

Rotterdam Law Network Meeting, Bratislava
24-25 April 2009
Université Paris Descartes
Comenius University Bratislava, Faculty of Law ("FoL CUB")

Present: Universität Innsbruck: Irmgard Rath-Kathrein, Universiteit **Gent**: Eddy Somers
Mrs. Demyttenaere, University of **Zagreb**: Hrovje Sikiric Mr. Kregar, Masaryk University **Brno**:
Josef Bejček , Jana Jurníková, Věra Redrupová, University of **Copenhagen**: Majken Hjort, Mai-
Britt Mark Foged, University of **Manchester**: Nuno Ferreira, University of **Warwick**: Lydia Schulz,
University of **Helsinki**: Teija Isotalo, Université P. Cezanne **Aix-Marseille III**: Gérard Legier,
Françoise Diana, Université **Paris Descartes**: Anthony Chamboredon, Universität **Konstanz**:
Marcus Merkel, **Eotvos Lorand** University: Robotka Andrea, University of **Iceland**: Stella
Vestmann, Università degli studi di **Milano-Bicocca**, Cinzia Corti, Sara Quadrelli, **Mykolas**
Romeris University: Dalia Vasariene, Erasmus University **Rotterdam**: Jaap W. de Zwaan,
University of **Bergen**: Ingrid E. Tøsdal, Asbjørn Strandbakken, University of **Warsaw**: Jakub
Urbanik, Piotr Korzec, University of **Lisbon**: Luis Pereira Coutinho, Vasco Pereira da Silva,
University of **Bucharest**: Cosmin Sebastian Cercel, University of **Glasgow**: Morna Roberts,
Comenius University: Mária Patakyová, University of **Maribor**: Suzana Kraljić, **Lund** University:
Louise Hultqvist, Marie Brink, University of **Stockholm**: Ronnie Eklund, **Yeditepe** University:
Haluk Kabaalioglu

Absent: **Sofia** University, University of **Salamanca**, University of **Girona**: Francina Esteve (all
with notice), Faculty of Law **Iustinian Primus** (without notice)

Friday, April 24th, 10:00 – 12:00

1. Doc. JUDr. Mária Patakyová, PhD., vice-dean for international relations of the FoL CUB, welcomed all participants and explained the time schedule. Prof. Dr. Jaap de Zwaan, chairman, asked the new participants to introduce themselves. After that, Prof. Dr. Jaap de Zwaan, chairman, explained some points of the programme, especially about the meeting with the EU commissioner for education Mr. Ján Fígel.
2. Mária Patakyová gave a presentation on Slovak law education and special legal courses available at the FoL CUB (Legal Clinic, Law and Society). She also raised the question whether there is need for dividing the law study into a Bachelor and Master phase in Slovakia.
 - She explained her doubt about the necessity of a general Bachelor law study programme (Slovakia - 3 years of general basics of law) as Bachelor graduates lack the right knowledge for the labour market. In Slovakia, there is a discussion whether to return to the system of one joint Master programme, as the current system is just a division of the Master programme without a change of the content. Moreover, it is a very time-consuming system, as Bachelor students have to submit and defend a thesis (the income for the jurisprudence at this level is usually low). She invited the participants to discuss the necessity of the bachelor system in law and to share their experiences with the Bachelor study programmes. Furthermore, she initiated a discussion on the necessity of specialisation on Master's level (there is no specialisation on Master's level in Slovakia, just in doctoral studies).

3. The participants explained their Bachelor/Master study programmes and discussed the Bologna education system with special focus on the Bachelor degree. From the discussion it appeared that:
- Even after implementation of the Bologna system, there are substantial differences among the legal education systems within European countries. The systems vary from combined Bachelor programme's (Austria: Bachelor programme in Law and Economics, 4 year Magister study) to specialised Bachelor legal education (Czech Republic/Brno: Bachelor for public administration no general Bachelor for law) to a general Bachelor programme (Slovakia or France, however, here a Bachelor degree is not sufficient to get access to the judicial profession. Finally, in other countries, a Bachelor degree is sufficient to get access to the judicial profession (Portugal).
 - There are various views on whether our programmes should reflect the needs of the market when preparing the Bachelor legal studies (from Norway's view - there is no need to care about the market to the Czech special Bachelor programme for public administration based on the market request in Brno).
 - There are differences also in specialisation of students (in Slovakia, no specialisation within the Bachelor or Master level, just on doctoral level, in Lithuania, there is a specialisation in Master study programme).
 - Representatives of Belgium and Denmark pointed out that for their countries, in order to have access to the judicial profession, (e.g. attorney, judges), both – the Bachelor and the Master degree must be achieved. This is not a requirement in other countries (e.g. France).
 - Representative of Poland suggested exchange of doctoral students
 - Representative of France joined the doubts of Maria Patakyová regarding the necessity of a Bachelor programme for legal education, as a graduated Bachelor student cannot perform the profession of a lawyer, therefore, the degree is useless in practise and, therefore, most students continue with an LL.M. programme.
4. Jaap de Zwaan presented the Rotterdam Law Network website and briefly introduced it.

Friday, April 24th, from 13:30

Chairman: prof. Jaap W. de Zwaan

1. Student Exchanges

Jaap de Zwaan informed participants of the meeting that according to the information they had provided before the meeting, many student exchanges happen outside the RLN. One of the reasons may be that students choose further destinations for their studies, or that the faculties from the network do not provide enough courses in foreign languages.

Marko Baretić (Zagreb) pointed out that there is a mistake in the information list – the list says that at University of Zagreb, Faculty of law, are no courses taught in English, but they do have 17 English courses. Also, he said, Croatia is not participating in LLP/Erasmus programme, but the faculty signed the Erasmus Charter this year.

Jakub Urbanik (Warsaw) said that the situation at that point is getting better. They do not have problem with English courses, as they offer 51 courses. Problem might be that students also choose based on quality of those courses and the methods of teaching.

To have correct information, Jaap de Zwaan suggested that each university should provide a weblink with course information so that this can be put on our website. The participants approved this idea.

According to information from Haluk Kabaalioglu (Yeditepe), all courses at the university are taught in English; only basic Turkish law courses are in Turkish.

Vasco Pereira da Silva (Lisbon) agreed with Jakub Urbanik, that for students the content and quality of courses are important to make the decision on where to study abroad. Interesting might be to offer comparative law courses. Marko Baretić (Zagreb) also pointed out that some students also have to pass compulsory courses at their home faculty and together with courses abroad it is too much.

At this point Jaap de Zwaan brought in the suggestion from last year's meeting – the idea of mandatory exchanges for students at some level of their studies. Majken Hjort (Copenhagen) thinks that students cannot be forced to take part in an Exchange programme. Interesting idea came from Teija Isotalo (Helsinki); they are preparing a law according to which students will have to take some courses in a foreign language.

2. Teaching staff mobility

The next point discussed was the teaching staff mobility. Jaap de Zwaan sees problem in the fact that always the same people are taking part in teaching staff mobility.

Josef Bejček (Brno) thinks that young teachers should go abroad, get the experience from another faculties and when coming back they could prepare courses in foreign languages at their home faculty. In Czech Republic, and also in Slovakia, teachers have to go abroad to accomplish the procedure of habilitation.

At Yeditepe University a list of subjects in English is available on the website.

Jaap de Zwaan asked if there are any suggestions for development and improvement at the field of teaching staff exchanges. Majken Hjort (Copenhagen) has the experience that hosting staff is difficult. Teija Isotalo (Helsinki) – information about week available for staff exchange. Jakub Urbanik (Warsaw) – the Central Level is organizing a week in June.

3. Cooperation between universities within the network

Jaap de Zwaan asked the participants about whether they have any double/joint degree programmes with partners from the Rotterdam Law Network. Universiteit Gent has a cooperation with Mykolas Romeris University, Vilnius, Lithuania: they have a 2 year common programme – students spend some time in Vilnius, some in Gent and the last semester they are preparing their thesis. The problem is that in Belgium, they are reluctant to allow access to the bar to foreign students.

Erasmus Universiteit Rotterdam has a joint degree programme with 12 universities, not only from RLN, within the Erasmus Mundus programme European Master in Law and Economics.

Ronnie Eklund (Stockholm) admitted they used to have common programmes, but since they are very expensive, for now they have break.

University of Lisbon has also two types of common/joint programmes: on LLP/Erasmus level and with other universities from all over the world, e.g. China (Shanghai), Brazil.

Jaap de Zwaan mentioned the principle of neutral recognition – a country has to recognize the diploma from whatever faculty but the state authority may ask additional requirements in order to get access the bar.

Then the participants were split up in groups and discussed the mentioned issues for an hour.

After this conclusions and suggestions of their discussion where shared with all participants.

Group 1 – Anthony Chamboredon: the conclusion they came to is that they have a skeptical view towards double degrees. Although it is impressive for students and recruitment to have 2 diplomas, recognition of double degree diplomas is usually impossible by both states and therefore useless. According to Josef Bějček (Brno) a double degree diploma envisions something that does not exist – i.e. a student did not complete two study programmes. The perception of a diploma is that a diploma is issued to the person who has completed university education. A double degree diploma then means that the person has completed 2 full time study programmes (at two universities) and this is not true. The suggestion is not to issue second diploma from a foreign university, but to add a transcript of records to the diploma from the home institution.

Group 2 – Jakub Urbanik: the group tried to define existing obstacles for issuing double degree diplomas – there are legal obstacles and practical obstacles. Practical obstacles come from universities and also legal corporations; bars are reluctant to recognize double degree diplomas. According to Majken Hjort (Copenhagen) it is impossible to get a double degree diploma in Denmark.

Group 3 – Nuno Ferreira: they also discussed obstacles for issuing double degree diplomas, and access to the legal professions and bars with a double degree diploma. The problem is that many institutions provide the same programme. Maybe it would be better to cooperate at PhD. level, which is more flexible.

Group 4 – Asbjorn Strandbakken: their discussion focused on how to develop good programmes – the most important is content of the programme. A good idea is to collect data about student expectations, to share experiences via the new RLN website and to offer specialized master programmes. The solution to double degree problems might be to issue double degree diplomas only in international or European, but not national, subjects.

Group 5 – Haluk Kabaalioglu: – their group discussed all mentioned topics and came to similar conclusions.

4. Visit of Commissioner Ján Fígel' at RLN Annual Meeting

After this discussion, the participants of RLN Annual Meeting welcomed **Mr. Ján Fígel', Member of the European Commission responsible for Education, Training, Culture and Youth at the meeting.** Mária Patakyova (Bratislava) welcomed the Commissioner at the meeting and chairman Jaap de Zwaan introduced the Rotterdam Law Network and its goals to the Commissioner. Mr. Fígel' thanked us for the invitation.

Commissioner Fígel' spoke about the role of education and knowledge at present time. According to him people are now focusing more on immaterial phenomena like education, citizenship, more than to material, what is pleasing. He also pointed to the importance of law in society and encouraged members of RLN to continue in good work. The Commissioner said that the Commission is focusing on problem of employability of graduates in Europe. The problem is caused by the content of education, recognition of diplomas and quality of teaching. He mentioned that Europe will lack more than 1 million teachers in 5 years.

European Commission is also concerned about LLP/Erasmus programme and wants to improve the quality of programme. The Commissioner suggested having student mobility become part of curricula of university students and persuade students that mobility is beneficiary for them. Recently, the Commission is working on a Green Paper on Learning Mobility, which should be done and published in June 2009. The Paper will be opened for response from the public. Mr. Figel' asked the RLN members if they are willing to cooperate with the Commission on the mobility programmes by commenting on the Green Paper and bringing valuable suggestions from the practice. He would appreciate the cooperation because the Commission needs more information from people who deal with these issues every day. The Commissioner also denied the rumor that the Commission will reduce the amount of money for Erasmus programme. The Commission is very supportive to education and wants to increase the sum of money for Erasmus programmes to enable more students to take part in mobility.

After the Commissioner's speech, a short discussion took place and Jaap de Zwaan thanked Mr. Figel' for coming and bringing actual information about the EC plans for education.

Jaap de Zwaan closed the first day of meeting.

Saturday, April 25th

Jaap de Zwaan welcomed all participants at the second day of the annual meeting and resumed Friday's meeting. He announced topics for Saturday's session, which were: cooperation of RLN participants at PhD. level, enlargement/reduction of the network, miscellaneous and the 2010 annual meeting.

1. Cooperation of RLN participants at PhD. level

It was agreed by the participants that members of network should cooperate not only at bachelors and master's degree level, but their attention should also be turned to PhD. studies, because PhD. students are also eligible for LLP/Erasmus programme. Most of the attention focused on a double degree in PhD. studies. Jaap de Zwaan asked participants to share their experience in such cooperation, if there is any.

Gérard Legier (Aix-Marseille) pointed to an existing double degree programme in PhD. studies at their university. The University has a special cooperation with Mykolas Romeris University, Lithuania. PhD. students from both universities spend some time at both universities and work on their dissertation thesis, which is usually oriented to comparative research, European or international law. After completing studies, students get two diplomas – one from Université P. Cezanne Aix-Marseille III and one from Mykolas Romeris University. Problems they are facing are connected to finance and bureaucracy.

Majken Hjort (Copenhagen) finds PhD. Exchange a little bit odd, because she assumes that all PhD. students have taken part in exchange programme during their bachelor or master studies.

Alberto Maffi (Milano) said they have experience in a double degree at PhD. level. Their faculty has cooperated with 3 other faculties. Students were working on thesis called „History of Greek and Roman Law“ and spent part of their studies at each of the participating faculties doing research related to the topic. Result was 4 PhD. diplomas. This experience was considered as very unusual by the rest of RLN working group.

Asbjorn Strandbakken (Bergen) admitted they do not have double degree PhD. programmes at the moment, but one of the other faculties in their university are engaged in such programme and they are facing a lot of practical problems.

Eddy Somers (Gent) has a positive experience with a double PhD programme with an Italian university in Torino. They are not facing serious problems; the cooperation is very good. According to their cooperation agreement, students have two supervisors, one in Gent and one in

Torino. Their dissertation should be of a comparative nature and written in English. Students are not obliged to take part in mobility to Torino.

When some of the RLN participants objected that double degree seems as „2 for the price of 1“ Mr. Jakub Urbanik (Warsaw) hinted to the existence of nostrification procedure for degree recognition which may involve special exams to check abilities of students. His faculty has experience with a double degree programme with San Marino and the problem they have to deal with is financing PhD. studies abroad.

Vasco Pereira da Silva (Lisbon) pointed that for double degrees 4 systems in PhD. Education exist:

1. traditional – students study only at their home faculty, do not go abroad, get one diploma
2. system based on cooperation between faculties at PhD. level, where students do go abroad for part of their studies, but do get only one diploma from home faculty
3. double degree system - students spend part of their studies abroad and get two diplomas – one from the home faculty and one from the university abroad
4. system of joint degree

Jaap de Zwaan concluded this section as very useful and suggested this topic should be discussed in more detail on next year meeting.

2. Enlargement/reduction of network

Jaap de Zwaan opened the question of enlargement of Rotterdam Law Network with the suggestion to try to bring to the network 3rd university from United Kingdom, Estonia and Latvia. Paris suggested (as last year) to add an Irish University to the network. Jaap de Zwaan also suggested to try and add a Greek university to the network once more, because the [National and Kapodistrian University of Athens](#) was expelled from the network as a result of not taking part at the meetings.

To this suggestion, Haluk Kabaalioglu (Yeditepe) suggested cooperation with University of Thessaloniki.

Majken Hjort (Copenhagen) said they had problems with Greek students because their English is usually not very good. On the other hand, Universität Innsbruck has a good experience. As to this point Jaap de Zwaan observed that some language requirements are necessary for students going abroad. He also mentioned that it might be difficult to find an Irish partner for the network. Irish universities are reluctant to join the network because they have small universities and they are a small country and they might have problems to accept a lot of foreign students. This is the reason they prefer bilateral agreements to taking part in a big network such as the RLN. Jaap de Zwaan agreed with Anthony Chamboredon (Paris) that Mr. Chamboredon will try to contact Trinity College Dublin with proposal to join the network.

As to the participation of Estonia and Latvia in the network, Teija Isotalo (Helsinki) said they have bilateral agreements with universities from those countries and their students are not very interested in spending part of their studies in those countries. Asbjorn Strandbakken (Bergen) said they have started cooperation with those countries also based on bilateral agreements.

Majken Hjort (Copenhagen) also suggested adding Malta to the network, because they have a bilateral agreement, which works pretty well. Jaap de Zwaan agreed to contact them and also raised the question of Cyprus taking part in network. Nuno Ferreira (Manchester) added he tried to have a look at Faculty of law in Nicosia, Greek part, but it offers very limited courses in English. Participation of Cyprus in RLN was by members of workgroup considered not a relevant question

for now. As to the other suggestions, the network will try to contact universities in Greece, Estonia, Latvia, UK and Malta.

3. Miscellaneous

Jaap de Zwaan brought the web site www.moveonnet.eu to the attention of the RLN members (it provides „a comprehensive directory of Higher Education worldwide and relevant information and tools for international relations officers and international and exchange students“) and was wondering if anyone used this site for registering agreements. Since nobody had experience or relevant information about this site and its creators, there was no discussion.

Teija Isotalo (Helsinki) asked members of network to consider the possibility of online nomination of exchange students, which could simplify and make procedures faster.

Jaap de Zwaan asked if all participants are willing to cooperate with the European Commission on the Green Paper on Learning Mobility mentioned by commissioner Jan Figel'. The group agreed to take part and to make comments on the paper.

The arrest of Turkish academics on coup suspicions and the financial crisis were also discussed.

Maria Patakyová (Bratislava) suggested discussing the content of PhD. studies at particular universities, since she noticed that the content varies from university to university. The discussion may take place either via RLN website or at next year meeting. Via website, she also suggested to share experience in question of ECTS, specifically, how much work is required for 1 ECTS. Maria Patakyová would also like to gather information about practical placement at universities, if they are part of study programme and if they are awarded any credits.

4. 2010 Annual Meeting

Vasco Pereira da Silva (Lisbon) confirmed they will organize the meeting between 15. – 17. 4. 2010.

Jaap de Zwaan also asked present participants which of two models of the meeting they prefer. The first model is to start Wednesday evening, continue on Thursday and finish on Friday (Paris 2008). The second model is to start meeting on Thursday evening, continue on Friday and Saturday (Bratislava 2009). There was not a common consent, because academic coordinators preferred the second model since they have classes to teach during the week and for them it is hard to leave faculty on a Wednesday. Administrative coordinators preferred the first model. Jaap de Zwaan proposed another option: to start meeting on Thursday evening, continue work only on Friday and Saturday's social programme would be optional. This model was agreed for Lisbon meeting.