

June 19, 2020

The Board of AQ Austria  
AQ Austria  
Franz-Klein-Gasse 5  
1190 Vienna

Dear Madam President, dear Members of the Board,

I hereby confirm that we have received and fully accept the Expert Panel Review Report regarding the following programs: Doctor iuris, LLM in Comparative Constitutional Law, LLM in International Business Law, LLM in Human Rights, MA in Human Rights. We are pleased to learn that the Report confirms the academic excellence of the programs and that they fulfill all the criteria for accreditation.

We fully accept all the recommendations made in the Report. The administration of CEU PU will work closely with the Department of Legal Studies to address every recommendation made in the Report. For specific responses to the recommendations of the AQ Austria Expert Panel, please refer to the Department's detailed reply in the Appendix of this letter.

We would like to thank the Expert Panel members for their expertise and insights, as well as for the productive and collegial discussions during the site visit. We are grateful to the Expert Panel members for their hard work, dedication, and enthusiasm with which they approached the task.

We await the decision of the Board with anticipation and looking forward to the opportunity of starting our programs in Vienna in the coming academic year.

Sincerely,



Michael Ignatieff  
President and Rector  
Central European University Private University

## CEU PU Department of Legal Studies Response to AQ Austria Expert Report

### Doctor iuris

**(1) It is recommended that the Department enhances its training for doctoral students on research ethics taking into account that the doctoral students are encouraged to engage in interdisciplinary research. Another preoccupation of the reviewers concerns the range of languages in which the various resources will be available and which at present are nearly exclusively in English. It is strongly recommended to widen the array of tongues not only in terms of research topics (which is of course already the case) but also in terms of scholarly materials. As stated above, the exclusively English-based research resources should be broadened. This seems also highly important with respect to networking and exchange with Austrian universities and research institutions as well as with those of other European - or non-European - countries. (page 9)**

Thank you for this important recommendation. Research ethics training as well as an increased focus on interdisciplinary research for doctoral students will be certainly incorporated and strengthened CEU-wide. We will also investigate how to diversify accessibility of our non-English language materials by possibly subscribing to some of the databases suggested also in other questions further below.

**(2) It is recommended that the Legal Department diversifies both in terms of faculty and curriculum content, especially within comparative constitutional law, in order to better reflect changes in the composition of the student body. It is, again, strongly recommended that the Department opens up to different language areas in order to effectively provide understanding and interest for comparative research which re-quires mastering a sufficient knowledge in a range of different legal cultures in their original context. (page 10)**

We will take this recommendation into account and try, as much as possible, to integrate foreign language material into our programmes, while bearing in mind that our lingua franca remains English.

**(3) The panel considers the development of organised cooperations with Austrian, European and non-European (not only Asian or African, but also Latin-American) institutions essential to the very scope of the doctorate. It is understandable that many agreements and concrete operations require the full settlement in Vienna. (page 12)**

We fully agree and as soon as we are settled in Vienna we will certainly look forward to establish and develop such cooperations in Austria, Europe and beyond.

**(4) The panel recommends considering purchasing access to some extra databases (e.g., to cover comparative constitutional law/human rights: Dalloz (France), Beck online (Germany) or Cambridge Core, if not accessible through ‘sister’-libraries at the other Vienna-based universities). (page 14)**

We are more than happy to follow this recommendation which would also enrich the research possibilities of resident faculty.

**(5) The panel considers that the candidates should be chosen at a level of expertise and achievement, where courses and teaching are already less important than effective research, writing and exchange with peer groups through seminars. Freeing the time needed to write the thesis should be a constant priority, especially during the last year of the program. (page 18)**

We agree with this recommendation and therefore in the last year of their doctoral thesis do not need to have any separate coursework, thus allowing them to focus on their thesis and other publications.

**(6) While two members of the panel consider that the defence should be an inclusive process and that it should thus be conditioned on a majority decision of the jury, most other members take the view that reports from external experts covering the field treated in the thesis should condition the admission to the defence and that this report should be co-authored by all the panel members. In addition, one external panel member might be considered too small a number. In order to secure the integrity and legitimacy of the review process it might be worthwhile to have a majority of external members. An in-depth discussion may take more time than an hour and a half, which for 5 members of a jury would leave only 18 minutes for an exchange with the candidate. It is therefore recommended, that no time-limit be set. Should there for any reason be a need to set the time-limit, its absolute minimum should be 2 hours. (page 19)**

We thank the expert panel members for the detailed attention to the timing of thesis defenses and for providing an absolutely legitimate recommendation which we are happy to accept: no time-limits are set for thesis defenses and we will strive to ensure that the integrity and legitimacy of the review process is guaranteed.

**(7) It is strongly recommended 1) that the requirements concerning the items "bar exam", "master's degree" be precisely determined and adjusted in order to meet also Austrian regulations; 2) that the program outline specifies that what is required, is the academic requirement for the bar exam and not a period of internship or professional practise, which is mandatory in many countries and especially in Austria; 3) that language policies revert to exigencies comprehending at least German and French as a starting point of general knowledge in comparative law, independently of other skills, more specific to the research project. (page 21)**

We will clarify our admissions criteria along the lines indicated. As to language skills, CEU offers language courses and certainly, at least as far as German is concerned, by being located in Austria, our students will have sufficient incentives to learn this language while studying at CEU, if they do not speak or read it from before.

**(8) The panel recommends a more comprehensive approach in comparative matters, i.e. less exclusively centred on what "Comparative Law" may be in an American University where only English sources are considered a sufficient basis for relevant information instead of inside knowledge within the legal culture under scrutiny. It is recommended that the common core requirements are more precisely regulated, also with respect to cooperation within the Austrian academic environment. (page 22)**

Thank you for this recommendation which we will gladly consider in order to further improve our programmes.

**(9) The expert panel would like to make one key recommendation without putting into doubt the academic qualifications of the current staff in the least. According to current Austrian practice in legal studies, scholars who supervise doctoral theses typically have authored a second book after their dissertation. Only in very few cases, legal scholars who have not authored such a book but a collection of connected articles supervise doctoral theses in Austria. Although an internationally active university may achieve the underlying aim of ensuring sufficient quality by other means – which CEU PU certainly does –, we think that it would be advisable to adhere to these standards as far as possible in order to ensure that, in the local and regional environment (especially in most civil law countries in Europe, where this is a compulsory requirement), CEU PU receives the recognition as a reputable institution that it undoubtedly deserves. It could well be preferable to signal such**

**adherence by introducing some formal requirements, rather than simply adhering to them factually. (page 24)**

We thank the expert panel for this important recommendation. We fully understand the requirements and are exploring the solutions that are feasible also for the Austrian context. To some extent this is a structural issue which also affects CEU-wide university policy. So, finding a satisfactory solution might take some time but we are clearly planning on addressing this issue.

LLM in Comparative Constitutional Law

**(10) It is recommended that the Legal Department diversifies both in terms of faculty and curriculum content, in order to better reflect changes in the composition of the student body. (page 35)**

We are planning on addressing this issue with new faculty hires.

**(11) The experts recommend consider purchasing access to some extra databases to cover comparative constitutional law/human rights: Dalloz (France), Beck online (Germany) or Cambridge Core, if not accessible through ‘sister’-libraries at the other Vienna-based universities. (page 39)**

We are more than happy to follow this recommendation which would also enrich the research possibilities of resident faculty.

## LLM in Human Rights

**(12) Recent changes in the LLM Human Rights program reflect a response to have a more practice-focused and non-exclusively European centered academic program. The experts recommend that this effort be continued, with an increased emphasis on the treatment of economic, social and cultural rights, the Arab human rights system, and an expansion of curricular treatment of non-European cases, as well as the introduction of a module allowing students to participate - in the ambit of the Inter-American human rights system - in the Inter-American Human Rights Moot Court Competition organized by the Washington College of Law, thereby providing the same practice-oriented skills experience as the Jessup Moot Court, the Vis Moot Court and the European Human Rights Moot Court Competition. In that regard, the experts recommend to award an adequate number of ECTS for the Inter-American Human Rights Moot Court: 4 ECTS, which has been awarded as to the participation in the William C. Vis Moot Court, does not seem adequate for such a renowned international format.**

**Moreover, as human rights practitioners require skills in areas other than critical analysis and advocacy, the program might consider the introduction of other practice-based skills such as project development and management, monitoring and evaluation and the use of digital tools; these skills could potentially be covered through inter-departmental electives. The experts note that it will indeed be essential for the programme to establish new relationships with human rights groups in and around Vienna in order to ensure relevant internship experiences for students. (page 44)**

We thank the Expert Panel for these very insightful comments. We can assure the Panel of our continued commitment of increasing diversity in the curriculum, in particular increasing coverage of non-European cases and human rights mechanism beyond the regional and international ones already included in the curriculum.

We appreciate that the Panel drew our attention to the moot court competitions mentioned in the recommendation: we can assure the Panel that we will bear it in mind when planning the academic year and we will explore the feasibility of creating a separate module for them.

We agree with the recommendation that it is essential to equip Human Rights students with practical skills beyond advocacy and critical analysis. We will explore the possibility of further incorporating the relevant courses and trainings offered by other CEU PU units into our curriculum.

Thank you for emphasizing the importance of our internship program. We can assure the Panel that it will remain a core component of our Human Rights Program. To ensure continuity, we have already started mapping the possible cooperating civil society and international organizations in Vienna.

**(13) The experts consider that the learning outcomes are well articulated. Given the capstone track within the program and that some students will not be writing a thesis, the learning outcomes might need to be adjusted in order to reflect the fact that not all students will be carrying out substantive research. (page 45)**

We are grateful for this very pertinent observation of the Expert Panel. We will make sure to revise the learning outcomes and include specific ones for those who do not write a thesis.

**(14) The experts recommend to add to the Foundational Course Module, which presently only deals with the basic features of the European and Inter-American regional human rights systems, the basic features of the African regional human rights system (which is the third major regional human rights system), as well as the basic features of the UN human rights system (which is universal).**

**The experts also repeat here an earlier recommendation that there be a better balance between the treatment of civil and political rights and economic, social and cultural rights. This reflects current human rights priorities and practices within human rights organizations. Critiques of the international human rights system and calls for localisation are also part of discourses in the field. The experts therefore also recommend that a foundational course that includes the critiques of human rights and localisation effort be required at the beginning of studies in the MA Program. (page 47)**

We agree with the Expert Panel's recommendation and we have already taken steps to expand the foundational course (*Introduction to the Protection of Human Rights*) and include also an introduction to the UN system and critiques of international human rights as of the upcoming academic year and we will explore the possibility to add content also on other regional human rights mechanisms. We are committed to balance better civil and political rights and economic and social rights, a dedicated course on the latter worth of 4 ECTS credits has been introduced and we will certainly keep in mind to ensure appropriate balance between the two when planning future courses.

**(15) It is recommended that the Legal Department diversifies both in terms of faculty and curriculum content, in order to better reflect changes in the composition of the student body. (page 51)**

We are planning on addressing this issue with new faculty hires.

**(16) The experts recommend consider purchasing access to some extra databases to cover comparative constitutional law/human rights: Dalloz (France), Beck online (Germany) or Cambridge Core, if not accessible through 'sister'-libraries at the other Vienna-based universities. (page 55)**

We are more than happy to follow this recommendation which would also enrich the research possibilities of resident faculty.

## MA in Human Rights

**(17) Recent changes in the MA Human Rights programme reflect a response to have a more practice-focused and non-exclusively European centered academic program. The experts recommend that this effort be continued, with an increased emphasis on the treatment of economic, social and cultural rights, the Arab Human Rights System and an expansion of curricular treatment of non-European cases.**

We thank for the Expert Panel's observations and as explained in our previous answer, we strive to comply fully with the recommendations.

**Moreover, as human rights practitioners require skills in areas other than critical analysis and advocacy, the program might consider the introduction of other practice-based skills such as project development and management, monitoring and evaluation and the use of digital tools; these skills could potentially be covered through inter-departmental electives. The experts note that it will be essential for the programme to establish new relationships with human rights groups in and around Vienna in order to ensure relevant internship experiences for students. (page 61)**

We are grateful for the recommendation. As detailed above, we will ensure that Human Rights students benefit from courses and trainings – potentially offered by other CEU PU units – that equip them with the practical skills listed. Also, as mentioned in our answer under point 12, we are fully committed to continue the internship program in cooperation with organizations based in Vienna.

**(18) The experts consider that the learning outcomes are well articulated. Given the capstone track within the program and that some students will not be writing a thesis, the learning outcomes might need to be adjusted in order to reflect the fact that not all students will be carrying out substantive research. (page 62)**

We are grateful for this very pertinent observation of the Expert Panel. We will make sure to revise the learning outcomes and include specific ones for those who do not write a thesis.

**(19) The experts recommend to add to the Foundational Course Module, which presently only deals with the basic features of the European and Inter-American regional human rights systems, the basic features of the African regional human rights system (which is the third major regional human rights system), as well as the basic features of the UN human rights system (which is universal).**

**The experts repeat here an earlier recommendation that there be a better balance between the treatment of civil and political rights and economic, social and cultural rights. This reflects current human rights priorities and practices within human rights organizations. Critiques of the international human rights system and calls for localisation are also part of discourses in the field. The experts therefore also recommend that a foundational course that includes the critiques of human rights and localisation effort be required at the beginning of studies in the MA Program. (page 64)**

Thank you for the recommendation. We have reflected on these recommendations above, please see our detailed answer under point 14.

**(20) It is recommended that the Legal Department diversifies both in terms of faculty and curriculum content, in order to better reflect changes in the composition of the student body. (page 69)**

We are planning on addressing this issue with new faculty hires.

**(21) The experts recommend consider purchasing access to some extra databases to cover comparative constitutional law/human rights: Dalloz (France), Beck online (Germany) or Cambridge Core, if not accessible through 'sister'-libraries at the other Vienna-based universities. (page 72)**

We are more than happy to follow this recommendation which would also enrich the research possibilities of resident faculty

LLM in International Business Law

**(22) The experts recommend reconsidering the adequacy of ECTS for the William C. Vis International Commercial Arbitration Moot Court. 4 ECTS, i.e. a workload of 120 hours, does not seem adequate for such a renowned international format. (page 81)**

We agree with this recommendation and have decided to raise the ECTS credit value of this course from 4 to 6, starting from academic year 2020-21.

**(23) It is recommended that the Legal Department diversifies both in terms of faculty and curriculum content, in order to better reflect changes in the composition of the student body. (page 84)**

We are planning on addressing this issue with new faculty hires.

**(24) The experts recommend consider purchasing access to some extra databases to cover comparative constitutional law/human rights: Dalloz (France), Beck online (Germany) or Cambridge Core, if not accessible through 'sister'-libraries at the other Vienna-based universities. (page 87)**

We are more than happy to follow this recommendation which would also enrich the research possibilities of resident faculty