

Rotterdam, 8 March 2013

Chair of the assessment panel  
Prof. dr. F. Weiss

Secretary  
drs. W.J.J.C. Vercouteren RC

## 2. Assessment process

Certiked VBI has received a request to conduct an assessment for the re-accreditation of the Master International Business Law programme. This request has been submitted by the VU University Amsterdam.

Certiked has requested the approval by the NVAO of the proposed panel of experts to conduct this assessment. NVAO has given their approval. The panel consisted of (for more detailed information please refer to Annex 4: Composition of the assessment panel):

- prof.dr. F. Weiss, chair, professor European Law, Institute of European, International and Comparative Law, University of Vienna
- dr. H.E. Kjos, panel member, assistant professor in Public International Law, University of Amsterdam
- C.J.R. Eijsbouts LL.M., panel member, solicitor
- C. Saris BSc, student member, student research master Health Sciences, track Social Sciences, Maastricht University

On behalf of Certiked, drs. W. Vercouteren RC was responsible for the process co-ordination and for drafting the panel's report. All the panel members and the secretary have signed a statement of independence and confidentiality.

The panel has conducted this assessment on the basis of the standards of the NVAO Assessment Framework (22 November 2011).

The following procedure has been adopted. The members of the panel studied the documents presented beforehand by the programme management, including a number of theses (please refer to Annex 2 and 3: Documents reviewed and Theses reviewed).

Prior to the site visit, every one of the panel members and the process co-ordinator/secretary discussed in person or by telephone their findings and preliminary considerations concerning the quality of the programme. The panel members presented a number of questions to be put to the programme representatives during the site visit. On the basis of this input, the secretary has drawn up a complete list of questions.

On 24 January 2013 the panel conducted a site visit at the premises of the programme on the campus of the VU University Amsterdam. The site visit was conducted in accordance with the schedule drawn up beforehand (please refer to Annex 1: Schedule of site visit). The programme management has communicated the open office hours. No one presented themselves, but the panel received one letter. The panel has taken the contents of this letter into account.

Immediately after the site visit the members of the panel shared their considerations for each of the standards of the NVAO Assessment Framework. These considerations were based on the findings during the site visit, building upon the evaluation of the documents submitted by the institution. The chair of the panel presented a broad outline of the findings to the representatives of the programme.

A draft version of this report was finalised by the secretary having taken into account the information presented as well as the findings and considerations of the panel. The draft report was then sent to the members of the panel. The panel members corrected and amended the draft report. Finally, the secretary drew up the final report. This report was sent to the programme management to correct for errors. After having corrected the errors, the report was sent to the programme management to accompany their request for re-accreditation.

### 3. Overview of the programme

#### 3.1 Basic information about the programme

*Administrative information about the programme:*

Name programme as in CROHO:	M International Business Law
Orientation and level programme:	Academic Master
Grade:	LL.M.
Number of credits:	60 EC
Two specializations:	Not applicable
Location:	Amsterdam
Mode of study:	full time
Registration in CROHO:	60072

*Administrative information about the institution:*

Name of institution:	VU University Amsterdam (Vrije Universiteit)
Status of institution:	state-recognized, government-funded public university
Institution's quality assurance test:	pending

*Quantitative data about the programme*

Percentage of students who have completed the programme in two years

Cohort	2008	2009	2010
Percentage of students	97 % (30/31)	100 % (26/26)	93 % (26/28)

Percentage of lecturers with the following qualifications

Qualification	Master's degree	PhD	BKO
Percentage of lecturers	100 %	82 %	25 %

The percentage of lecturers having a BKO (Basic Teaching Qualification) is 25 %. When the number of lecturers training for a BKO is included, the percentage is 56 %. In line with the target of the Faculty of Law the programme management aims at a percentage of 80 %.

The average number of students in the programme is 23. The number of lecturers is 2.04 fte. So, the students-to-teacher ratio is 11.3 to 1.

The number of contact hours ranges from 4 hours per week to 12 hours per week, depending on the period and the choice of subjects the students make.

### 3.2 Main facts about the institution

The degree programme Master International Business Law is a programme of the Faculty of Law of VU University Amsterdam.

VU University Amsterdam was founded in 1880. Some 20,000 students are enrolled in the programmes of the university. More than 10,000 staff is employed by the University and by the affiliated VU Medical Centre.

VU University Amsterdam aspires to be an open organization, strongly linked to people and society. For the University what matters is not just the acquisition of a greater depth of knowledge, but also a wider scope.

The University expects students, researchers, PhD candidates, lecturers and other employees to look beyond their own interests and their own field.

Academic research and education at VU University Amsterdam are characterized by a high level of ambition, and encourages free and open communications and exchange of ideas.

VU University Amsterdam stands for universal university values such as academic freedom and independence, which is reflected in the name of the University ('VU' is the Dutch abbreviation for Free University). The basic philosophy of VU is expressed in three core values: responsibility, openness and personal engagement.

The Faculties of VU University Amsterdam are the Faculties of Earth and Life Sciences, Human Movement Sciences, Economics and Business Administration, Sciences, Medicine, Theology, Arts, Psychology and Education, Law, Social Sciences, Dentistry and Philosophy.

### 3.3 Intended learning outcomes

The students who have completed the Master International Business Law programme, are to have mastered the following learning outcomes.

- The graduates have acquired thorough knowledge and understanding of the main areas of international business law.
- The graduates understand the relationships between the main areas of international business law and recognize which legal issues are involved and how these influence each other.
- The graduates know who the actors of the international business law environment are and how they interact with each other, while acknowledging legal and cultural differences. The graduates understand the role of governments and the horizontal economic relationships between them and private business and, finally, the horizontal relationships between private companies. Consequently, the graduates discern the legal position of various parties and understand how the conduct of these parties can influence legal positions.
- The graduates possess analytical skills to apply acquired knowledge and insights to concrete problems in the area of international business law.
- The graduates 'translate' practical problems into legally manageable problems.
- The graduates can analyse and assess scholarly literature, case law and legal and policy documents and critically reflect upon them.

- The graduates show evidence of an independent, critical attitude with regard to existing theories and knowledge.
- The graduates possess the necessary knowledge of research methodologies in international law and the necessary research skills to independently prepare and carry out a jurisprudential study of some sizeable scope. The graduates can critically assess the value of research findings, draw conclusions from them and relate research results to theoretical debates within the domain and adjust them when necessary.
- The graduates can analyze complex issues in relation to international business and make useful legal recommendations. The graduates can formulate an independent and well-substantiated opinion on complex legal issues and take a substantiated position within the existing debates on various business law topics.
- The graduates have the ability to present orally and/or in writing the setup, research methodology, theoretical foundations and findings of their research to both experts and non-experts. The graduates have a good command of English legal terms which are used within international business law.
- The graduates have a self-critical attitude that enables them to independently acquire new knowledge and to improve their analytical, research and communicative skills.

### 3.4 Outline of the curriculum

In the table below the courses the curriculum has been made up of, have been indicated. This is the curriculum as of 2013/2014.

Courses	Credits
Compulsory courses (for both specializations or tracks)	18.0 EC
Research seminar	6.0 EC
Master's thesis	12.0 EC
Compulsory courses for <b>Regulation of Business track</b>	30.0 EC
International Trade and Investment Law	6.0 EC
EU Internal Market Law	6.0 EC
Competition Law	6.0 EC
International Intellectual Property Law	6.0 EC
International Tax Law	6.0 EC
Compulsory courses for <b>Business Relations track</b>	30.0 EC
International Contract Law	12.0 EC
Private International Commercial Law	6.0 EC
International Arbitration	6.0 EC
International Company Law	6.0 EC
Optional courses	12.0 EC
Financial Markets	6.0 EC
Internship	6.0 EC

As optional courses the students may choose the course Financial Markets or an internship or any of the courses of the other track, as long as they will have a total of 60.0 EC.



#### 4. Overview of the assessments

Standard	Assessment
Standard 1. Intended learning outcomes	Good
Standard 2: Teaching-learning environment	Good
Standard 3: Assessment and achieved learning outcomes	Satisfactory

## 5. Findings, considerations and assessments per standard

### 5.1 Standard 1: Intended learning outcomes

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

#### *Findings*

The programme management has drafted a domain-specific framework of reference for international business law in which the main characteristics of the domain have been identified. The main objective of the programme is to familiarize the students with the legal aspects of international commercial or trade and investment decisions. These legal aspects imply the legal areas involved and the relations between these areas. Being able to address the legal aspects of an international commercial or investment transaction may be complicated on account of the different participants involved and on account of the variety of legal aspects to be taken care of. Questions which may arise are, among others, what is the role of banks and insurers, what is the position of the parties involved vis-à-vis the governmental bodies, which law may be applicable, who is the competent judge, how should the contract be drafted, how will the financing be arranged and what happens if the debtor becomes insolvent. The objective of the programme is to teach the students to cope with these and related issues. The graduates of the programme are to be able to answer these questions before the international commercial, trade or investment transaction is concluded. In addition, the graduates are to be able to indicate risks and opportunities and to present innovative and creative solutions. Of course, the graduates keep track of the developments in legislation, regulations, jurisprudence and in the academic literature in order to perform these tasks as responsibly and effectively as possible.

In order to be able to meet this objective the students are taught to think independently and on an academic level, to understand the wider context of international business law, to develop academic research and writing skills and to communicate at an academic level.

Next to the thorough academic education the programme management aims for, the students are prepared to practice any legal profession in the field of international business law. The graduates may hold a position in a law firm, a consultancy firm, a national ministry, an international organization, company or a research institution. The graduates may perform their tasks acting as a legal advisor for one of the parties involved in an international business transaction or for a regulatory institution overseeing these transactions. The students may choose any of two tracks which will be offered from the academic year 2013/2014 onwards. The track Regulation of Business is focused on vertical relations between business organizations and the regulatory bodies, highlighting the role of these supervisory and regulatory authorities. The other track Business Relations is directed towards horizontal relations, being relations in a business-to-business environment.

The programme management has drafted the intended learning outcomes, which have been listed in paragraph 3.3 of this report. These learning outcomes refer to the knowledge and understanding the graduates ought to have of the main areas of international business law. The learning outcomes, also, stress the analytical skills, the research skills and the critical attitude of the graduates and their abilities to transform practical problems in legally manageable issues. The graduates are to handle complicated problems and are to arrive at a solid legal advice. The graduates, lastly, have to be able to communicate with both experts and laymen and possess a self-critical attitude.

The programme management has emphasized the academic orientation of the programme. The graduates are to be able to conduct independent academic research and are to have academic skills in, among others, communication and the solving of complex problems.

Also, the programme management has drawn attention to the relation of the programme with the professional practice. The programme management, explicitly, intends to prepare the graduates for a career as a lawyer in the international business law field. The graduates ought to become broadly trained professionals and not specialists in a specific aspect. The programme management keeps abreast of developments in the professional practice, inviting guest lecturers from the professional field, keeping in contact with organizations which offer internships and speaking to their own lecturers who have a position in the professional practice next to their academic career. The programme management intends to install an advisory board with representatives of the professional practice.

The graduates will obtain an *effectus civilis* upon graduating, provided they, also, have a bachelor in law degree of a Dutch university. This means they have access to the continued post graduate training programme for solicitors of the Dutch Bar Association (Nederlandse Orde van Advocaten).

The programme management has made a comparison with other academic programmes in the Netherlands and around the world. As these programmes differ widely in their focus and, consequently, in their contents, a comparison has only limited value, so the programme management has indicated. The programmes in the United States tend to be more business-oriented, whereas this programme is more focused on legal topics. The subject matter of this programme does not differ greatly from the core subject matter of other programmes. The broad perspective of the programme is evident from the comparison.

The programme management has compared the intended learning outcomes to the Dublin descriptors in order to assess the master's level of these learning outcomes. This comparison has been carried out appropriately.

#### *Considerations*

The panel considers the objective of the programme to be sound. The domain-specific framework of reference which the programme management has drafted, is an appropriate description of the international business law domain. The objective of the programme meets the requirements of this domain-specific framework of reference.

The intended learning outcomes reflect the objective very appropriately. The panel applauds the emphasis the programme management has put on the academic knowledge and skills the graduates are to acquire. The panel regards the programme to be a true reflection of the requirements of the business practice for a broadly trained international lawyer. According to the learning outcomes, the graduates will have the ability to apply their knowledge of international business law to real-life cases and situations. The panel supports the intentions of the programme management to install an advisory board with representatives of the professional fields concerned.

The panel feels that the two tracks the programme management intends to introduce in the academic year 2013/2014 will constitute a substantial improvement of the programme. The graduates may put the emphasis in their own programme on either the international business environment per se or on the regulatory aspects thereof. Both tracks are valid representations of the different sides of international business law and offer the graduates career opportunities in either one of these.

The panel regards the comparison the programme management has made with other programmes to be sound. Although the programmes tend to differ substantially, the core subject matter of the domain is accounted for in the learning outcomes.

From the comparison of the intended learning outcomes to the Dublin descriptors the panel has been able to deduce that all of the descriptors are represented in the learning outcomes. Therefore, the intended learning outcomes represent the master's level.

*Assessment of this standard*

These considerations have led the assessment panel to assess the standard 1 *Intended learning outcomes* to be good.

## 5.2 Standard 2: Teaching-learning environment

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

### *Findings*

The number of students who enrolled in the programme was 31 (in 2008), 26 (in 2009), 28 (in 2010) and 21 (in 2011). Over the twelve years the programme has been offered, about 270 students have completed the programme, being about 23 students per year. The maximum number of students who may enroll is about 30, although this number normally will not be reached. The programme management, explicitly, wants to attract students from all over the world.

The students enrolling in the programme have to go through an admission procedure, meant to check whether they meet the entry requirements. The students send in their diplomas and a letter of motivation. The basic selection criteria are a bachelor's degree in law, a grade point average of 7.8 (Dutch system) and a good command of the English language (IELTS result of 6.5 or an internet-based TOEFL score of 92). In an extraordinary case a student with a bachelor's degree in, for example, economics or political science, will be admitted, provided this student can demonstrate a substantial professional experience in law. The admission committee, consisting of members of the programme board, decides on the admission. A student with a deficiency in a specific area will be given suggestions for what literature to read in order to remedy this deficiency. The lecturers with whom the panel has met, have characterized the students of this programme as being more talented and more motivated than students in other programmes of the Faculty of Law.

The curriculum which will be offered from 2013/2014 onwards, has been outlined in paragraph 3.4 of this report. The curriculum underwent a series of changes in the last years. From 2006 till 2010 the programme management offered two specializations, being International Business Regulation and International Commercial and Trade Law. This programme design was not very successful, because the specializations had a substantial overlap and nearly all the students chose the latter specialization. In the year 2010 till 2012 the programme management decided to abandon the specializations and to increase substantially the number of electives to 30 EC. As the students had difficulty in deciding which electives to choose, the programme management, from 2013/2014 onwards, has opted for the two-track design, as presented in paragraph 3.4 of this report. The contents of the courses which are being offered, have not changed substantially over the years. With respect to the contents, the main change will be the Presentation Training (3 EC) to be replaced by the Research Seminar (6 EC) and the master's thesis which will be 12 EC instead of, previously, 15 EC.

The courses address the various aspects of international business law, related to the specialization the tracks offer. The programme management has drafted a table in which the relations between the intended learning outcomes and the courses have been identified. In the courses the main concepts of international business law as, for example, international trade, tax regimes and international contracts are covered in order for the students to gain knowledge and understanding. A comparative view is given on the U.S. and the European approach. Furthermore, the students learn how to apply these concepts to real-life problems and learn how to draw conclusions from legal texts. In doing so, the students have to handle complex problems and arrive at sound solutions. The students, also, are taught to handle the many primary and secondary sources which are available today. Lastly, the students should demonstrate a growing ability to work and study independently, to write essays and research papers and to present their research designs and research outcomes in class.

In the Research Seminar the students, on the one hand, are taught research methodology and, on the other hand, academic skills as well as communication skills. The Research Seminar teaches the students to have a critical attitude, to address ill-defined problems and to interpret these problems in a broader and more creative manner. The students will have to assess academic publications, to give a presentation and to write a research proposal.

The students may take two electives of 12 EC in total. These electives may be the course on Financial Markets, an internship or one or two courses from the other track. The programme manager intends to integrate the course Financial Markets into the tracks.

In the design of the curriculum of each of the two tracks, the programme management has taken care to achieve coherence. The lecturers meet once a year to discuss the relations between their courses in order to prevent too much overlap and to detect any discrepancies.

The programme management selects lecturers with subject matter expertise and didactical qualities. All of the lecturers have at least a master's degree and more than 80 % have obtained a PhD. The lecturers have experience in teaching and/or working in an international environment, either at a university, international organization or at an international law firm. New lecturers are required to obtain the Basic Teaching Qualification (BKO in Dutch). Most of the lecturers of the programme hold a position in the professional practice and, therefore, will introduce their professional experience into the classes.

The didactical concept of the programme is to promote active and, later in the programme, self-directed learning by the students. The study methods are, among others, discussions in class, role play, moot courts and presentations by students. In the courses the students are required to write essays or papers.

The curriculum has been divided in two semesters, each divided in two periods of eight weeks and one period of four weeks. At the end of each of these periods the examination for the courses of that period are scheduled. The first period of the first semester is regarded by the students and the programme management to be very demanding. Most of the students, however, study to obtain more than 60 EC. The students who the panel has interviewed, found the programme doable. In the first two weeks of the programme the students may change the track they have chosen.

The students who come from abroad, are met at the airport by representatives of the VU University and are assisted by them in performing the formalities in the Netherlands. In the first weeks the programme management organizes an introductory meeting for the students. In this meeting the students are informed about the programme and have the opportunity to meet the lecturers each of whom gives a presentation. The website of the programme provides additional information. The number of contact hours is rather limited, giving the students the opportunity to write the essays and papers for the courses. During their writing of the thesis, the students are entitled to four sessions with their supervisor. The students are positive about the accessibility of the lecturers. The programme management organizes a study trip in January to strengthen the group cohesion. During this trip a number of international organizations are visited.

All the courses are evaluated. The results of these evaluations are, generally, positive, with regard to the courses and with regard to the performance of the lecturers. The results of the programme in the National Student Survey (NSE in Dutch) are above average. An educational committee is in place which advises the programme management on quality issues. The programme management is responsible for the programme quality.

#### *Considerations*

The panel considers the entry requirements for the programme, a bachelor's degree in law and a strong motivation, to be valid and to be enforced quite appropriately by the admission committee.

The panel considers the contents and the level of the courses to be appropriate for the programme. Although the new two track curriculum has not yet run and an assessment based on facts has not yet been possible, the panel regards this curriculum as being well-designed and an improvement over the previous one. The objectives of the tracks are relevant and the contents are solid. The panel feels the Research Seminar is an improvement over the previous Presentation Training, since the Research Seminar is more comprehensive, addressing both research methodologies and academic skills. The panel advises putting the Research Seminar in the first semester instead of in the second semester, as is the case now. This would enable the students to benefit from the research methodology and academic skills training in most of the courses. The programme management has indicated to consider this. The panel encourages the programme management to emphasize more the business aspects, to give the course Financial Markets a more prominent place in the curriculum and to consider making this course mandatory for each of the tracks in order to train the students in the important economic aspects of international business law such as corporate strategy and corporate finance.

The curriculum reflects the intended learning outcomes adequately, as all the learning outcomes have been covered in the courses. The panel is convinced the students will acquire the knowledge and skills which are required to achieve the learning outcomes. The knowledge and skills which are offered, are relevant for the prospective positions of the graduates.

In the opinion of the panel, the qualities of the lecturers in the programme are up to standard, with regard to their expertise, their research capabilities and their didactical qualities. The panel is positive about the professional experience of the majority of the lecturers. This way, the students gain first-hand information about the professional practice of international business law.

The panel regards the didactical concept and the learning methods to be consistent with and beneficial to the learning processes in this programme. The panel assesses the programme to be demanding and the study load to be quite high, but, as the students have indicated, doable. As these students are talented and very motivated, a number of them manage to obtain more than 60 EC. The panel would suggest the programme management to offer more modes of study than the full-time study mode to accommodate other groups of students.

The panel is impressed by the study guidance, especially for the foreign students in the first weeks of their stay in the Netherlands. The communication about the programme is effective, as the programme management in the first weeks outlines the curriculum and the regulations for the students. The study guidance is appropriate, the lecturers being accessible for the students.

The panel considers the quality assurance system of the programme to be adequate. The positions and the roles of the various boards and committees are well-defined.

*Assessment of this standard*

These considerations have led the assessment panel to assess the standard 2 *Teaching-learning environment* to be good.



### 5.3 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.*

#### *Findings*

The Faculty of Law has drafted a Guide to Examination and Assessment Standards. This guide outlines the procedures to arrive at valid, reliable and transparent examinations and assessments. One of the procedures is to use an assessment matrix to verify whether the contents of the course are represented in the examination. The International Business Law programme intends to comply with these procedures. When a course has more than one lecturer, several lecturers will be involved in assessing the students' performance.

The examination board is responsible for the quality of the examinations of the entire Faculty of Law, including this programme. This board, still, is in the process of assessing the quality of the examinations and assessments and has not yet a full view on the quality of these. The board proceeds per year in the programmes, first assessing the quality of the first year examinations. Thus far, no representative of the programme has been a member of this board. When topics, specifically concerning this programme, are discussed, the examination board chair calls on the chair of the programme management to provide additional information.

A variety of examination methods are used in the programme to conclude the courses and the final thesis. These examination methods include written examinations, essays, case studies, individual papers, oral presentations, a research proposal (in Research Seminar) and a report and oral defense (for the thesis). The lecturers are free in deciding on the mode of examination for their course, paying attention to the course contents. A course focused on knowledge may have a written examination, whereas a course about research skills may be assessed by an essay. In addition, the students are required to complete intermediate assignments. These are not part of the grading but are meant to promote regular studying by the students and, for the lecturer, to permit observing their progress in acquiring knowledge and skills.

The programme management has adopted a plagiarism policy and checks each of the essays, papers and theses for plagiarism by means of the computer programme SafeAssign. No cases of plagiarism in the programme have been reported since 2008.

The programme management has drafted a thesis guide in which the thesis procedures have been laid down. The thesis should fit the international business law programme, ought to have a sufficient academic level and the student should present a research plan which may be completed within the time available. The student may come up with a subject of his or her own or the subject may be suggested by the programme management or one of the lecturers. The supervision during the process includes four meetings between the supervisor and the student. The supervisor and the student discuss the thesis topic and the thesis design, the draft introduction, the draft chapters of the thesis and the full draft thesis. The thesis will be assessed by the supervisor and by an external examiner. The programme management selects these examiners who come from law firms, governmental bodies or universities. The supervisor and the external examiner fill out a score sheet based on a number of assessment criteria to assess the thesis. These criteria reflect the objectives the thesis ought to meet. To some extent, an unsatisfactory grade for one of the assessment criteria may be compensated for by a satisfactory grade for another criterion. The assessment of the oral presentation and defense of the thesis by the student is part of the grade.

The percentage of students completing the programme is very high. This is mainly due to the strict admission procedure, allowing only very talented and motivated students into the programme.

The students may request the assistance of the VU University Career Center for career opportunities. The programme has no career assistance facilities of its own. The graduates of the programme tend to find a suitable position within two months. The number of graduates being unemployed is very limited (4 %). As the programme has run for twelve years, the programme management has a clear view on the careers of the graduates. They have pursued a career as international business lawyer, either as partner in a law firm or working in their own legal practice, as an academic researcher, as an in-house counsel for investment firms, multinational companies or accounting firms, as a government official, as a legal counsel for non-governmental organizations or as a legal professional for international organizations such as the World Trade Organization or the World Bank.

#### *Considerations*

The panel considers the examination and assessment policy and regulations of the Faculty of Law to be appropriate, addressing relevant issues concerning the quality of the examinations. The programme has an examination board in place to check the quality of the examinations and assessments. As to the implementation of this policy and these regulations, steps have been taken and are being taken. The panel, would like to encourage the programme management and the examination board to continue and intensify the implementation process. The panel recommends a representative of the programme to sit on the examination board in order to give an expert assessment of the programme's examinations.

The panel has studied a number of examinations and has found the contents and the level of these to be appropriate. The panel, also, considers the methods of examination to be adequate and to reflect the contents and the learning objectives of the courses.

The panel has studied a number of theses. The panel regards the quality of these theses to be appropriate. The contents, the level and the structure of the theses meet the requirements of this International Business Law master's programme. The grades which have been given by the examiners, generally are in line with the grades the panel members would have given. In 2010/2011, the number of graduates, assessed with *cum laude*, seemed disproportionately high, but this was caused by a coincidental gathering of outstanding students in one year. In addition, the programme management, in 2011/2012, adopted a system to award distinctions in line with university standards. This has reduced the number of *cum laude* distinctions. The assessments of the theses lack some transparency. To the panel, it was not always clear how the supervisor's assessment and the second examiner's assessment had led to the final grade. The panel, therefore, suggests making the assessment process of the thesis more transparent. Also, the panel would advise no longer to allow an unsatisfactory grade for one of the criteria to be compensated by a satisfactory one for another of the criteria. The programme management will simplify the procedure and explain more clearly to the students how the grading of the theses will take place.

For the panel, the careers the graduates have pursued provide evidence that the programme meets the academic and professional requirements.

#### *Assessment of this standard*

The considerations have led the assessment panel to assess standard 3 *Assessment and achieved learning outcomes* to be satisfactory.

## Annex 1: Schedule of site visit

Amsterdam, 24 January 2013

08.30 h. – 09.30 h.	Arrival and deliberations panel (closed session)
09.30 h. – 10.00 h.	Dean, director and programme director prof. dr. E. van Sliedregt (dean Faculty of Law), drs. P. Koenen (head Department of Education), dr. E. Denters (chair programme board), I. Ciobanasu LL.M. (member programme board)
10.00 h. – 11.15 h.	Programme management and core team dr. E. Denters (chair programme board), I. Ciobanasu LL.M. (member programme board), prof. dr. M. Senftleben (lecturer and thesis supervisor)
11.30 h. – 12.15 h.	Examination board prof. dr. J. Struiksma (chair of examination board)
12.15 h. – 14.00 h.	Lunch, deliberations panel and documents review (closed session), including open office hours 12.15 h. – 12.45 h.
14.00 h. – 14.45 h.	Lecturers, including members educational committee prof.dr. C. Jansen (lecturer), prof. dr. G Davies (lecturer), dr. M Zilinsky (lecturer), prof. dr. H.J. de Ru (chair educational committee), W. Geursen LL.M. (member educational committee)
14.45 h. – 15.30 h.	Students and alumni, including members educational committee L. Bremmer LL.M. (alumna), S. Chen LL.M. (alumna), C. Cua (student), Y. Xing (student), M. Berujaniani (student), L. Yang (member educational committee), D. Korzec (member educational committee)
15.30 h. – 15.45 h.	Deliberations panel and documents review (closed session)
15.45 h. – 16.00 h.	Programme management dr. E. Denters (chair programme board), I. Ciobanasu LL.M. (member programme board)
16.00 h. – 17.15 h.	Deliberations panel and documents review (closed session)
17.15 h. – 17.45 h.	Presentation of main findings by the panel's chair to the programme management

## Annex 2: Documents reviewed

The assessment panel has studied the following documents, presented prior to the site visit:

- Critical self-reflection Master's degree programme in International Business Law
- Discipline-specific reference framework
- Academic and examination regulations 2012/2013
- Academic and examination regulations 2013/2014 (draft)
- Schedule of the curriculum
- Thesis guide, including assessment form
- List of students of cohort 2010/2011 and 2011/2012, including theses
- List of students who did an internship and list of organizations
- List of external examiners
- Course information
- Guide to examination and assessment standards
- Evaluation plan
- Policy report on quality control
- Overview of teaching staff
- Findings of the mid-term review committee
- Alumni survey

On the day of the site visit, the programme management presented the following documents:

- Literature prescribed for the courses
- Course material
- Readers
- Powerpoint presentations of the courses
- Case studies and questions
- Papers
- Examinations
- Score sheet for research paper
- Model answers for the examinations
- Internship guide
- Internship reports
- Educational vision
- Plan for evaluations
- Course and programme evaluations reports

### **Annex 3: Theses reviewed**

The theses of the following students have been selected for review by the panel

- 2135817
- 2129620
- 2129612
- 2128985
- 2129647
- 2129701
- 2083868
- 2205995
- 1475428
- 2205990
- 2205184
- 2505476
- 2205128
- 2500149
- 2205455

## **Annex 4: Composition of the assessment panel**

The assessment panel had the following composition:

- prof.dr. F. Weiss, chair, professor in European Law, Institute of European, International and Comparative Law, University of Vienna
- dr. H.E. Kjos, panel member, assistant professor in Public International Law, University of Amsterdam
- C.J.R. Eijsbouts LL.M., panel member, solicitor
- C. Saris BSc, student member, student research master Health Sciences, track Social Sciences, Maastricht University

### **prof.dr. F. Weiss, panel chair**

Mr Weiss, currently, is a professor in European Law at the Institute of European, International and Comparative Law of University of Vienna. In 1970, he obtained his PhD of the University of Vienna. He has been a professor at a number of universities in various countries. Also, Mr Weiss acted as an expert and sat on a number of advisory groups for, among other organizations, the World Trade Organization, the European Union and the United Nations.

### **dr. H.E. Kjos, panel member**

Mrs Kjos, currently, is an assistant professor in Public International Law at the Faculty of Law of the University of Amsterdam. After having studied law in the United States and the Netherlands, she obtained her PhD at the University of Amsterdam in 2010. Mrs Kjos has working experience from Eurocontrol, the University of Leiden, Loyola Chicago School of Law and the World Bank, among other organizations. She is also Deputy General Editor of the Kluwer journal *Arbitration International*.

### **C.J.R. Eijsbouts LL.M., panel member**

Mr Eijsbouts, currently, is a self-employed prosecutor and solicitor. In 1985, he completed the master in law at the Groningen University and the master of Comparative Jurisprudence at New York University. From 1994 till 1999, he was a partner in business law at the law firm Van Doorne. Between 1999 and 2010 Mr Eijsbouts was a partner and head of the business law department of the law firm Clifford Chance LLP.

### **C. Saris BSc, student member**

Ms Saris is, currently, a student of the research master Health Sciences, track Social Sciences, Maastricht University. From 2008 till 2011, she studied the bachelor Health Sciences, specializations Health Education and Promotion and Policy and Management of Maastricht University. Ms Saris was a member and vice-president of the education committee of the Health Sciences programmes, from 2010 till 2012.

## **Annex 5: Declarations of independence**