

## Expert reports on the accreditation procedure for the Accreditation of the degree programs in legal studies:

- Doctor Iuris
- LLM in Comparative Constitutional Law
- LLM in Human Rights
- MA in Human Rights
- LLM in International Business Law

## at Central European University PU (Vienna)

pursuant to § 7 of the Accreditation Regulation for Private Universities 2019 (PU-AkkVO)

Vienna, 4 June 2020

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# 1 Basic principles for the procedure

## The Austrian higher education system

To date, the Austrian higher education system comprises:

- 22 public universities (including the Danube University Krems, a public university for post-graduate continuing education);
- 16 private universities, run by nationally accredited private entities;
- 21 universities of applied sciences, run by state-subsidised entities organised under private law or by nationally accredited public entities;
- the university colleges of teacher education, run by nationally accredited public or private entities;
- the philosophical-theological higher education institutions, run by the Catholic Church;
- the Institute of Science and Technology – Austria, which focusses its tasks on the advancement and appreciation of new fields of research and a post-graduate training in the form of PhD and postdoc programmes.

In the winter semester of 2018/2019, 293,644 students were enrolled at public universities (incl. the Danube University Krems). Furthermore, 53,401 students were enrolled at universities of applied sciences and 14,446 students at private universities.<sup>1</sup>

## External quality assurance

Pursuant to the Act on Quality Assurance in Higher Education (HS-QSG), public universities shall perform an audit procedure for the certification of their internal quality management system every seven years. There are no legal or financial consequences linked to the decision on certification.

Private universities require institutional accreditation conducted by AQ Austria every six years. After twelve years of uninterrupted accreditation, the accreditation may also be awarded for twelve years. Interim degree programmes and certificate university programmes for further education leading to a degree programme also require accreditation.

Following the six-year period of institutional initial accreditation, universities of applied sciences must be re-accredited. After that, they pass on to the audit system. However, the accreditation is linked to a positive decision on certification in the audit procedure. Before degree programmes may be offered, they must be accredited once.

## Accreditation of private universities and their degree programmes

In order to be active as a higher education institution in Austria, private universities require institutional accreditation which must be renewed on a regular basis. In addition to institutional accreditation, newly established degree programmes must be accredited once before they may be offered by the private university. The Agency of Quality Assurance and Accreditation Austria (AQ Austria) is responsible for carrying out accreditation procedures.

<sup>1</sup>As at May 2019, data source: Statistics Austria/unidata. Contrary to the data of the public universities, the student numbers of the universities of applied sciences do not include non-degree seeking students. 278,039 degree students were enrolled at the public universities in the winter semester 2018/19.



AQ Austria, 1190 Wien, Franz-Klein-Gasse 5

The accreditation procedures are carried out in accordance with AQ Austria's Accreditation Regulation for Private Universities 2019 (PU-AkkVO). Furthermore, the agency has based its procedures on the Standards and Guidelines for Quality Assurance in the European Higher Education Area.<sup>2</sup>

The AQ Austria appoints experts for reviewing accreditation applications. On the basis of the application documents and a site visit at the applicant institution, the experts draw up a joint written expert report. The Board of the AQ Austria then makes a decision on accreditation which is based on the expert report and takes into consideration the higher education institution's comment on the expert report. If the statutory prerequisites for accreditation are met and the required qualitative requirements are fulfilled, the degree programmes shall be accredited by official notification.

Before its entry into force, the official notification of the Board shall be subject to approval by the competent Federal Minister. After the procedure has been completed, a report on the outcome of the accreditation procedure as well as the expert report shall be published on the websites of AQ Austria and the applicant institution. Personal data and those parts of the report that disclose funding sources as well as business and operational secrets shall be exempt from publication.

The Act on Quality Assurance in Higher Education (HS-QSG) and the Private Universities Act (PUG) form the legal basis for the accreditation of degree programmes at private universities.

## 2 Short information on the accreditation procedure

| Information on the applicant institution |   |
|--|---|
| Applicant institution                    | Central European University Private University (CEU PU) |
| Legal nature                             | GmbH  |
| Initial accreditation                    | 16/07/2019  |
| Last extension of accreditation          | -   |
| Site                                     | Vienna  |
| Number of students                       | ca. 1800 planned  |

<sup>2</sup> Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG)

The Central European University Private University submitted the application for accreditation on 02/09/2019. On 21/11/2019, the Board of AQ Austria appointed the following experts for the review of the accreditation application:

| Name                        | Function/Institution  | Role of the expert   |
|-----------------------------|---|--|
| <b>Yves Haeck</b>           | Professor of International Human Rights Law and Constitutional Law, Faculty of Law, Ghent University  | Expert from academia   |
| <b>Anna Jonsson Cornell</b> | Chair for Comparative Constitutional Law & Vice- Dean of the Faculty of Law, University of Uppsala  | Expert from academia, management experience in higher education and professional practice      |
| <b>Otto Pfersmann</b>       | Directeur d'Études (Professor), École de Hautes Études en Sciences Sociales   | Expert from academia, expertise in research, management experience in higher education (chair) |
| <b>Felisa Tibbitts</b>      | Professor for Human Rights Education at Utrecht University & Lecturer, Teachers College, Columbia University                                      | Expert from academia with professional practice  |
| <b>Martin Winner</b>        | Chair for Business Law and Director, Research Institute of Central and Eastern European Business Law. Vienna University of Economics and Business | Expert from academia with management experience and professional practice                      |
| <b>Laura Winninger</b>      | Assistant, Department for Constitutional and Administrative Law, Law Faculty, Vienna University   | Doctoral student   |

The site visit took place on 23 and 24 January 2020 at CEU PU, Quellenstraße 51-55, Vienna.

| "Legal Studies" doctoral programme            |                              |
|---|------------------------------|
| Information on the accreditation application  |                              |
| Name of the degree programme                  | Doctor iuris                 |
| Type of the degree programme                  | Doctoral programme           |
| ECTS credits                                  | 240                          |
| Normal period of studies                      | 4 academic years, 12 terms   |
| Number of study places                        | 5 per academic year          |
| Academic Degree                               | Doctor iuris (Dr. iur.)      |
| Organisational form                           | full time                    |
| Language used                                 | English                      |
| Site at which the degree programme is offered | Wien, 10.Quellenstraße 51-55 |
| Tuition fees                                  | None, scholarships           |

### 3 Review and assessment based on the assessment criteria stipulated in the PU-AkkVO – "Legal Studies" doctoral programme

#### Assessment criterion § 18 (1) 1 to 2: Development and quality assurance of the doctoral programme

##### Development and quality assurance of the degree programme

*1. The degree programme was developed using a predefined procedure for the development and establishment of degree programmes and involving the relevant stakeholder groups.*

CEU PU's doctoral and master programmes in law have been operating in Budapest for a considerable time period with remarkable continuity. Hence, the situation differs from the typical initial accreditation of a new programme.

According to the accreditation documents and as confirmed in the site visit, all programmes should be reviewed strategically every five years. The programme underwent the last such review in 2014-5. This process involved the relevant stakeholder groups by making use of (1) self-assessment techniques involving staff, students and alumni, and (2) an external evaluation by scholars. In response to the findings of this process, the Department developed an Action Plan with program-level recommendations. The recommendations were endorsed by the Senate Academic Quality Assurance Committee (now: Senate Curriculum and Academic Quality Assurance Committee, SeCur) and the senior academic leadership of the University and its Senate. In response to the findings of this process, the Department developed an Action Plan with program-level recommendations.

For the doctoral programme, this especially resulted in expanding the opportunities for doctoral candidates to teach in order to give them more hands-on experience in didactics in an academic environment. Additionally, the programme has been revised in some aspects for the accreditation procedure. This has resulted in some changes as to courses taught. Hence, CEU uses the external accreditation process, at least to some extent, in order to improve its programmes.

The annual report on the programme level guarantees a proper ongoing evaluation of the programmes and provides the programme director and the department head with sufficient information in order to monitor the programmes.

The experts consider the criterion to be **fulfilled**.

#### Development and quality assurance of the degree programme

*2. Following its accreditation, the degree programme is incorporated into the private university's quality management system. The quality assurance measures also comprise adequate structures and procedures to ensure that the rules of good scientific practice are adhered to.*

CEU PU has a comprehensive policy on quality management as documented by the documents the experts have been provided with: "Institutional Assessment and Quality Assurance (IAQA) Policy" and "Quality Assurance at the Department of Legal Studies". These guidelines mandate annual and the aforementioned strategic reviews, apart from extraordinary reviews in special circumstances. There is an annual report produced at the programme level, which provides the programme director and the department head with sufficient information in order to monitor the programmes. Past performance shows that these documents are taken seriously. The programme to be accredited is covered by these policies.

Additionally and in conjunction with CEU PU's doctoral regulations, CEU PU provides adequate structures and procedures to ensure that the rules of good scientific practice are adhered to.

In view of the academic qualification of the Faculty and the IAQA policy, CEU PU has a permanent critical monitoring of its achievements and weaknesses. This answers the criterion.

The experts consider the criterion to be **fulfilled**.

## Assessment criterion § 18 (2) 1 to 6: Research environment

#### Research environment

*1. The private university has developed a research concept which incorporates the doctoral degree programme and a development plan which comprises enhancement measures for the degree programme.*

The university has provided a research concept that incorporates the doctoral studies programme. It states:

*"The Doctoral Program of the Department of Legal Studies was established in 1997 to provide education at the highest levels to young scholars to study the modes, causes and consequences of political and economic transition of emerging democracies through comparative legal research at a University with a deep commitment to academic excellence via inter-disciplinary engagement. Initially the Doctoral Program was designed specifically for graduates of the LL.M. programs of the Department who were predominantly from Central and Eastern Europe and the former Soviet Union.*



*Today the Doctoral Program continues to offer a unique opportunity for future academics and legal professionals from around the globe to conduct comparative legal research centering on an individually crafted doctoral research project in an international academic environment that values academic excellence built on critical inquiry and inter-disciplinary intellectual engagement. The Doctoral Program shares the long-standing commitment of the Department of Legal Studies to engage with intellectual problems of practical relevance though contextually informed comparative legal analysis, and to share the fruits of our research with a broader community through various means of academic outreach." (CEU PU, Research Concept Legal Studies)*

The research concept articulates how the degree programme fits into the overall research of the Department and the mission of the University. It draws on a largely research-based teaching, a large variety of more classical as well as more contemporary subject matters and a teaching staff strongly committed to research. The CEU PU University can provide infrastructural support to interdisciplinary questions and challenges. The library is organised in order to responsibly supply books, journals and a wide range of online resources. The design of the doctorate is thus ambitious and aiming at providing the largest coverage of comparative legal research. In order to strengthen the research environment and maintain its high quality the importance of external research funding is important. During the site visit it was made clear that the Department and individual researchers can rely on the infrastructure and support provided by the University when applying for national, European and international research funding. There is a university-wide policy on research ethics and a research ethics committee. Taking into the consideration the encouraged interdisciplinary engagement this is important also for the doctoral studies programme.

In addition, there is a university-wide policy regarding research ethics - although this may be considered to be more relevant to other departments, whose methodologies encompass fieldwork and experiments including human beings. For critical cases there is a university research ethics committee that can be addressed by researchers and researching students.

The experts consider the criterion to be **fulfilled**.

**Recommendations:** 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.

#### Research environment

*2. The private university has defined a research focus for the degree programme, which covers the broadness of the respective discipline as regards content and methods. The focus of the research performance corresponds to the university's approach as well as to the respective subject culture and guarantees international visibility.*

The University has provided a research concept that incorporates the doctoral studies programme. The research concept articulates how the degree programme fits into the overall research of the Department and the mission of the University (see also above). The doctoral

studies programme offers supervision in the areas and fields covered by the current faculty members' expertise, which is broad. Interdisciplinarity is encouraged. Hence, the degree programme offers broadness both in terms of content and methods. International visibility is guaranteed by the substantial outreach and visibility of the CEU, funding for participation in international conferences, incoming and outgoing visiting professorships, and the publication of research results through its own CEU Press and international publication channels. Several regional and international cooperation agreements are in place and the Department, as well as the University, are working to enter even more bilateral agreements.

Furthermore, Doctoral Requirements defined by CEU PU for this programme guarantee for participation of faculty members with international visibility regarding research in the relevant fields.

According to faculty interviews, the interdisciplinarity of the curriculum is ensured in part by the expertise of faculty members and partly by the inter-departmental course offering. Permanent faculty members have a background in major legal families and faculty expertise covers all major regional and international human rights regimes. The experts understand that it is not realistic to have faculty with backgrounds or experiences that cover all of the geographic diversity represented by the students. Faculty use their legal, human rights, policy and methodological expertise and skills in their respective areas to work with students in refining research questions and carrying out their analysis and feel confident in their ability to do so.

The experts consider the criterion to be **fulfilled**.

**Recommendations:** 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 requires mastering a sufficient knowledge in a range of different legal cultures in their original context.

#### Research environment

*3. The private university has employed professors qualified in primary occupation in the discipline relevant for the degree programme who cover the broad range of the discipline's content and methods. Primary occupation here means working at least 50% of one's total working hours in salaried employment at the private university.*

The Department currently employs 13 full-time professors in Budapest. The professor-student ratio is 1:7. Currently the CEU PU has entered into 12 pre-contracts for full-time faculty to be based in Vienna, which should suffice in order to cover a broad range, both of content and of method. During the site visit the expert panel was informed that the average number of doctoral students per professor is three.

The programme benefits from the (see also above) continuing engagement of recurrent visiting faculty who are on campus for 1-2 weeks, and include internationally recognized academics as well as practitioners (judges, advocates, NGO / IGO professionals, activists).

The experts consider the criterion to be **fulfilled**.

#### Research environment

4. *The private university maintains institutionally anchored co-operation projects in research and development or the development and appreciation of the arts which are relevant for the degree programme and adequate for the respective subject culture.*

The findings concern cooperations A), conferences B), acquiring teaching experience C), exchanges D), funding E)

A) As stated in the Application materials CEU PU depicts itself as an international university with a strong focus on international co-operations. Therefore, CEU PU co-operates with numerous national and international universities and institutions, “with the aim of developing joint research and education activities and fostering the exchange between professors and students” (Application). Currently, most of the collaborations are centred on European and North American counterparts, with some exemptions, including Myanmar and China.

Amongst others, the Department of Legal Studies fosters a close relationship with the following law schools (bilateral agreements):

1) Northern America: Benjamin N. Cardozo School of Law, Brigham Young University Law School, Columbia University Law School, Cornell Law School, the University of Toronto Law School.

2) Italy, Latvia, the Netherlands: The Institute of Law, politics and Development of the Scuola Superiore Sant' Anna di Studi Universitari e di Perfezionamento Pisa, Riga Law School and Tilburg Law School.

Talks concerning a potential cooperation of the Department of Legal Studies with the Ludwig Boltzmann Institute for Human Rights at the University of Vienna will, according to representatives of the Department, be finalized in the near future. A seminar series on constitutional and human rights issues (e.g. in the framework of a joint doctoral seminar) is projected to be an integral part of the co-operation agreement. Furthermore, the programme chair has taken into consideration a potential participation in the *Semaine Doctorale Intensive*, a co-organised initiative led by Sciences Po Law School and the Law and Political Science Doctoral School of Paris Nanterre University.

In addition, CEU PU will, as announced on January 23rd, 2020, benefit from the newly founded *Open Society University Network (OSUN)* which aims at uniting students and faculty from universities in different parts of the world. According to information provided during the site visit, OSUN will, however, mainly focus on Bachelor and Master students.

CEU PU is also engaged in consortia and networks, for example the CIVICA. Especially relevant for CEU PU's work in human rights education is its participation in the Association of Human Rights Institutions (AHRI) and cooperation with civil society organizations.

Upon accreditation and as CEU PU transfers its campus from Budapest to Vienna, further co-operations on an institutional level will be forthcoming. Additionally, CEU PU's leadership aims at broadening the spectrum of higher education partners to the global south, as existing cooperations are centred on European and North-American counterparts.

The following institutions are or will be in formal or informal relations with CEU: AHRI (the main worldwide human rights consortium); LBI für Menschenrechte (Vienna) will be a partner institution (formalised later this spring). The LBI is currently enhancing their human rights programme; Prof. Konrad Lachmayer (SFU), the University of Innsbruck. Connections are built

very carefully regarding research. Upon accreditation, more co-operations on an institutional level will be established: Toronto Law School; EU-China-School of Law. Executive programmes (business law and human rights) are organised in co-operation with Viennese partner institutions. The Department is looking for co-operations with French institutions (two institutions were mentioned). Language barriers are sometimes problematic. Co-operations with institutions from the global south: 160 countries are represented in the student body. With 85 percent of the alumni, CEU stays in contact. However, almost all institutional collaborations exist with American and European institutions. CEU needs and wants to establish collaborations with African institutions. However, there is some upcoming co-operation with Myanmar.

Several partnerships are suggested and in preparation: with Sciences Po, Bocconi, the European University Institute in Florence and the Hertie School of Governance a European School of Social Science (of which Legal Studies will be an integral part) is in preparation; through the Open Society University (OSU) networks in the field of human rights (social sciences, humanities, arts) are yet to be established; collaborations with African institutions are also planned.

Whereas the CEU understands itself as an international university, international co-operations are presently mainly Europe and North-America-centred. This will probably change. Among the faculty members there are scholars from Africa and Latin-America.

B) The famous conference series (The individual and the state), which had an important impact in research (most conferences have been carefully published) and may possibly re-appear.

C) Most graduates will become academics. Until now, CEU did not have undergraduate courses. Hence, a network of collaborating institutions was created where graduate students were able to teach and gain teaching experience in order to prepare them for their future career. About 40 percent of the doctoral students participate in such an international teaching exchange.

D) Visiting researchers (doctoral students) are invited (tuition waiver). All doctoral students are required to study abroad for a semester. Doctoral students have also been doing and are incentivated to do research stays within international organisations, such as the Council of Europe (COE), including the European Court of Human Rights (ECtHR), the Organisation for Cooperation and Security in Europe (OSCE), the Fundamental Rights Agency (FRA), the United Nations, including the UN Treaty Bodies. Generally, the supervisors at the partner institutions also become part of the PhD committee.

E) Funds for establishing co-operations in the home countries are established. It will be much easier as soon as the faculty will be in Vienna, beginning with the upcoming academic year. One can mention the following initiatives: • Summer Courses/Schools: testing/experimenting with new courses. • Institute of Advanced Studies: up to 12 months, fellows are fully supported, supposed to teach. Still in Budapest. Transfer to Vienna not yet decided on. • Global fellowship programme for doctoral students. • Marie Curie funding.

The experts consider the criterion to be **fulfilled**.

**Recommendations:** 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.

## Research environment

*5. The private university promotes research and development activities by providing for appropriate organisational or structural framework conditions.*

The CEU-PU has delivered an Academic Staff Handbook. Chapter V of the Handbook outlines the details and preconditions for the workload of full time employees, and short and long term research leave for the same category. Full time staff not on leave is expected to be resident in Vienna during the three terms of the academic year. The workload is normally divided according to the following approximate percentages: teaching (including supervision) 30-50%; research (including research management) 30-50%; other administration 20-40%. In order to stimulate research full-time resident faculty members who have fulfilled their full-time equivalency workload (including teaching, research and administration, as described in his or her contract) for at least three academic years may apply to be considered for a six-month research leave with full pay, or a twelve-month leave, after six years taught.

Doctoral candidates are provided ample opportunities to take part in international conferences and to spend time abroad during their doctoral studies. They are encouraged to present their research at international conferences as well as to teach abroad.

The experts consider the criterion to be **fulfilled**.

## Research environment

*6. The private university's research infrastructure as well as its facilities and equipment are adequate on a quantitative and a qualitative basis for operating the degree programme. In the case that the private university draws on external resources, their authorisation to use them has been contractually secured.*

According to the application documents, corroborated by the site visit, until August 2025, the institution occupies a fully renovated building with a surface area of 19.516 square meters, of which approx. 12.000 square meters are currently available (23/01/2020) and the remaining part will be made available this summer (01/08/2020). The building is accessible for persons with a disability and overall very transparent, i.e., in line with general CEU policy.

Apart from rectorate offices and offices for administrative staff including student services, the space (which has wifi everywhere; including through eduroam) consists of an income hall (with reception), 18 classrooms (1 large auditorium, 2 medium size classrooms (e.g., a tiered classroom of 70), and 15 smaller classrooms), a glass hall (e.g., for receptions), 2 computer labs (of 28 spaces and 15 spaces, respectively), 3 PhD Labs, 15 meeting rooms, 21 touch-down offices for teaching/research staff, 1 prayer/relax room, 1 shower room, 1 parenting room, a medium-large cafeteria and bike storage (both on ground floor), lockers on each floor, 12 copy/scan machines spread over 3 floors, all accessible to students (scanning is free of cost, while copying is not), men's/women's and gender-neutral restrooms, as well as 2 restrooms on the ground floor for persons with disabilities, a number of kitchenettes, some of which are also accessible to students, 1 medium size lounge with comfortable seating and 1 large co-working lounge for students and staff. Once the 2 remaining floors will be renovated and refurbished, permanent teaching staff will (probably) be occupying single person offices.

All classrooms and meeting rooms contain state-of-the-art smartboards and IT equipment (to show movies, power points, prezi, etc.), comfortable chairs, and – mostly – removable tables. The meeting rooms and touch-down offices can either be booked online by students/staff, or used ad hoc if not occupied. Meeting rooms and touch-down offices are equally equipped with comfortable chairs and IT/AV connections.

The library space (1.300 square meters) within the CEU building contains: (1) a collection of print volumes (20.000 volumes, for the moment being divided over the CEU library premises in Vienna, Budapest and a CEU storage facility in Budapest: while next year there should be 45.000 volumes physically available on the Vienna premises, the entire physical library collection will be 'reunited' in the mid-long term, i.e., following a next move of CEU in 2025; the books in the Vienna premises are stored in easy accessible, not high bookshelves (which are therefore also accessible for persons with disabilities); (2) a collection of e-books and e-journals (easily accessible through in-house PCs and one's laptop/PCs outside CEU premises); (3) a sizable English-language legal database collection; (4) a media lab (for teaching staff, etc., to make movies) and an audio-lab (to make podcasts); (5) a large number of desks with PCs and some standing desks (for persons with back problems); (6) 7 library co-labs with state-of-the-art smartboards and IT equipment (where students/staff can meet in private, interview a person, etc., to be booked in advance or ad hoc if empty).

The library collection is reviewed every year to detect gaps. New purchases preferably relate to e-books and e-journals rather than physical versions. Books can be ordered by staff through a designated online tool, and arrive shortly thereafter (in the case of e-books/e-journals of course almost immediately).

The CEU library (Vienna & Budapest) has 22 staff members. The CEU Vienna library has broad opening hours: 9-21h during weekdays and 12-18h during weekends. Books can be taken out by students/staff for (renewable periods of) 1 month. The library hosts an inter-library loan service (books can be easily reserved online), serviced by 3 administrative staff. Books available in CEU's Budapest premises and requested by staff/students are brought to Vienna 3 times/week. CEU students can on request receive a library card from the University of Vienna to consult and access legal databases at the University of Vienna. Researchers can also request financial support to visit foreign legal libraries. The media-lab and the audio-lab will – if approved by the CEU on 24/01/2020 – be serviced by 1 fulltime, respectively 0,5 part-time technically knowledgeable administrative staff members. Newly arriving students/teaching/research staff receive an info session on the use of the library, its collections and services.

Students obtain free access to reading and other materials through an online learning platform.

The research environment is based on two important pillars: 1) training in conducting research and in writing essays, 2) a well-furnished library (at least in the course of the next years, when collections will be relocated in the Vienna Campus) and an extensive access to legal databases as well as databases in other fields of social sciences (i.e. sociology, political science). This meets the criterion. It is nonetheless strongly recommended to extend databases and print copies of books and journals to other languages than English. Comparative research cannot be performed while working only on English materials, as not even the correctness and reliability of translations into English can be checked if a reader is not able to understand the material to analyse in its original linguistic environment. This is not a condition for accreditation at present, but will be taken into consideration in future evaluations.

Not all of the potential collaborations (in Austria and/or Vienna) are contractually secured yet. However, the university is in the process of negotiating central contracts.

The experts consider the criterion to **be fulfilled**.

**Recommendations:** Certain licences for e-journals are yet to be negotiated, especially for full access; more information on databases and e-resources is required, especially concerning comparative constitutional law and not only in English, but also relevant material in other scholarly legal cultures. It is recommended to consider 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).

## Assessment criterion § 18 (3) 1 to 3: Supervision and counselling services

### Supervision and counselling services

*1. The private university shall conclude agreements with the doctoral students which govern the respective rights and duties of the private university, the doctoral students and their supervisors.*

CEU PU's doctoral regulations as well as the Department of Legal Studies' doctoral regulations provide specific supervision agreements listing rights and duties of supervisors and doctoral students, including details on the supervisor's guidance and advice, the doctoral student's course work and report of progress as well as the frequency of consultations. In case the doctoral regulations are breached, CEU PU provides, according to the application documents, for elaborate regulations on the initiation, right to appeal and consequences of disciplinary proceedings.

The experts consider the criterion to be **fulfilled**.

### Supervision and counselling services

*2. The private university shall enable the doctoral students to engage in an intensive dialogue with scientists or artists, respectively, by collaborating with higher education institutions and, if applicable, partners outside the higher education area in Austria and abroad and promote the participation of doctoral students in national and international symposia.*

CEU PU co-operates with numerous national and international universities and institutions, "with the aim of developing joint research and education activities and fostering the exchange between professors and students" (Application materials). Amongst others, the Department of Legal Studies fosters a close relationship with the following law schools:

1) USA: Benjamin N. Cardozo School of Law, Brigham Young University Law School, Columbia Law School, Cornell Law School

2) Italy, Latvia, the Netherlands: The Institute of Law, politics and Development of the Scuola Superiore Sant' Anna di Studi Universitari e di Perfezionamento Pisa, Riga Law School and Tilburg Law School.

Additionally, as announced on January 23rd, 2020, CEU PU will benefit from the newly founded *Open Society University Network* which aims at uniting students and faculty from universities in different parts of the world.

Doctoral students who wish to spend time researching or studying at another recognized university, institute, or research center are provided with *Doctoral Research Support Grants* (DRSG).

According to information provided at the site visit, talks concerning a potential cooperation of the Department of Legal Studies with the Ludwig Boltzmann Institute for Human Rights at the University of Vienna will be finalized in the near future. A seminar series on constitutional and human rights issues (e.g.: in the framework of a joint doctoral seminar) is projected to be an integral part of the co-operation agreement. Furthermore, the programme chair has taken into

consideration a potential participation in the in the *Semaine Doctorale Intensive*, a co-organised initiative led by Sciences Po Law School and the Law and Political Science Doctoral School of Paris Nanterre University.

Apart from collaborations with higher education institutions, doctoral students' intensive dialogue with scholars is also promoted through the organisation of doctoral seminars throughout the academic year. The following seminars are held on a weekly basis:

- 1) the work-in-progress seminar, where doctoral students present their own research projects,
- 2) the reading seminar, where doctoral students introduce outstanding pieces from recent scholarship on their field for broader discussion,
- 3) the great book seminar, where faculty members lead a critical reading group on classic and contemporary titles from broader social science, humanities and legal literature, and
- 4) the visiting professors' seminar where academic visitors present their own work-in-progress." (Application materials)

In the seminars, doctoral students have the opportunity to present their own research ranging from early plans and ideas to completed dissertation chapters as well as to interact with their peers and faculty members (e.g. leading reading groups, commenting on papers of peers as well as faculty members). Additionally, the monthly "Brown Bag Seminar Series" provide faculty or (post-)doctoral students with the opportunity to present their work in an informal setting.

Students' participation in international conferences is supported through travel grants contributing to the cost of traveling abroad to attend academic conferences. Additionally, doctoral students earn 2 ECTS for conference participation.

The experts consider the criterion to be **fulfilled**.

#### Supervision and counselling services

3. *The private university shall provide the doctoral students with adequate counselling services which are tailored to the specific degree programme.*

Through highly intensive coaching via seminars and additional courses and opportunities to interact with internal supervisors or professors from other high-level universities, counselling is provided at a sufficient rate. According to the application documents, two professional psychologists provide university wide free-of-charge counselling services for students at CEU PU. Furthermore, as conversations with professors and students at the site visit revealed, doctoral students and professors are – due to the small number of students – in close contact. Therefore, doctoral students can easily address problems during weekly interactions with their professors in class or benefit from CEU PU's open door policy. Additionally, students consider their peers as important source of advice and support.

The international aspect could possibly be enhanced – outside the strictly American canon and in view of comparative research and cooperation with academic institutions in, for instance, Austria.

The experts consider the criterion to be **fulfilled**.



## Assessment criterion § 18 (4) 1 to 8: Degree programme and degree programme management

### Degree programme and degree programme management

1. *The profile and the intended learning outcomes of the degree programme have been clearly defined. They include scientific as well as artistic competences, personal skills, and social competences and are in accordance with level 8 of the National Qualification Framework*

The programme proposal states: *"The Doctoral Program of the Department of Legal Studies was established initially for the Budapest campus to provide education to young scholars to study the modes, causes and consequences of political and economic transition of emerging democracies through comparative legal research at a University with a deep commitment to academic excellence via inter-disciplinary engagement. Initially the Doctoral Program was designed specifically for graduates of the LL.M. programs of the Department who were predominantly from Central and Eastern Europe and the former Soviet Union.*

*Today the Doctoral Program continues to offer a unique opportunity for future academics and legal professionals from around the globe to conduct comparative legal research centering on an individually crafted doctoral research project in an international academic environment that values academic excellence built on critical inquiry and inter-disciplinary intellectual engagement. The Doctoral Program shares the long-standing commitment of the Department of Legal Studies to engage with intellectual problems of practical relevance though contextually informed comparative legal research, and to share the fruits of our research with a broader community through various means of academic outreach. The priorities and plans of the Doctoral Program are embedded in CEU PU's institutional commitment to:*

- *Respect for and promotion of advanced knowledge*
- *Pursuit of truth wherever it may lead*
- *Respect for and uncompromising practice of academic freedom and university autonomy*
- *Respect for diversity, including diversity of views*
- *Promotion of the principles of rule of law, democracy, justice, equity, social inclusion and tolerance.*
- *Systematic pursuit of the practical implications of the research conducted by our faculty members and graduate students."*

During the site visit, the experts were able to discuss CEU PU's development plan and their 5-year strategic plan "CEU 2025".

As the degree programme has been established for many years already and the development plan includes the Department of Legal Studies, the degree programme is in line with the profile and objectives of the private university and its development plan.

The experts consider the criterion to be **fulfilled**.

### Degree programme and degree programme management

2. *The name of the degree programme and the academic degree correspond to the degree programme's profile.*

The name "Doctor iuris" is broad and general and encompasses the whole of legal disciplines. Special attention is thus paid to a comprehensive mastery of Law as subject matter as well as the methods of legal reasoning. It reflects the broadness of the degree programme's profile.

The experts consider the criterion to be **fulfilled**.

**Degree programme and degree programme management**

*3. The minimum duration of studies stipulated in the curriculum is three years. The contents and structure of the curriculum ensure that the intended learning outcomes are achieved, while combining research (research and development and/or advancement and appreciation of the arts) and teaching.*

The hearings allowed to specify that the duration is four years which better fits the requirements of comparative research with on-site work in different countries. Hence, the curriculum meets the criterion of a mandatory duration of at least three years. The content is structured according to the curriculum for doctoral programmes as established at many American universities: *"During the first year of doctoral studies, the focus is predominantly on coursework, the overall design of the doctoral project as well as on preparation for the comprehensive examination. The initial phase of doctoral research is supported by methodology courses in comparative research methods as well as on academic writing."*

This seems adequate for the proposed doctoral programme offered at CEU PU.

The experts consider the criterion to be **fulfilled**.

**Degree programme and degree programme management**

*4. The workload related to the individual modules ensures that the intended learning outcomes, especially writing the doctoral thesis, can be achieved within the stipulated duration of studies. The ECTS is applied correctly; in any case to the curricular parts (courses) of the degree programme.*

To complete the programme, students must earn 240 ECTS credits. According to the Doctoral Regulations, no less than 60 ECTS credits have to be earned during the probationary period. ECTS points are allocated to course work/doctoral seminars, external (academic) activities like conference participation, teaching and teaching assistance, publication, comprehensive examination, dissertation writing and the defence.

It is departmental policy to limit the amount of reading to 35 pages per class (two hours), or 70 pages per week.

The workload with courses (especially methodology) is relatively important in the first year, less so in the senior years concentrating mainly on seminars, exchange and research abroad. The very difficult and subtle equilibrium between continued supervised learning and autonomous work and writing seems to be achieved, but requires constant screening. The choice of the topic is of determining importance, as it ought to be scientifically relevant and effectively feasible within the four years time-limit.

The workload seems relatively high during the four years during which the students ought to finish their thesis, especially if they have to pursue additional research abroad or if they need to acquire knowledge outside the disciplines or fields of expertise mastered before entering the diploma. CEU PU should pay particular attention to guide the students while leaving them sufficient time to effectively accomplish their research agenda. As far as this is satisfied, the requirement is fulfilled.

The experts consider the criterion to be **fulfilled**.

**Recommendations:** 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.

#### Degree programme and degree programme management

*5. Regulations for doctoral programmes have been established. The examination methods are suitable to assess whether and to what extent the intended learning outcomes have been achieved.*

According to the application, students and teaching faculty are provided with the "Department of Legal Studies Doctoral Regulations" that regulate examination(s) in a detailed manner. The regulations encompass all stages of the course of study and include a broad range of methods. The examination methods are suitable to assess whether and to what extent the intended learning outcomes have been achieved.

With regard to the thesis defence, it can be stated that there are at least three panel members; the number can go up to five if needed. There is one external committee member. For defences in comparative constitutional law, it happens that external members are invited (from the country/-ies covered by the research). Minutes are taken during the defence. Additionally, there are pre-reports by one external and one visiting faculty member. The defence starts by a presentation of 20 minutes by the candidate, which is followed by a discussion of an hour to an hour and a half.

Regulations are provided for in Annex 2.4 and appear to be satisfactorily detailed. There is a comprehensive exam focusing on disciplinary mastery and finally, according to international standards, a defence of the thesis before a jury comprehending at least three and possibly five members with one external committee member. In Comparative Constitutional Law, external members happen to be invited in order to cover countries and legal cultures less well represented within the supervisory staff. The defence is documented with minutes and preceded by pre-reports by one external and one visiting Faculty. After a presentation of about 20 minutes by the candidate, the work is discussed during an hour and a half.

The experts consider the criterion to **be fulfilled**.

**Recommendations:** 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.

#### Degree programme and degree programme management

*6. A "Diploma Supplement" that complies with the requirements laid down in Annex 1 to § 6 of the University and Higher Education Statistics and Education Documentation Decree (Universitäts- und Hochschulstatistik- und Bildungsdokumentationsverordnung, UHSBV), original version: F. L. G. II no. 216/2019, will be issued.*

CEU PU provides students with a diploma supplement that complies with the requirements laid down in Annex 1 to § 6 of the University and Higher Education Statistics and Education Documentation Decree (Universitäts- und Hochschulstatistik- und Bildungsdokumentationsverordnung, UHSBV).

The experts consider the criterion to **be fulfilled**.

#### Degree programme and degree programme management

*7. The admission requirements have been clearly defined. In terms of the qualification level, they correspond at least to the provisions provided by the Universities Act (UG).*

The admission requirements are clearly defined by the Doctoral Regulation and encompass:

- **Language requirements:** Students seeking admission must demonstrate proficiency in English by submitting standardized English language test scores, e.g., the Test of English as a Foreign Language (TOEFL) or other substitute tests listed below, with the following minimum scores: TOEFL (Computer-based) 250; TOEFL (Paper-based) 600; TOEFL (Internet-based) 100; CEU-administered TOEFL (Paper-based) 600; International English Language Test (IELTS) 7; Pearson Test of English (Academic) 76; Cambridge Proficiency Examination C; Cambridge Advanced English Test A.
- **Degree requirements:** For being admitted an applicant must have an LL.M. degree from CEU PU or an LL.M. degree from another institution with a credit load and program similar to that of CEU PU, or an MA degree on the basis of a law degree with a credit load and program similar to that of CEU PU provided that the MA was received in a field which is cognate with the proposed doctoral research.
- **Other entry requirements:** 1. Students with a non-CEU PU masters degree have to submit a copy of their masters thesis, or an equivalent individual research paper or recent publication. 2. Each applicant must satisfy the other requirements imposed by the CEU PU Doctoral Regulations, including but not limited to submission of a complete application package. 3. Students are admitted to the Doctoral Program with full or any other of the CEU PU financial packages as determined and advertised by CEU PU. The number of Doctoral Students accepted is determined for every Academic Year by the LEGS Doctoral Committee.

The panel had an extensive discussion concerning the admission requirements, especially with respect to language skills and holding the "bar exam".

Such an exam is set up in different ways in different legal systems and countries. As such, it would for instance mean that a graduate of an Austrian Law Faculty (holding the Austrian Mag. iur.) would not be eligible.

It appeared in the discussion that the requirement meant the diploma required before the bar exam and that the Austrian (and other European) regulations have not been taken into account. This will be modified in order to comply with Austrian exigencies

A master degree is also required in order to mobilise students from different parts of the world, it sets a threshold to attract qualified candidates. The equilibrium between requirements concerning highly different systems of higher education and vocational training needs both a formal criterion and a substantial screening of the applications filed.

The discussion within the panel made it again evident that the diploma is mainly designed to fit American conceptions of Comparative Law and drawing therefore mainly on a sufficient level in English. It appeared, however, that relevant knowledge in languages and legal cultures is asked for with respect to the research project to be agreed to with the academic staff. This seems to replace the former requirement of German and French. If the applicant is not in a condition to collect and examine relevant information on foreign systems being part of her or his inquiry, the application will be refused. Besides, the Admission Committee chooses the supervisor with respect to the research project.

The experts discussed with CEU representatives that the requirements (esp. "bar exam") seem quite vague and do not reflect the (very) different systems in different countries. Additionally, the entering qualifications seem very high to the experts: LLM in English (which means, e.g., that a graduate of the University of Vienna (Mag.iur.) or a Swedish university completing a 4,5 year law programme would not be eligible). However, it became clear to the experts during the site visit that the latter is not intended by CEU. It was explained that the additional master's degree seemed necessary when looking at undergraduates from all over the world. CEU is seeking to mobilise legal students and take them out of their original educational background. Respective changes will be made to the admission requirements in order to guarantee transparency to all applicants.

*Language requirements:* there are no additional language requirements during the admission process. Comparative constitutional law is only one part of the programme. However, CEU PU does not let students pursue a research project for which they are not qualified. The adequate language requirements are applied when the research project is worked out. Formerly, reading comprehension skills (German and French) used to be mandatory upon admission. However, experience has shown that students and supervisors will deal much better when the language issue is addressed at the moment when the research project is agreed upon.

*Supervisor:* The doctoral committee looks at the proposed projects. If applicants suggest a project that cannot be covered by the current faculty, the applicant is not accepted to the programme. The admission committee looks for potential supervisors among the current faculty. Applicants with similar projects to existing ones are not accepted either since they would have to compete with their fellow students.

The experts consider the criterion to be **fulfilled**.

*Recommendations:* 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.

#### Degree programme and degree programme management

*8. The admission procedure has been clearly defined and ensures a fair and transparent selection of the applicants according to the admission requirements and the required competences.*

The admission procedure is defined in the Doctoral Regulations and made transparent on CEU PU's website: <https://www.ceu.edu/apply>.

The discussion of this topic with the experts came again across the questions also dealt with in point 7: what exactly is expected and required in terms of skills, diplomas and possibly professional experience of an applicant to this diploma in order to be admitted? It appears, again, that the main weight is given to an individual screening of qualifications and research project. This is understandable with respect to applicants from most various geographical and cultural origins. It seems nonetheless important to require a common foundation on which to build the project and with an eye on the cooperation with Austrian institutions of higher education. If the present state is considered at this point sufficient, it is also expected that these elements will be more precisely determined in the internal regulations in the future.

The experts consider the criterion to be **fulfilled**.

**Recommendations:** 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.

#### Degree programme and degree programme management

*9. The recognition procedures for higher education competences in terms of crediting towards examinations or parts of a degree programme have been clearly and transparently defined. When recognising or crediting higher education competences, the Convention on the Recognition of Qualifications concerning Higher Education in the European Region (Lisbon Recognition Convention) shall be considered.*

Comprehensively considered, the degree programme takes previous qualifications and the future research agenda sufficiently and relevantly into account in order to provide determined and specific supervision. The admission criteria take into account the Lisbon Recognition Convention.

This point refers again to the question of the definition of the item "bar exam" as dealt with in point 7. It is considered sufficient at the present state.

The experts consider the criterion to be **fulfilled**.

## Assessment criterion § 18 (5) 1 to 5: Staff

#### Staff

*1. The private university has sufficient scientific and/or artistic staff as well as sufficient non-academic staff for operating the degree programme.*

The review of program documents and interviews carried out during the site visit revealed the following information about current faculty staffing at CEU PU:

- Permanent, full-time faculty are teaching core courses. During the site visit, the experts were informed that the FTE of the current positions will be maintained during the transition.
- Part-time faculty are actually full-time at CEU but either jointly appointed between departments or 'shared' (and thus appearing as 'part-time') in programme faculty profiles. There are no adjuncts in the Law Department.

Visiting faculty (meaning short-term visits of one week to 10 days, for example) further adds to this diversity. Visiting professors expose students to additional themes and perspectives. Typically, there are approximately 20 visiting professors a year. Some of these visiting professors have been engaged with the department for decades. Trainers are brought in for the Moot Court.

Two new faculty are being hired. One is in the area of International Business Law (beginning in March) and the other is in human rights and political rights (as of the fall).

Future, bilateral cooperation - for example with the Boltzmann Institute - might result in some joint teaching, for example, in relation to any future mid-career certificate program.

All courses currently included in the Programme of Study will continue to be offered.

In the current academic year there are 4 FTE administrative staff, which is considered to be sufficient for the programme. As of the 2020-21 academic year, there will be 3 FTE with one staff person (Events Coordinator) being relocated to the CEU's central administrative support unit. This person will continue to support events in the Legal Department.

In total the CEU library (Vienna & Budapest) has 22.5 FTE (26) staff members. The media-lab and the audio-lab in Vienna will – if approved by the CEU on 24/01/2020 – be serviced by 1 fulltime, respectively 0,5 part-time technically knowledgeable administrative staff member(s).

The experts consider the criterion to be **fulfilled**.

#### Staff

*2. The scientific staff or the artistic staff, respectively, is qualified according to the requirements of the activities provided for in the degree programme. The scientific and/or artistic staff envisaged for the supervision of thesis projects is authorised to teach (venia docendi) or has an equivalent qualification for the scientific or artistic subject, respectively. It is involved in the research and development or the advancement and appreciation of the arts of the respective subject and performs research and development activities which are in accordance with the university's approach and the respective subject culture. The majority of the scientific and/or artistic staff assigned to the supervision of theses has experience in this field.*

Two main issues were discussed during the site visit: A) a possible divergence and inadequacy of qualification requirements with respect to exigencies prevailing in Austrian academia, B) the adaptation of staff composition to a growingly global scientific environment and student hiring policy.

A) The Austrian (but also German, French and Swedish) conception of academic advancement and qualifications required for the supervision of doctoral theses draws on a formal habilitation, which especially in legal disciplines is conditioned by the submission of a second monograph after the doctorate and the mastery of corresponding teaching abilities, evaluated by an expert jury. The English and American, and also the Belgian legal cultures do not have such exigency, seniority being established through other, more flexible, if alternatively, severe criteria (tenure track). The CEU PU will ensure that thesis supervision be authorised only by faculty showing a

qualification considered equivalent to the habilitation. Currently, only associate or full professors are allowed to supervise. Junior faculty work as co-supervisors of doctoral candidates at first, then move on to become full supervisors, after having acquired experience. Another monograph (in addition to other publications) is required for promotion from associate to full professor. (The Tenure track model is stipulated by the Austrian collective agreement for public universities.)

The academic qualification at CEU PU is related to the process of advancement: one published monograph (plus perhaps other publications) are necessary to move from assistant to associate professor and an additional monograph on a different theme to become a full professor. This is presented by CEU as equivalent to habilitation or *venia docendi* under the Austrian system (see the criterion above), which is easier to maintain for full than for associate professors. Of course, another possibility for CEU PU would be to introduce additional requirements for those professors who will be supervising doctoral candidates.

It is not realistic to have faculty with backgrounds or experiences that cover all of the geographic diversity represented by the students. Faculty use their legal, human rights, policy and methodological expertise and skills in their respective areas to work with students in refining research questions and carrying out their analysis, and feel confident in their ability to do so.

The experts consider the criterion to be **fulfilled**.

**Recommendations:** 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.

**Staff**

3. *The benchmark for an adequate tutoring ratio for the supervision of doctoral theses is eight doctoral students per supervisor (full-time equivalent).*

In the Law Department, in practice, there are usually 3-4 doctoral students per faculty member (not 8 as stated in the application).

Although there is a primary supervisor, 'all permanent faculty help to supervise' doctoral candidates. For example, other faculty are (informally) following the progress of doctoral students by attending the Weekly Seminars. In addition to the Weekly Seminars of two hours, there are Reading Seminars (led by doctoral students), a Great Book Series and Work-in-Progress Seminars that facilitate peer support among doctoral candidates.

Supervision is considered "research-based teaching"; there is supervision on the doctoral and the master level. However, faculty spends more time with doctoral students when they are finishing. Hence, when assigning students to a supervisor, the graduation year is taken into account. Supervising faculty is also learning from the supervisees. Faculty perceive this as part of their research.



The experts consider the criterion to be **fulfilled**.

**Staff**

*4. The prioritisation of the teaching, research, and administrative activities of the scientific and/or artistic staff in primary occupation at the private university ensures that there is sufficient time for research and development or the advancement and appreciation of the arts as well as the supervision of doctoral students.*

The CEU-PU has delivered an Academic Staff Handbook. Chapter V of the Handbook outlines the details and preconditions for the workload of full-time employees, and short and long time research leave for the same category. Full-time staff not on leave is expected to be resident in Vienna during three terms of the academic year. The workload is normally divided according to the following approximate percentages: teaching (including supervision) 30-50%; research (including research management) 30-50%; other administration 20-40%. In order to stimulate research full-time resident faculty members who have fulfilled their full-time equivalency workload (including teaching, research and administration, as described in his or her contract) for at least three academic years may apply to be considered for a six-month research leave with full pay, or a twelve-month leave, after six years taught.

Understandably, in the past few years, addressing 'local challenges' in Budapest, re-accreditation in the U.S. and application for institutional accreditation in Austria, plus proposals for program accreditation, have taken away time for research.

The experts consider the criterion to be **fulfilled**.

**Staff**

*5. The private university provides for personnel development measures aimed at the supervision of doctoral students*

The Centre for Teaching and Learning (CTL) is available for both faculty and doctoral students; the latter tend to use it more often than faculty. According to the application materials the CTL offers faculty workshops and roundtables – often with invited experts - on doctoral student supervision.

Counselling services are organised at a university level, starting with sessions during the first weeks at the university. The director of the doctoral programme meets doctoral students on a weekly basis and would notice early on when students run into troubles. Doctoral policy regulates the steps students can take in cases of conflict or need of counselling. The programme director is always the first point of contact. There are also points of contact for cases of formal complaints. Supervision is monitored through evaluation, too.

A comprehensive exam is organised at the end of the first year (oral exam). The students build a reading list, covering fundamental contents as to the discipline and building up to the dissertation project. The aim consists in developing the intellectual frame of the dissertation project.

CEU has university-wide health and counselling services.

The experts consider the criterion to be **fulfilled**.

## Assessment criterion § 18 (6): Funding

### Funding

*The degree programme's funding is secured. Provisions have also been made to fund expiring degree programmes.*

CEU's doctoral programme is funded through the overall budget. All doctoral students are fully funded, at least for the programme's first three years.

The overall budget of the legal department for the academic year 2020/21 will amount to approximately €1.9 million, of which approximately two thirds are used to cover personnel expenses. For the following year, similar funding will be available to the legal department. Overall, these financial means are adequate to secure the doctoral programme's and the legal masters programmes' funding and will be sufficient to moderately increase academic staff.

CEU's overall budget for 2020/21 will amount to approximately €60 million (recurring expenses), will grow by approximately 30% in the following year and will remain stable thereafter. Primary source for funding are recurring grants by the Open Society Foundation of approximately €58 million per year, while additional funding will be provided by returns of the CEU endowment fund and other forms of finance. The nominal value of the endowment fund will be protected and will remain stable at some €500 million over the next years. Tuition fees will only cover approximately 5% of revenues. The University plans to raise the percentage of university-raised finance, e.g. tuition income, in order to lessen the dependence on just one source of funds.

The OSF has committed to cover the additional costs of the move to Vienna (approximately €193 million). In that vein, CEU commits to pay competitive salaries to its employees after relocation to Austria. Additionally, OSF has committed to endow the University with additional €550 million over the next 12 years, which allows CEU to protect its endowment fund through lowering withdrawals from €38 Million to €5 million annually. OSF's commitments are non-revocable. On the basis of these figures, CEU's long-term viability seems to be ensured. Generally, CEU's leadership expect a substantial budget increase over the next couple of years due to various additional initiatives by CEU's founder.

The experts consider the criterion to be **fulfilled**.

## Summary and final evaluation

### Development and quality assurance of the doctoral programme:

The program already exists for many years as it was successfully operating in Budapest. Procedures are settled in order to monitor and improve the programme.

### Research environment:

CEU has provided a comprehensive and stimulating concept for the programme, fitting into the overall research conception of the Department and University, reflecting also issues of research-ethics and interdisciplinarity. The site visit showed the sensitiveness of the staff to the inclusion of non-English legal cultures. CEU provides appropriate infrastructures, which it is keen to regularly improve and adapt.

### **Supervision and counselling services:**

Internal regulations of CEU as well as effective cooperation agreements with numerous national and international universities and institutions, as Carodozo School of Law, Brigham Young University Law School, Colombia Law and others, through regular seminars as well as the possibility to effective and regular exchange with staff and visiting professors, the CEU provides sufficient supervision and counselling services.

### **Degree programme and degree programme management:**

As to the establishment and development of the programme, the management is in line with the overall development plan of the CEU. The title "Doctor iuris" is sufficiently broad to embrace all legal disciplines. The setting of the research project to be achieved with the thesis takes the relevant issues into account and considers both the capacities and requirements of the topic and those of the supervisors. Workload of students seems reasonably distributed with respect to the aim of achieving the writing and defence of a thesis as well as the acquisition of relevant knowledge. The defence procedure appears to ensure the assessment and evaluation of the thesis.

### **Staff:**

CEU Law Department has sufficient staff to fulfil its missions with respect to the programme. In terms of diversity, it has both permanent and visiting professors and organises shared teaching. Core courses and missions are assigned to permanent, full time staff. A qualification equivalent to the Austrian habilitation is ensured for those supervising doctoral dissertations. The ratio staff/students is sufficiently **fulfilled**. Infrastructural services are equally provided by appropriately qualified staff. Counseling and supervision is thereby ensured.

### **Funding:**

Funding is assured through different sources, of which the Open Society Foundation will provide the main part (58 million € per year), guaranteeing stability over the next years, tuitions remaining at a relatively low percentage. CEU commits to paying competitive salaries to its employees after relocation to Vienna.

### **The expert panel's recommendations to CEU PU:**

The panel stresses the need to open comparative studies beyond the English-speaking aerea, to stick to a workload for students allowing them to effectively achieve their doctoral dissertation, to leave supervision only to staff with qualifications equivalent to the Austrian habilitation and to make sure that the thesis-defence lasts for at least 2 hours.

The experts recommend to the Board of the AQ Austria that the Doctoral Programme in Legal Studies **be accredited**.

## Documents reviewed

- Application of the Central European University Private University
- Financial documents made available by the CEU PU during and after the site-visit

| LLM Comparative Constitutional Law – CCL LLM  |                                |
|---|--------------------------------|
| Information on the accreditation application  |                                |
| Name of the degree programme                  | Comparative Constitutional Law |
| Type of the degree programme                  | Master programme               |
| ECTS credits                                  | 60                             |
| Normal period of studies                      | 1 academic year (3 terms)      |
| Number of study places                        | Max. 30                        |
| Academic degree                               | Master of Laws (LLM)           |
| Organisational form                           | full time                      |
| Language used                                 | English                        |
| Site at which the degree programme is offered | Wien, 10.Quellenstraße 51-55   |
| Tuition fees                                  | € 13.000 (per year)            |

#### 4 Review and assessment based on the assessment criteria stipulated in the PU-AkkVO – “Comparative Constitutional Law” master programme

##### Assessment criterion § 17 (1) 1 to 2: Development and quality assurance of the degree programme

###### Development and quality assurance of the degree programme

*1. The degree programme was developed using a predefined procedure for the development and establishment of degree programmes and involving the relevant stakeholder groups.*

CEU PU's doctoral and master programmes in law have been operating in Budapest for a considerable time period with remarkable continuity. Hence, the situation differs from the typical initial accreditation of a new programme.

According to the accreditation documents and as confirmed in the site visit, all programmes should be reviewed strategically every five years. The programme underwent the last such review in 2014-5. This process involved the relevant stakeholder groups by making use of (1) self-assessment techniques involving staff, students and alumni, and (2) an external evaluation by scholars. In response to the findings of this process, the Department developed an Action Plan with program-level recommendations. The recommendations were endorsed by the Senate Academic Quality Assurance Committee (now: Senate Curriculum and Academic Quality Assurance Committee, SeCur) and the senior academic leadership of the University and its Senate. In response to the findings of this process, the Department developed an Action Plan with program-level recommendations.

For all masters' programmes, this resulted in the introduction of a Capstone Track in order to expand curricular elements designed to enhance practical professional skills, which is in line

with the results of the review procedure. Additionally, the programme has been revised in some aspects for the accreditation procedure. This has resulted in some changes as to courses taught. Hence, CEU uses the external accreditation process, at least to some extent, in order to improve its programmes.

The annual report on programme level guarantees a proper ongoing evaluation of the programmes and provides the programme director and the department head with sufficient information in order to monitor the programmes.

The experts consider the criterion to be **fulfilled**.

#### Development and quality assurance of the degree programme

*2. Following its accreditation, the degree programme is incorporated into the private university's quality management system.*

CEU PU has a comprehensive policy on quality management as documented by the documents the experts have been provided with: "Institutional Assessment and Quality Assurance (IAQA) Policy" and "Quality Assurance at the Department of Legal Studies". These guidelines mandate annual and the afore-mentioned strategic reviews, apart from extraordinary reviews in special circumstances. There is an annual report produced at the programme level, which provides the programme director and the department head with sufficient information in order to monitor the programmes. Past performance shows that these documents are taken seriously. The programme to be accredited is covered by these policies policy.

According to the application document, quality assurance in the Comparative Constitutional Law LL.M. Programme is assured through processes that follow the University's general rules. These include self-assessment of the program's performance in the Department's annual report, individual faculty members' academic activity reports, anonymous student evaluations on courses and thesis supervision, as well as town-hall style meetings with students (Human Rights MA Proposal, p. 2). The site visit confirmed reliance on student evaluations and regular town-hall style meetings with students; such performance reports are made available within the CEU PU community.

The experts consider the criterion to be **fulfilled**.

## Assessment criterion § 17 (2) 1 to 11: Degree programme and degree programme management

*Taking into account a heterogeneous student body, the following criteria shall apply. In the case of degree programmes with special profile elements, the descriptions shall furthermore address the characteristics defining the profile. Special profile elements are, for example, compulsory vocational practice, organisational forms which are offered alongside professional activity, distance-learning degree programmes, joint degree programmes or jointly offered degree programmes etc.*

#### Degree programme and degree programme management

*1. The degree programme is oriented towards the profile and the objectives of the private university and is clearly in line with the development plan.*

The application states: *"The LL.M. program in Comparative Constitutional Law aims to provide theoretical and practical insight into the making and operation of constitutional government.*

*Through its commitment to deeply contextualized, problem-oriented comparative constitutional analysis, the curriculum covers the making of constitutions, classic and contemporary challenges in horizontal and vertical separation of powers, the protection of fundamental (human) rights and various aspects of multi-layered constitutionalism. The geographic coverage of the program is global.*

*In the spirit of the University's commitment to exploring pressing political, economic and social problems as intellectual challenges, and – equally importantly – to ensure the currency of the curriculum, the demise of constitutional democracy and the global rise of illiberalism, disenchantment with human rights are explored in several courses throughout the academic year. As a result, the program furthers the mission of the University via critical engagement with contemporary challenges affecting contemporary governments and societies through a genuinely global perspective. The currency of the curriculum is ensured through regular quality assurance procedures (including external review and student feedback)."*

During the site visit, the experts were able to discuss CEU PU's development plan and their 5-year strategic plan "CEU 2025".

As the degree programme has been established for some years already and the development plan includes the Department of Legal Studies, the degree programme is in line with the profile and objectives of the private university and its development plan.

The experts consider the criterion to be **fulfilled**.

#### Degree programme and degree programme management

*2. The profile and the intended learning outcomes of the degree programme have been clearly defined. They include scientific as well as artistic, personal, and social competences, they meet the professional requirements and are in accordance with the respective level of the National Qualification Framework. As regards regulated professions, the private university shall describe, if and under which preconditions access to those professions can be ensured.*

*"The curriculum covers issues concerning the development and operation of constitutional government in its broader political, social, historical, regional and international context. The core curriculum centers on fundamental issues in comparative constitutional law related to constitution-making and constitutional design, constitutional government (horizontal and vertical separation of powers) and constitutional rights protection in leading, emerging and declining constitutional democracies around the world. The curriculum covers historic and current developments in all major legal systems." (Application)*

The application states the following learning outcomes formulated as abilities of students to demonstrate certain understandings, skills or competencies after graduation:

- Ability to benefit from a substantial knowledge of constitutional law in major jurisdictions via a comparative perspective
- Ability to benefit from a substantial knowledge of the protection and enforcement of constitutional rights and human rights in major jurisdictions
- Ability to conduct research on a wide range of constitutional problems in different constitutional regimes across a changing constitutional and political landscape
- Ability to analyze constitutional problems and developments in light of their historical, political and social context, from a comparative and interdisciplinary perspective
- Ability to analyze and critically assess constitutional problems in their regional, international and global context

- Ability to provide practice-oriented and policy-relevant solutions to constitutional problems as an individual researcher and as a member of an international team

The National Qualification Framework level of the program is VII. The profile is clearly defined.

The experts consider the criterion to be **fulfilled**.

**Degree programme and degree programme management**

*3. The name of the degree programme and the academic degree correspond to the degree programme's profile.*

The LLM in Comparative Constitutional Law programme title reflects the degree programme's content and structure.

The experts consider the criterion to be **fulfilled**.

**Degree programme and degree programme management**

*4. The contents and structure of the curriculum ensure that the intended learning outcomes are achieved, while combining research (research and development and/or advancement and appreciation of the arts) and teaching.*

It is stated in the application that CEU PU's "full-time and part-time (visiting) faculty prepares students to engage in comparative and inter-disciplinary analysis of complex constitutional problems. Courses enable students to explore constitutional issues across legal systems, to engage in advanced critical thinking and refine their arguments in oral interactions and group work. Classes are highly interactive, enabling students to benefit from the international composition of the student body; in-class discussions allow insight into contemporary constitutional developments as they evolve and enable critical engagement with these developments in a manner that is sensitive to the multi-cultural composition of our academic community at all times. Individual research skills are developed through comparative problem-driven papers written for various courses, as well as in the final thesis (in the Thesis Track) or capstone thesis (in the Capstone Track). Students are encouraged to address practical constitutional problems through comparative constitutional analysis, using a theoretical framework informed by interdisciplinary insight. As a result, our graduates are able to respond to challenging constitutional and fundamental rights problems with advanced analytical skills, drawing on critical comparative constitutional analysis and seeking to offer practice-oriented and policy-relevant responses."

The curriculum of the degree programme is structured in modules and allows for sufficient flexibility for students to choose from elective courses.

The experts consider the criterion to be **fulfilled**.

**Degree programme and degree programme management**

*5. The didactic conception of the degree programme's modules shall ensure that the intended learning outcomes can be achieved and promotes the students' active contribution in the learning process.*

The accreditation documents and the site visit confirmed that the taught curriculum is delivered through interactive classes that draw on the Socratic Method and require active student participation in each class. The pedagogy emphasises critical thinking, oral communication, disciplined reasoning, project work and peer-to-peer teaching. The international and multi-cultural

composition of the students fosters advanced critical thinking and cultural awareness. Several courses involve individual research exercises that develop independent research, advanced critical thinking as well as applied advanced writing skills.

Practical skill-building and experiential learning components are integrated into the curriculum throughout the academic year. They feature in all mandatory and in key mandatory elective courses. These include exercises in drafting moot court submissions, resolutions, position papers, diverse forms of group work (including in-class moot courts, multi-party negotiation etc.), oral presentation and oral advocacy opportunities. The experts were positively impressed by the integration of these activities within the programme.

According to the documents and interviews with faculty and students, over the course of the academic year, students are increasingly encouraged to select themes or topics for course papers that are closest to their own professional interests.

The experts consider modules and courses well designed and established. Hence, learning outcomes will be achieved.

The experts consider the criterion to be **fulfilled**.

#### Degree programme and degree programme management

*6. The workload related to the individual modules ensures that the intended learning outcomes can be achieved within the stipulated duration of studies, and in case of part-time degree programmes takes into account any professional activity. The ECTS is applied correctly.*

Interviews with faculty and students during the site visit confirmed that the workload allowed students to complete their degree programme over one year of intensive course study.

Course requirements were clear and well-structured. Faculty coordinate weekly readings so that students are not unduly burdened by readings, this being especially relevant given that many of the students are not English native speakers.

Student assignments involved a balance of reading, individual and group exercises. Additional supports such as the "open door policy" of faculty provided students with additional academic support on an as-need basis.

The experts consider the criterion to be **fulfilled**.

#### Degree programme and degree programme management

*7. The private university has adopted examination rules. The examination methods are suitable to assess whether and to what extent the intended learning outcomes have been achieved.*

The Department follows the CEU PU rules on examination (see CEU PU Policy on Students Rights, Rules and Regulation). The Department's grading policy and the evaluation criteria applied for the final submissions (thesis / capstone thesis) are detailed in the Department's Information Booklet.

The experts consider the criterion to be **fulfilled**.



Degree programme and degree programme management

8. A "Diploma Supplement" that complies with the requirements laid down in Annex 1 to § 6 of the University and Higher Education Statistics and Education Documentation Decree (Universitäts- und Hochschulstatistik- und Bildungsdokumentationsverordnung, UHSBV), original version: F. L. G. II no. 216/2019, will be issued.  
3

CEU PU has supplied the experts with the diploma supplements it plans to issue to its graduates. These supplements comply with the legal requirements.

The experts consider the criterion to be **fulfilled**.

Degree programme and degree programme management

9. The admission requirements have been clearly defined. In terms of the qualification level, they correspond at least to the provisions provided by the Universities Act (UG).

CEU PU accepts students to the programme if they have completed undergraduate studies in law if the degree presents sufficient academic requirements for taking the local Bar exam. This typically is a master's degree; only in very few countries a bachelor's degree will be sufficient. Additionally, applicants need to demonstrate proficiency in English. These requirements are clearly defined and are in most cases stricter than the provisions provided by the Universities Act, as according to these a bachelor's degree is sufficient for admission to a master's programme.

The experts consider the criterion to be **fulfilled**.

Degree programme and degree programme management

10. The admission procedure has been clearly defined and ensures a fair and transparent selection of the applicants according to the admission requirements and the required competences.

According to interviews conducted during the site visit, approximately 30 students per year are accepted into the Comparative Constitutional Law LLM programme, from an application pool that is typically over 100 candidates. Students are accepted on the basis of merit only. The diversity of the accepted students reflects the wider pool of applicants.

The admission process is clearly defined in the programme documents and was confirmed in the site visit. This process is presented below.

Applications are processed through CEU PU's online admissions system. Each application is assessed individually, in multiple stages:

Step 1: a review of formal eligibility is conducted by a faculty member with the assistance of staff in the CEU PU Admissions Office. If necessary, further documents are requested and the veracity of electronic submissions is verified;

Step 2: Each eligible applicant's full application package (containing academic records, professional resume, reference letters and an academic writing submission) is assessed by a faculty member.

<sup>3</sup> In der PU-Akkreditierungsverordnung 2019 wird noch auf die Anlage 2 das UniStEV 2004 verwiesen. Diese Verordnung wurde geändert und deshalb wurde der Text des Beurteilungskriteriums im Gutachten entsprechend angepasst.

The written submission is assessed for its originality, creativity, overall academic, professional and intellectual qualities.

Step 3: Promising applicants are invited to an oral interview over skype or telephone with a faculty member.

The interview covers the applicant's interest in the program in light of their professional experiences and aspirations, follow-up questions on the written submission as well as questions on a constitutional case made available to the applicant shortly before the interview.

In addition to documented extracurricular academic achievements in the field of human rights (such as student publications, workshops and conferences, summer schools), the programme values professional experience (employment or volunteer) with human rights civil society organizations, government, national human rights institutions.

Application packages and subsequent interviews are scored on a program-specific standardized score sheet that takes into account academic, professional, intellectual and individual achievements and qualities. The Program Chair uses the accumulated scores to compile a merit-based list of applicants for admission.

The score sheet is reviewed by the faculty each year to maintain the overall fairness of the process as well as to ensure the comparability of scores by different faculty members.

The experts consider the criterion to be **fulfilled**.

#### Degree programme and degree programme management

*11. The recognition procedures for higher education competences and, if applicable, competences acquired outside higher education in terms of crediting towards examinations or parts of a degree programme have been clearly and transparently defined. When recognising or crediting higher education competences, the Convention on the Recognition of Qualifications concerning Higher Education in the European Region (Lisbon Recognition Convention) shall be considered.*

As per CEU PU's general requirements, applicants are required to submit their diploma and full transcripts for all relevant underlying degrees. The revised admission criteria take into account the Lisbon Recognition Convention.

The experts consider the criterion to be **fulfilled**.

### Assessment criterion § 17 (3) 1 to 5: Staff

#### Staff

*1. The private university shall provide for sufficient scientific and/or artistic staff as well as sufficient non-academic staff for operating the degree programme.*

The review of program documents and interviews carried out in the site visit revealed the following information about current faculty staffing at CEU PU:

- Permanent, full-time faculty are teaching core courses. During the site visit, the experts were informed that the FTE of the current positions will be maintained during the transition.
- Part-time faculty are actually full-time at CEU but either jointly appointed between departments or 'shared' (and thus appearing as 'part-time') in program faculty profiles. There are no adjuncts in the Law Department.

- Visiting faculty (meaning short-term visits of one week to 10 days, for example) further adds to this diversity. Visiting professors expose students to additional themes and perspectives. Typically, there are approximately 20 visiting professors a year. Some of these visiting professors have been engaged with the department for decades. Trainers are brought in for the Moot Court.

Two new faculty are being hired in the Legal Department. One is in the area of International Business Law (beginning in March) and the other is in human rights and political rights (as of the fall). Future, bilateral cooperation - for example with the Boltzmann Institute - might result in some joint teaching, for example, in relation to any future mid-career certificate program.

All courses currently included in the Programme of Study will continue to be offered.

In terms of support staff, in the current academic year there are 4 FTE administrative staff in the Legal Department, which is considered to be sufficient for the program. As of the 2020-21 academic year, there will be 3 FTE with one staff person (Events Coordinator) being relocated to the CEU's central administrative support unit. This person will continue to support events in the Legal Department.

In total the CEU library (Vienna & Budapest) has 22.5 FTE (26) staff members. The media-lab and the audio-lab in Vienna will – if approved by the CEU on 24/01/2020 – be serviced by 1 fulltime, respectively 0,5 part-time technically knowledgeable administrative staff member(s).

According to the Rector, there are over 100 countries represented in the student body (statistics on the CEU website), and over 40 countries represented by the faculty. The Law Department is aware and interested in having more diversity among staff and could point to some faculty in this area.

The experts consider the criterion to be **fulfilled**.

**Recommendations:** 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.

#### Staff

*2. The relation between scientific and/or artistic staff in primary occupation at the private university and students shall be in accordance with the profiles of the respective degree programmes. Primary occupation here means working at least 50% of one's total working hours in salaried employment at the private university.*

All full-time teaching staff at CEU PU may be shared across different departments. The Department currently employs 13 full-time professors in Budapest. The professor-student ratio is 1:7. Currently the CEU PU has entered into 12 pre-contracts for full-time faculty in the department to be based in Vienna, which should suffice in order to cover the broad range of both content and method.

The experts consider the criterion to be **fulfilled**.

#### Staff

*3. The subject-specific core competences of the degree programme are covered by professors in primary occupation at the private university*

According to faculty interviews, the interdisciplinarity of the curriculum is ensured in part by the expertise of faculty members and partly by the inter-departmental course offering. Permanent faculty members have a background in major legal families and faculty expertise covers all major regional and international human rights regimes. The experts understand that it is not realistic to have faculty with backgrounds or experiences that cover all of the geographic diversity represented by the students. Faculty use their legal, human rights, policy and methodological expertise and skills in their respective areas to work with students in refining research questions and carrying out their analysis and feel confident in their ability to do so.

The experts consider the criterion to be **fulfilled**.

Staff

*4. The scientific staff or the artistic staff, respectively, is qualified according to the requirements of the activities provided for in the degree programme.*

According to the profiles provided for the teaching staff in the MA programme, all of the faculty have doctoral degrees from accredited universities. Additional qualifications include professional experience in the field, scholarly contributions, other academic affiliations.

The experts consider the criterion to be **fulfilled**.

Staff

*5. The prioritisation of the teaching, research, and administrative activities of the scientific or artistic staff in primary occupation at the private university ensures adequate participation in teaching in degree programmes and leaves sufficient time for research and development or the advancement and appreciation of the arts.*

The CEU PU has delivered an Academic Staff Handbook. Chapter V of the Handbook outlines the details and preconditions for the workload of full-time employees, and short and long-term research leave for the same category. Full-time staff not on leave is expected to be resident in Vienna during three terms of the academic year. The workload is normally divided according to the following approximate percentages: teaching (including supervision) 30-50%; research (including research management) 30-50%; other administration 20-40%. In order to stimulate research full-time resident faculty members who have fulfilled their full-time equivalency workload (including teaching, research and administration, as described in his or her contract) for at least three academic years may apply to be considered for a six-month research leave with full pay, or a twelve-month leave, after seven years of teaching.

The degree of administrative responsibilities can be affected year to year by, for example, appointment to leadership positions (e.g., program chair) within the department. There is also a policy that junior faculty will be given a relatively lighter teaching and administrative load when they are first hired so that they have more time to prepare for teaching. In the past few years, addressing 'local challenges' in Budapest, re-accreditation in the U.S. and application for institutional accreditation in Austria, plus proposals for program accreditation, have taken away time for research.

The experts consider the criterion to be **fulfilled**.

## Assessment criterion § 17 (4): Funding

### Funding

*The degree programme's funding is secured. Provisions have also been made to fund expiring degree programmes.*

CEU's master programmes are funded through both the overall budget and through tuition fees. In general, tuition fees do not cover a large part of the programme's cost, especially as a substantial number of students get a full or partial tuition waiver.

The overall budget of the legal department for the academic year 2020/21 will amount to approximately €1.9 million, of which approximately two thirds are used to cover personnel expenses. For the following year similar funding will be available to the legal department. Overall, these financial means are adequate to secure the doctoral programme's and the legal masters programmes' funding and will be sufficient to moderately increase academic staff.

CEU's overall budget for 2020/21 will amount to approximately €60 million (recurring expenses), will grow by approximately 30% in the following year and will remain stable thereafter. Primary source for funding are recurring grants by the Open Society Foundation of approximately €58 million per year, while additional funding will be provided by returns of the CEU endowment fund and other forms of finance. The nominal value of the endowment fund will be protected and will remain stable at some €500 million over the next years. Tuition fees will only cover approximately 5% of revenues. The University plans to raise the percentage of university-raised finance, e.g. tuition income, in order to lessen the dependence on just one source of funds.

The OSF has committed to cover the additional costs of the move to Vienna (approximately €193 million). In that vein, CEU commits to pay competitive salaries to its employees after relocation to Austria. Additionally, OSF has committed to endow the University with additional €550 million over the next 12 years, which allows CEU to protect its endowment fund through lowering withdrawals from €38 Million to €5 million annually. OSF's commitments are non-revocable. On the basis of these figures, CEU's long-term viability seems to be ensured. Generally, CEU's leadership expects a substantial budget increase over the next couple of years due to various additional initiatives by CEU's founder.

The experts consider the criterion to be **fulfilled**.

## Assessment criterion § 17 (5): Infrastructure

### Infrastructure

*Quantitatively and qualitatively adequate facilities and equipment are provided for the degree programme. In the case that the private university draws on external resources, their authorisation to use them has been contractually secured.*

According to the application documents, corroborated by the site visit, until August 2025, the institution occupies a fully renovated building with a surface area of 19.516 square meters, of which appr. 12.000 square meters are currently available (23/01/2020) and the remaining part will be made available this summer (01/08/2020). The building is accessible for persons with a disability and overall very transparent, i.e., in line with general CEU policy.

Apart from rectorate offices and offices for administrative staff including student services, the space (which has Wi-Fi everywhere, including through eduroam) consists of an income hall

(with reception), 18 classrooms (1 large auditorium, 2 medium size classrooms (e.g., a tiered classroom of 70), and 15 smaller classrooms), a glass hall (e.g., for receptions), 2 computer labs (of 28 spaces and 15 spaces, respectively), 3 PhD Labs, 15 meeting rooms, 21 touch-down offices for teaching/research staff, 1 prayer/relax room, 1 shower room, 1 parenting room, a medium-large cafeteria and bike storage (both on ground floor), lockers on each floor, 12 copy/scan machines spread over 3 floors, all accessible to students (scanning is free of cost, while copying is not), men's/women's and gender-neutral restrooms, as well as 2 restrooms on the ground floor for persons with disabilities, a number of kitchenettes, some of which are also accessible to students, 1 medium size lounge with comfortable seating and 1 large co-working lounge for students and staff. Once the 2 remaining floors will be renovated and refurbished, permanent teaching staff will (probably) be occupying single person offices.

All classrooms and meeting rooms contain state-of-the-art smartboards and IT equipment (to show movies, power points, prezi, etc.), comfortable chairs, and – mostly – removable tables. The meeting rooms and touch-down offices can either be booked online by students/staff, or used ad hoc if not occupied. Meeting rooms and touch-down offices are equally equipped with comfortable chairs and IT/AV connections.

The library space (1.300 square meters) within the CEU building contains: (1) a collection of print volumes (20.000 volumes, for the moment being divided over the CEU library premises in Vienna, Budapest and a CEU storage facility in Budapest: while next year there should be 45.000 volumes physically available on the Vienna premises, the entire physical library collection will be 'reunited' in the mid-long term, i.e., following a next move of CEU in 2025; the books in the Vienna premises are stored in easy accessible, not high bookshelves (which are therefore also accessible for persons with disabilities); (2) a collection of e-books and e-journals (easily accessible through in-house PCs and one's laptop/PCs outside CEU premises); (3) a sizable English-language legal database collection; (4) a media lab (for teaching staff, etc., to make movies) and an audio-lab (to make podcasts); (5) a large number of desks with PCs and some standing desks (for persons with back problems); (6) 7 library co-labs with state-of-the-art smartboards and IT equipment (where students/staff can meet in private, interview a person, etc., to be booked in advance or ad hoc if empty).

The library collection is reviewed every year to detect gaps. New purchases preferably relate to e-books and e-journals rather than physical versions. Books can be ordered by staff through a designated online tool, and arrive shortly thereafter (in the case of e-books/e-journals of course almost immediately).

The CEU library (Vienna & Budapest) has 22 staff members. The CEU Vienna library has broad opening hours: 9-21h during weekdays and 12-18h during weekends. Books can be taken out by students/staff for (renewable periods of) 1 month. The library hosts an inter-library loan service (books can be easily reserved online), serviced by 3 administrative staff. Books available in CEU's Budapest premises and requested by staff/students are brought to Vienna 3 times/week. CEU students can on request receive a library card from the University of Vienna to consult and access legal databases at the University of Vienna. Researchers can also request financial support to visit foreign legal libraries. The media-lab and the audio-lab will – if approved by the CEU on 24/01/2020 – be serviced by 1 fulltime, respectively 0,5 part-time technically knowledgeable administrative staff members). Newly arriving students/teaching/research staff receive an info session on the use of the library, its collections and services.

Students obtain free access to reading and other materials through an online learning platform.

The experts consider the criterion to be **fulfilled**.

**Recommendations:** 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.

## Assessment criterion § 17 (6) 1 to 2: Research and development and/or the advancement and appreciation of the arts

### Research and development and/or the advancement and appreciation of the arts

*1. The scientific and/or artistic staff in primary occupation at the private university assigned to the degree programme is involved in the private university's relevant research and development activities.*

As all programmes at the Department of Legal Studies, the LL.M. program in Comparative Constitutional Law is also committed to research-based teaching.

CEU PU provided the experts with a list of scientific staff including full-time, part-time and visiting faculty. In the provided Research Concept CEU PU demonstrates that all involved teaching staff is also involved in CEU PU's relevant research and development activities.

The experts consider the criterion to be **fulfilled**.

### Research and development and/or the advancement and appreciation of the arts

*2. The (planned) research performance of the scientific or artistic staff in primary occupation at the private university assigned to the degree programme are in accordance with the university's approach and the respective subject culture.*

According to programme documents, the university has provided a research concept for the overall research of the Department and the mission of the University.

In order to strengthen the research environment and maintain its high quality, the importance of external research funding is important. During the site visit it was made clear that the Department and individual researchers can rely on the infrastructure and support provided by the University when applying for national, European and international research funding. There is a university-wide policy on research ethics and a research ethics committee. Taking into the consideration the encouraged interdisciplinary engagement this is important also for the LLM Comparative Constitutional Law programme.

The experts consider the criterion to be **fulfilled**.

## Assessment criterion § 17 (7): Co-operation

### Co-operation

*The private university has envisaged co-operation projects with higher education partners and, if applicable, partners outside the higher education area in Austria and abroad which match the degree programme's profile and furthermore promote the mobility of students and staff.*

The program has a number of bilateral agreements with higher education partners for student exchanges. Long-term exchange partners in North America include Benjamin N. Cardozo School of Law, Yeshiva University, Cornell University Law School, Columbia University School of Law, Brigham Young University, University of Toronto as well as Bard College (through a university

arrangement). Furthermore, CEU PU fosters exchange partnerships with Andrassy University Budapest, and - through Erasmus agreements - with Riga University and the University of Tilburg. The Legal Department's membership in the China-EU School of Law (CESL) consortium adds to the student body's diversity, as a dozen students arrive each year to take classes in the Spring Term in all three of CEU PU's LL.M. programs. As announced on January 23rd, 2020 CEU PU will also benefit from the newly founded *Open Society University Network*, which aims at uniting students and faculty from universities in different parts of the world.

According to information provided at the site visit, the talks concerning a potential cooperation with the Ludwig Boltzmann Institute for Human Rights at the University of Vienna will be finalized in the near future. A seminar series on constitutional and human rights issues is envisioned as part of the projected co-operation. As CEU PU transfers its campus from Budapest to Vienna negotiations for co-operations with the Fundamental Rights Agency (FRA) as well as with international NGOs are projected.

The experts consider the criterion to **be fulfilled**.

## Summary and final evaluation

### **Development and quality assurance of the degree programme:**

Already operating previously in Budapest, all programmes are reviewed every five years. This resulted in the introduction of a Capstone Track aimed at enhancing practical skills. Self-assessment as well as student evaluation are taken into account.

### **Degree programme and degree programme management:**

The programme aims at providing both theoretical and practical insight into the making and operation of constitutional government, the curriculum covers historic and current developments in all major legal systems, the degree programme is in line with profile and objectives of CEU. Clearly structured in modules, it allows for sufficient flexibility for student's choices. Practical skill-building includes drafting moot-court submissions, resolutions and position papers. Workload is well distributed and exam policies are clearly defined. Students are accepted if they have completed undergraduate studies in law sufficient to present the respective bar exam. They are enrolled on the basis of merit, while a large diversity reflects the openness of recruitment policy.

### **Staff:**

While full time faculty teaches core courses, part-time faculty is in fact full-time at CEU (in other departments), visiting professors adding diversity in approach and topics. The library counts 22 staff members (including Budapest). Interdisciplinarity is largely ensured. All faculty have at least a doctoral degree from accredited universities

### **Funding:**

Funding is assured through different sources, of which the Open Society Foundation will provide the main part (58 million € per year), guaranteeing stability over the next years, tuitions remaining at a relatively low percentage. CEU commits to paying competitive salaries to its employees after relocation to Vienna.

### **Infrastructure:**

The CEU Vienna occupies a fully renovated building of 19.516 square meters by August 2020. The facilities encompass classrooms, administration, student services, meeting rooms, a library





AQ Austria, 1190 Wien, Franz-Klein-Gasse 5

space of 1.300 square meters (aimed at comprehending finally up to 45.000 volumes), mainly English, but in the future also non-English data-bases are available.

**Research and development:**

The programme is committed to research-based learning. It is committed to a University-wide policy on research-ethics and there is a research-ethics committee. Interdisciplinarity is ensured.

**Co-operation:**

The programme has numerous bilateral agreements for student exchange with other Universities, which is due to be further developed also with Austrian institutions like the Ludwig Boltzmann Institute.

The experts recommend to the Board of the AQ Austria that the master programme in Comparative Constitutional Law (LLM) **be accredited**.

## Documents reviewed

- Application of the Central European University Private University
- Financial documents provided by the CEU PU during the site-visit
- CEU PU Website

| LLM Human Rights – HR LLM                     |                              |
|---|------------------------------|
| Information on the accreditation application  |                              |
| Name of the degree programme                  | Human Rights                 |
| Type of the degree programme                  | Master programme             |
| ECTS credits                                  | 60                           |
| Normal period of studies                      | 1 academic year (3 terms)    |
| Number of study places                        | Approx. 20 per year          |
| Academic Degree                               | Master of Laws (LLM)         |
| Organisational form                           | full time                    |
| Language used                                 | English                      |
| Site at which the degree programme is offered | Wien, 10.Quellenstraße 51-55 |
| Tuition fees                                  | € 13.000 (per year)          |

## 5 Review and assessment based on the assessment criteria stipulated in the PU-AkkVO – “Human Rights” LLM programme

### Assessment criterion § 17 (1) 1 to 2: Development and quality assurance of the degree programme

#### Development and quality assurance of the degree programme

*1. The degree programme was developed using a predefined procedure for the development and establishment of degree programmes and involving the relevant stakeholder groups.*

CEU PU's doctoral and master programmes in law have been operating in Budapest for a considerable time period with remarkable continuity. Hence, the situation differs from the typical initial accreditation of a new programme.

According to the accreditation documents and as confirmed in the site visit, all programmes should be reviewed strategically every five years. The programme underwent the last such review in 2014-5. This process involved the relevant stakeholder groups by making use of (1) self-assessment techniques involving staff, students and alumni, and (2) an external evaluation by scholars. In response to the findings of this process the Department developed an Action Plan with program-level recommendations. The recommendations were endorsed by the Senate Academic Quality Assurance Committee (now: Senate Curriculum and Academic Quality Assurance Committee, SeCur) and the senior academic leadership of the University and its Senate. In response to the findings of this process the Department developed an Action Plan with program-level recommendations.

For all masters' programmes, this resulted in the introduction of a Capstone Track in order to expand curricular elements designed to enhance practical professional skills. This is also evident in the Human Rights LLM academic requirements. The CEU PU Action Plan called for highlighting of thematic specializations showcasing faculty research and expertise drawing on multiple disciplines and expanding curricular elements focusing on the development of practical professional skills. The new capstone experience and projects reflect the outcome of a process of institutional learning and self-reflection. Moreover, as confirmed in the site visit, the curriculum revised in AY 2018-2019 demonstrates an effort to have a more global orientation reaching beyond the initial focus on Europe, catering to the needs of the truly international student body with a significant cohort of students from Africa, South-East Asia and the Americas.

The annual report on the programme level guarantees a proper ongoing evaluation of the programmes and provides the programme director and the department head with sufficient information in order to monitor the programmes.

The experts consider the criterion to be **fulfilled**.

#### Development and quality assurance of the degree programme

*2. Following its accreditation, the degree programme is incorporated into the private university's quality management system.*

CEU PU has a comprehensive policy on quality management as documented by the documents "Institutional Assessment and Quality Assurance (IAQA) Policy" and the "Quality Assurance at the Department of Legal Studies" the experts have been provided with. These guidelines mandate annual and the afore-mentioned strategic reviews, apart from extraordinary reviews in special circumstances. There is an annual report produced at the programme level, which provides the programme director and the department head with sufficient information in order to monitor the programmes. Past performance shows that these documents are taken seriously. The programme to be accredited is covered by these policies policy.

According to the application document, quality assurance in the Human Rights LLM Programme is assured through processes that follow the University's general rules. These include self-assessment on the program's performance in the Department's annual report, individual faculty members' academic activity reports, anonymous student evaluations on courses and thesis supervision, as well as town-hall style meetings with students (Human Rights LLM Proposal, p. 2). The site visit confirmed reliance on student evaluations and regular town-hall style meetings with students; such performance reports are made available within the CEU PU community.

The experts consider the criterion to be **fulfilled**.

## Assessment criterion § 17 (2) 1 to 11: Degree programme and degree programme management

*Taking into account a heterogeneous student body, the following criteria shall apply. In the case of degree programmes with special profile elements, the descriptions shall furthermore address the characteristics defining the profile. Special profile elements are, for example, compulsory vocational practice, organisational forms which are offered alongside professional activity, distance-learning degree programmes, joint degree programmes or jointly offered degree programmes etc.*

### Degree programme and degree programme management

- 1. The degree programme is oriented towards the profile and the objectives of the private university and is clearly in line with the development plan.*

According to accreditation documents, the programme was initially accredited in the United States in 2001 for the Budapest campus. The programme has two aims: to train future legal scholars who would contribute to the development of human rights in the region, and to train established scholars, professionals and academics who wished to incorporate a human rights dimension into their work. Since the initial accreditation, the scope of the programme has evolved to include treatment of contemporary human rights challenges and to move towards a treatment of non-European regions.

The CEU PU Action Plan called for highlighting of thematic specializations showcasing faculty research and expertise drawing on multiple disciplines and expanding curricular elements focusing on the development of practical professional skills (such as problem-oriented project work and group work). The review of the curriculum revised in AY 2018-2019 and discussions during the site visit demonstrates a global orientation reaching beyond the initial focus on Europe, catering to the needs of the truly international student body with a significant cohort of students from Africa, South-East Asia and the Americas.

According to the accreditation proposal and confirmed through a review of the programme's curriculum, the curriculum of the LLM in Human Rights program is focused on comparative legal analysis, informed by an interdisciplinary perspective, and it provides an advanced knowledge and solid understanding of the current human rights regimes, comparing their functionality, as well as the substantive areas of human rights law. In the spirit of the University's commitment to exploring pressing political, economic and social problems as intellectual challenges, the curriculum addresses the global decay of liberal democracy, disenchantment with human rights, and the legal implications of imperfections in market economies. The curriculum caters to the needs of future scholars and it also meets the educational interest of professional human rights practitioners. Accordingly, the skill-building components are emphasized through experiential learning, such as moot courts and the Model United Nations and the inclusion of advocacy courses. According to the experts there is a balance between the treatment of human rights issues in theory as well as practice.

The experts consider the criterion to be **fulfilled**.

**Recommendations:** 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.

#### Degree programme and degree programme management

*2. The profile and the intended learning outcomes of the degree programme have been clearly defined. They include scientific as well as artistic, personal, and social competences, they meet the professional requirements and are in accordance with the respective level of the National Qualification Framework. As regards regulated professions, the private university shall describe, if and under which preconditions access to those professions can be ensured.*

Whereas the MA programme, established before this degree, is more practice-oriented, the LLM promotes both theoretical and practical skills in human rights issues.

According to the accreditation proposal, the general learning goals for students in the LLM programme in human rights are:

- Ability to benefit from a substantial knowledge of the institutional and procedural frameworks of human rights enforcement on national, international and regional level;
- Ability to benefit from a substantial knowledge of the protection of particular human rights on national and supranational levels;
- Ability to recognize, understand and critically approach theories relevant for analyzing human rights issues in a comparative perspective;
- Ability to generate new ideas and advocacy strategies that provide genuine solutions to complex human rights problems using comparative arguments and interdisciplinary insight;
- Ability to approach human rights problems in their broader theoretical, political and societal context from a comparative, international and inter- / multidisciplinary perspective;
- Ability to analyze contemporary human rights issues and challenges in their theoretical and practical context, in a policy relevant manner;
- Ability to design a research project independently;
- Ability to generate structured, logical, plausible and persuasive argumentation, evaluate its strength and weaknesses, connect, compare and contrast, use inductive, deductive, analogical reasoning in writing;
- Ability to summarize, present and discuss ideas and arguments orally in a clear, effective and engaging way.

The National Qualification Framework level of the program is VII.

In the mind of the experts, the existing curriculum programme and associated pedagogy is well suited to these learning outcomes. There is a strong emphasis on critical thinking, analysis and discussion. Moreover, the site visit confirmed that each course in the programme identified clear learning outcomes for students, which were transmitted at the beginning of each term.

The experts consider the criterion to be **fulfilled**.

**Recommendations:** 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.

**Degree programme and degree programme management**

*3. The name of the degree programme and the academic degree correspond to the degree programme's profile.*

The LL.M. in Human Rights programme title reflects the degree programme's content and structure.

The experts consider the criterion to be **fulfilled**.

**Degree programme and degree programme management**

*4. The contents and structure of the curriculum ensure that the intended learning outcomes are achieved, while combining research (research and development and/or advancement and appreciation of the arts) and teaching.*

The curriculum of the programme is divided into 7 modules, the course content of which are outlined in the program proposal, along with associated aims and learning outcomes. Course syllabi were provided and generally correspond to the intended learning outcomes of each module. The experts were impressed by the module curricular framework. The seven required modules are:

**Mandatory Foundational Courses Module.** The Mandatory Foundational Courses Module ensures that students have the necessary analytical skills and terminology to understand and use case-law from various jurisdictions, to critically engage with all kinds of legal texts, and that they benefit from a good understanding of the basics of public international law. Furthermore, the module offers a broad and critical understanding of human rights and familiarizes students with the basic features of the European and Inter-American regional human rights regimes.

**Civil and Political Rights Module.** The module covers select civil and political rights from a comparative constitutional law and international human rights law perspective. Courses offer a theoretical background to the protection of freedom of expression, freedom of assembly, freedom of religion and belief, right to privacy, freedom from torture and the right to life, and the scope of protection is primarily examined through a case-based approach covering various domestic and regional jurisdictions.

**Global Rule of Law Module.** The module introduces students to national and international rule of law practices and policies, and provides them with critical insights into the threats the rule of law faces in different contexts.

**Justice and Equality Module** The module addresses dilemmas of social justice, equality and procedural fairness by offering a unique selection of courses exploring the legal and policy answers to problems, such as the fulfilment of social and economic needs, or the protection of women against domestic violence.

**Theoretical Perspectives Module** Courses in the module seek to introduce the theoretical foundations of rights from the formal concept to analytical and structural theories, and through examples examine the substantial contents and legitimacy of rights. The focused courses allow students to understand the interplay between human rights and different cultural perceptions.

**Elective Courses Module** The Elective Courses Module offers courses covering a wide range of human rights topics allowing students to explore areas of their interest or to further specialize in an area of study.

**Thesis / Capstone Module** These mandatory courses (Thesis Seminar, Capstone Seminar) are tailored to the expected outcome (thesis or capstone project) of the respective track: they assist students with designing their research / project, provide guidance on how to set the scope, which methodological or disciplinary approach to use, how to gather materials and select the relevant ones, and how to frame and effectively communicate the arguments both orally and in writing. Students on the Thesis Track are further assisted by the Comparative Legal Research Methodology course.

The experts consider the criterion to be **fulfilled**.

**Recommendations:** 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.

#### Degree programme and degree programme management

*5. The didactic conception of the degree programme's modules shall ensure that the intended learning outcomes can be achieved and promotes the students' active contribution in the learning process.*

The accreditation documents and the site visit confirmed that the taught curriculum is delivered through interactive classes that draw on the Socratic Method and require active student participation in each class. The pedagogy emphasises critical thinking, oral communication, disciplined reasoning, project work and peer-to-peer teaching. The international and multi-cultural composition of the students fosters advanced critical thinking and cultural awareness. Several courses involve individual research exercises that develop independent research, advanced critical thinking as well as applied advanced writing skills.

Practical skill-building and experiential learning components are integrated into the curriculum throughout the academic year, they feature in all mandatory and in key mandatory elective courses. These include exercises in drafting moot court submissions, resolutions, position papers, diverse forms of group work (including in-class moot courts, multi-party negotiation etc.), oral presentation and oral advocacy opportunities. The experts were positively impressed by the integration of these activities within the programme.

According to the documents and interviews with faculty and students, over the course of the academic year, students are increasingly encouraged to select themes or topics for course papers that are closest to their own professional interests

The experts consider the criterion to be **fulfilled**.

#### Degree programme and degree programme management

*6. The workload related to the individual modules ensures that the intended learning outcomes can be achieved within the stipulated duration of studies, and in case of part-time degree programmes takes into account any professional activity. The ECTS is applied correctly.*

Interviews with faculty and students during the site visit confirmed that the workload allowed students to complete their degree programme over one year of intensive course study.

Course requirements were clear and well structured. Faculty coordinate weekly readings so that students are not unduly burdened by readings, especially relevant given that many of the students are not native speakers of English.

Student assignments involved a balance of reading, individual and group exercises. Additional supports such as the “open door policy” of faculty provided students with additional academic support on an as-need basis.

The experts consider the criterion to be **fulfilled**.

#### Degree programme and degree programme management

*7. The private university has adopted examination rules. The examination methods are suitable to assess whether and to what extent the intended learning outcomes have been achieved.*

According to programme documents, in order to fulfil all requirements for the LLM in Human Rights degree program, students must earn 60 ECTS over 3 Terms and:

- Achieve a total Grade Point Average of at least 2.66 (corresponds to a letter grade between C+ and B-);
- Fulfil the credit requirements of the respective track.

There are two tracks in the LLM Program at CEU PU: the Thesis track and the Capstone track. The coursework and written/project requirements for each track is carefully detailed in program documents and correspond with the learning outcomes of the LLM Human Rights Program.

According to program documents, final course grades combine the results of multiple, diverse assessment items throughout the course (e.g. short written assignment, mind-map, advocacy exercise, group work culminating in an in-class presentation, in-class mini-moot, etc.). Terms of evaluation for various assessment items are set out in the course syllabi. Elements of team work are carefully balanced with individual assessment items to enable individualized assessment of performance. In classes larger than 12 students, a grading curve is applied to determine final grades. In the view of the experts, these assessment requirements strike a positive balance between formative and summative approaches, and ensure a diversity of assessment approaches that enable learners with different strengths to demonstrate achievement.

The Department follows the CEU PU rules on examination (see CEU PU Policy on Students Rights, Rules and Regulation). The Department’s grading policy and the evaluation criteria applied for the final submissions (thesis / capstone thesis) are detailed in the Department’s Information Booklet.

The experts consider the criterion to be **fulfilled**.



Degree programme and degree programme management

8. A "Diploma Supplement" that complies with the requirements laid down in Annex 1 to § 6 of the University and Higher Education Statistics and Education Documentation Decree (Universitäts- und Hochschulstatistik- und Bildungsdokumentationsverordnung, UHSBV), original version: F. L. G. II no. 216/2019, will be issued.  
4

CEU PU has supplied the experts with the diploma supplements it plans to issue to its graduates. These supplements comply with the legal requirements.

The experts consider the criterion to be **fulfilled**.

Degree programme and degree programme management

9. The admission requirements have been clearly defined. In terms of the qualification level, they correspond at least to the provisions provided by the Universities Act (UG).

CEU PU accepts students to the programme if they have completed undergraduate studies in law if the degree presents sufficient academic requirements for taking the local Bar exam. This typically is a master's degree; only in very few countries a bachelor's degree will be sufficient. Additionally, applicants need to demonstrate proficiency in English. These requirements are clearly defined and are in most cases stricter than the provisions provided by the Universities Act, as according to these a bachelor's degree is sufficient for admission to a master's programme.

The experts consider the criterion to be **fulfilled**.

Degree programme and degree programme management

10. The admission procedure has been clearly defined and ensures a fair and transparent selection of the applicants according to the admission requirements and the required competences.

According to interviews conducted during the site visit, 20 students per year are accepted into the LLM Human Rights Program, from an application pool that is typically over 100 candidates. Students are accepted on the basis of merit only. The diversity of the accepted students reflects the wider pool of applicants.

The admission process is clearly defined in programme documents and was confirmed in the site visit. This process is presented below.

Applications are processed through CEU PU's online admissions system. Each application is assessed individually, in multiple stages:

Step 1: A review of formal eligibility is conducted by a faculty member with the assistance of staff in the CEU PU Admissions Office. If necessary, further documents are requested and the veracity of electronic submissions is verified;

Step 2: Each eligible applicant's full application package (containing academic records, professional resume, reference letters and an academic writing submission) is assessed by a faculty member.

<sup>4</sup> In der PU-Akkreditierungsverordnung 2019 wird noch auf die Anlage 2 das UniStEV 2004 verwiesen. Diese Verordnung wurde geändert und deshalb wurde der Text des Beurteilungskriteriums im Gutachten entsprechend angepasst.

The written submission is assessed for its originality, creativity, overall academic, professional and intellectual qualities.

Step 3: Promising applicants are invited to an oral interview over skype or telephone with a faculty member.

The interview covers the applicant's interest in the program in light of their professional experiences and aspirations, follow-up questions on the written submission as well as questions on a constitutional case made available to the applicant shortly before the interview.

In addition to documented extracurricular academic achievements in the field of human rights (such as student publications, workshops and conferences, summer schools), the Human Rights LLM Program values professional experience (employment or volunteer) with human rights civil society organizations, government, national human rights institutions.

Application packages and subsequent interviews are scored on a program-specific standardized score sheet that takes into account academic, professional, intellectual and individual achievements and qualities. The Program Chair uses the accumulated scores to compile a merit-based list of applicants for admission.

The score sheet is reviewed by the faculty each year to maintain the overall fairness of the process as well as to ensure the comparability of scores by different faculty members.

The experts consider the criterion to be **fulfilled**.

#### Degree programme and degree programme management

*11. The recognition procedures for higher education competences and, if applicable, competences acquired outside higher education in terms of crediting towards examinations or parts of a degree programme have been clearly and transparently defined. When recognising or crediting higher education competences, the Convention on the Recognition of Qualifications concerning Higher Education in the European Region (Lisbon Recognition Convention) shall be considered.*

As per CEU PU's general requirements, applicants are required to submit their diploma and full transcripts for all relevant underlying degrees. The revised admission criteria take into account the Lisbon Recognition Convention.

The experts consider the criterion to be **fulfilled**.

### Assessment criterion § 17 (3) 1 to 5: Staff

#### Staff

*1. The private university shall provide for sufficient scientific and/or artistic staff as well as sufficient non-academic staff for operating the degree programme.*

The review of program documents and interviews carried out in the site visit revealed the following information about current faculty staffing at CEU PU:

- Permanent, full-time faculty are teaching core courses. During the site visit, the experts were informed that the FTE of the current positions will be maintained during the transition.
- Part-time faculty are actually full-time at CEU but either jointly appointed between departments or 'shared' (and thus appearing as 'part-time') in program faculty profiles. There are no adjuncts in the Law Department.

- Visiting faculty (meaning short-term visits of one week to 10 days, for example) further adds to this diversity. Visiting professors expose students to additional themes and perspectives. Typically, there are approximately 20 visiting professors a year. Some of these visiting professors have been engaged with the department for decades. Trainers are brought in for the Moot Court.

Two new faculty are being hired in the Legal Department. One is in the area of International Business Law (beginning in March) and the other is in human rights and political rights (as of the fall). Future, bilateral cooperation - for example with the Boltzmann Institute - might result in some joint teaching, for example, in relation to any future mid-career certificate program.

All courses currently including in the Programme of Study will continue to be offered.

In terms of support staff, in the current academic year there are 4 FTE administrative staff in the Legal Department, which is considered to be sufficient for the program. As of the 2020-21 academic year, there will be 3 FTE with one staff person (Events Coordinator) being relocated to the CEU's central administrative support unit. This person will continue to support events in the Legal Department.

In total the CEU library (Vienna & Budapest) has 22.5 FTE (26) staff members. The media-lab and the audio-lab in Vienna will – if approved by the CEU on 24/01/2020 – be serviced by 1 fulltime, respectively 0,5 part-time technically knowledgeable administrative staff member(s).

According to the Rector, there are over 100 countries represented in the student body (statistics on the CEU website), and over 40 countries represented by the faculty. The Law Department is aware and interested in having more diversity among staff and could point to some faculty in this area.

The experts consider the criterion to be **fulfilled**.

**Recommendations:** 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.

#### Staff

*2. The relation between scientific and/or artistic staff in primary occupation at the private university and students shall be in accordance with the profiles of the respective degree programmes. Primary occupation here means working at least 50% of one's total working hours in salaried employment at the private university.*

All teaching staff works full time at CEU PU, though it may be shared across different departments. The Department currently employs 13 full-time professors in Budapest. The professor-student ratio is 1: 7. Currently the CEU PU has entered into 12 pre-contracts for full-time faculty in the department to be based in Vienna, which should suffice in order to cover the broad range of both content and method.

The experts consider the criterion to be **fulfilled**.

Staff

*3. The subject-specific core competences of the degree programme are covered by professors in primary occupation at the private university*

According to faculty interviews, the interdisciplinarity of the curriculum is ensured in part by the expertise of faculty members and partly by the inter-departmental course offering. Permanent faculty members have a background in major legal families and faculty expertise covers all major regional and international human rights regimes. The experts understand that it is not realistic to have faculty with backgrounds or experiences that cover all of the geographic diversity represented by the students. Faculty use their legal, human rights, policy and methodological expertise and skills in their respective areas to work with students in refining research questions and carrying out their analysis and feel confident in their ability to do so.

The programme benefits from the continuing engagement of recurrent visiting faculty who are on campus for 1-2 weeks, and include internationally recognised academics as well as practitioners (judges, advocates, NGO / IGO professionals, activists).

The experts consider the criterion to be **fulfilled**.

Staff

*4. The scientific staff or the artistic staff, respectively, is qualified according to the requirements of the activities provided for in the degree programme.*

According to the profiles provided for the teaching staff in the LLM programme, all of the faculty have doctoral degrees from accredited universities. Additional qualifications include professional experience in the field, scholarly contributions, other academic affiliations. All teaching staff have demonstrated practical experience in human rights, including legal, policy and research activities in or with regard to national and international institutions.

The experts consider the criterion to be **fulfilled**.

Staff

*5. The prioritisation of the teaching, research, and administrative activities of the scientific or artistic staff in primary occupation at the private university ensures adequate participation in teaching in degree programmes and leaves sufficient time for research and development or the advancement and appreciation of the arts.*

The CEU PU has delivered an Academic Staff Handbook. Chapter V of the Handbook outlines the details and preconditions for the workload of full-time employees, and short and long-term research leave for the same category. Full-time staff not on leave is expected to be resident in Vienna during three terms of the academic year. The workload is normally divided according to the following approximate percentages: teaching (including supervision) 30-50%; research (including research management) 30-50%; other administration 20-40%. In order to stimulate research full-time resident faculty members who have **fulfilled** their full-time equivalency workload (including teaching, research and administration, as described in his or her contract) for at least three academic years may apply to be considered for a six-month research leave with full pay, or a twelve-month leave, after seven years of teaching.

The degree of administrative responsibilities can be affected year to year by, for example, appointment to leadership positions (e.g., program chair) within the department. There is also a policy that junior faculty will be given a relatively lighter teaching and administrative load when

they are first hired so that they have more time to prepare for teaching. In the past few years, addressing 'local challenges' in Budapest, re-accreditation in the U.S. and application for institutional accreditation in Austria, plus proposals for program accreditation, have taken away time for research.

The experts consider the criterion to be **fulfilled**.

## Assessment criterion § 17 (4): Funding

### Funding

*The degree programme's funding is secured. Provisions have also been made to fund expiring degree programmes.*

CEU's master programmes are funded through both the overall budget and through tuition fees. In general, tuition fees do not cover a large part of the programme's cost, especially as a substantial number of students get a full or partial tuition waiver.

The overall budget of the legal department for the academic year 2020/21 will amount to approximately €1.9 million, of which approximately two thirds are used to cover personnel expenses. For the following year similar funding will be available to the legal department. Overall, these financial means are adequate to secure the doctoral programme's and the legal masters programmes' funding and will be sufficient to moderately increase academic staff.

CEU's overall budget for 2020/21 will amount to approximately €60 million (recurring expenses), will grow by approximately 30% in the following year and will remain stable thereafter. Primary source for funding are recurring grants by the Open Society Foundation of approximately €58 million per year, while additional funding will be provided by returns of the CEU endowment fund and other forms of finance. The nominal value of the endowment fund will be protected and will remain stable at some €500 million over the next years. Tuition fees will only cover approximately 5% of revenues. The University plans to raise the percentage of university-raised finance, e.g. tuition income, in order to lessen the dependence on just one source of funds.

The OSF has committed to cover the additional costs of the move to Vienna (approximately €193 million). In that vein, CEU commits to pay competitive salaries to its employees after relocation to Austria. Additionally, OSF has committed to endow the University with additional €550 million over the next 12 years, which allows CEU to protect its endowment fund through lowering withdrawals from €38 Million to €5 million annually. OSF's commitments are non-revocable. On the basis of these figures, CEU's long-term viability seems to be ensured. Generally, CEU's leadership expects a substantial budget increase over the next couple of years due to various additional initiatives by CEU's founder.

The experts consider the criterion to be **fulfilled**.

## Assessment criterion § 17 (5): Infrastructure

### Infrastructure

*Quantitatively and qualitatively adequate facilities and equipment are provided for the degree programme. In the case that the private university draws on external resources, their authorisation to use them has been contractually secured.*

According to the application documents, corroborated by the site visit, until August 2025, the institution occupies a fully renovated building with a surface area of 19.516 square meters, of which appr. 12.000 square meters are currently available (23/01/2020) and the remaining part will be made available this summer (01/08/2020). The building is accessible for persons with a disability and overall very transparent, i.e., in line with general CEU policy.

Apart from rectorate offices and offices for administrative staff including student services, the space (which has Wi-Fi everywhere, including through eduroam) consists of an income hall (with reception), 18 classrooms (1 large auditorium, 2 medium size classrooms (e.g., a tiered classroom of 70), and 15 smaller classrooms), a glass hall (e.g., for receptions), 2 computer labs (of 28 spaces and 15 spaces, respectively), 3 PhD Labs, 15 meeting rooms, 21 touch-down offices for teaching/research staff, 1 prayer/relax room, 1 shower room, 1 parenting room, a medium-large cafeteria and bike storage (both on ground floor), lockers on each floor, 12 copy/scan machines spread over 3 floors, all accessible to students (scanning is free of cost, while copying is not), men's/women's and gender-neutral restrooms, as well as 2 restrooms on the ground floor for persons with disabilities, a number of kitchenettes, some of which are also accessible to students, 1 medium size lounge with comfortable seating and 1 large co-working lounge for students and staff. Once the 2 remaining floors will be renovated and refurbished, permanent teaching staff will (probably) be occupying single person offices.

All classrooms and meeting rooms contain state-of-the-art smartboards and IT equipment (to show movies, power points, prezi, etc.), comfortable chairs, and – mostly – removable tables. The meeting rooms and touch-down offices can either be booked online by students/staff, or used ad hoc if not occupied. Meeting rooms and touch-down offices are equally equipped with comfortable chairs and IT/AV connections.

The library space (1.300 square meters) within the CEU building contains: (1) a collection of print volumes (20.000 volumes, for the moment being divided over the CEU library premises in Vienna, Budapest and a CEU storage facility in Budapest: while next year there should be 45.000 volumes physically available on the Vienna premises, the entire physical library collection will be 'reunited' in the mid-long term, i.e., following a next move of CEU in 2025; the books in the Vienna premises are stored in easy accessible, not high bookshelves (which are therefore also accessible for persons with disabilities); (2) a collection of e-books and e-journals (easily accessible through in-house PCs and one's laptop/PCs outside CEU premises); (3) a sizable English-language legal database collection; (4) a media lab (for teaching staff, etc., to make movies) and an audio-lab (to make podcasts); (5) a large number of desks with PCs and some standing desks (for persons with back problems); (6) 7 library co-labs with state-of-the-art smartboards and IT equipment (where students/staff can meet in private, interview a person, etc., to be booked in advance or ad hoc if empty).

The library collection is reviewed every year to detect gaps. New purchases preferably relate to e-books and e-journals rather than physical versions. Books can be ordered by staff through a designated online tool, and arrive shortly thereafter (in the case of e-books/e-journals of course almost immediately).

The CEU library (Vienna & Budapest) has 22 staff members. The CEU Vienna library has broad opening hours: 9-21h during weekdays and 12-18h during weekends. Books can be taken out by students/staff for (renewable periods of) 1 month. The library hosts an inter-library loan service (books can be easily reserved online), serviced by 3 administrative staff. Books available in CEU's Budapest premises and requested by staff/students are brought to Vienna 3 times/week. CEU students can on request receive a library card from the University of Vienna to consult and access legal databases at the University of Vienna. Researchers can also request financial support to visit foreign legal libraries. The media-lab and the audio-lab will – if approved by the CEU on 24/01/2020 – be serviced by 1 fulltime, respectively 0,5 part-time technically knowledgeable administrative staff members). Newly arriving students/teaching/research staff receive an info session on the use of the library, its collections and services.

Students obtain free access to reading and other materials through an online learning platform.

The experts consider the criterion to be **fulfilled**.

**Recommendations:** 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.

The experts consider the criterion to be **fulfilled**.

## Assessment criterion § 17 (6) 1 to 2: Research and development and/or the advancement and appreciation of the arts

### Research and development and/or the advancement and appreciation of the arts

*1. The scientific and/or artistic staff in primary occupation at the private university assigned to the degree programme is involved in the private university's relevant research and development activities..*

As all programs at the Department of Legal Studies, the LL.M. programme in Human Rights is also committed to research-based teaching.

CEU PU provided the experts with a list of scientific staff including full-time, part-time and visiting faculty. In the provided Research Concept CEU PU demonstrates that all involved teaching staff is also involved in CEU PU's relevant research and development activities.

The experts consider the criterion to be **fulfilled**.

### Research and development and/or the advancement and appreciation of the arts

*2. The (planned) research performance of the scientific or artistic staff in primary occupation at the private university assigned to the degree programme are in accordance with the university's approach and the respective subject culture.*

See above (click [here](#)).

The experts consider the criterion to be **fulfilled**.

## Assessment criterion § 17 (7): Co-operation

### Co-operation

*The private university has envisaged co-operation projects with higher education partners and, if applicable, partners outside the higher education area in Austria and abroad which match the degree programme's profile and furthermore promote the mobility of students and staff.*

CEU PU understands itself as an international university with a strong focus on international co-operations. Therefore, CEU PU co-operates with numerous national and international universities and institutions, "with the aim of developing joint research and education activities and fostering the exchange between professors and students" (Application materials).

Currently, most of the collaborations are centred on European and North American counterparts, with some exemptions, including Myanmar and China:

The programme has a number of bilateral agreements with higher education partners for student exchanges. Long-term exchange partners in North America include Benjamin N. Cardozo School of Law, Yeshiva University, Cornell University Law School, Columbia University School of Law, Brigham Young University, University of Toronto as well as Bard College (through a university arrangement). Furthermore, CEU PU fosters exchange partnerships with Andrassy University Budapest and - through Erasmus agreements - with Riga University and Tilburg University. Furthermore, SFU and University of Salzburg may become, according to program representatives, higher education partners in the future. The Legal Department's membership in the China-EU School of Law (CESL) consortium adds to the student body's diversity as a dozen students arrive each year to take classes in the Spring Term in all three of CEU PU's LL.M. programs. Additionally, CEU PU's leadership aims at broadening the spectrum of higher education partners to the global south.

As announced on January 23rd, 2020 CEU PU will also benefit from the newly founded *Open Society University Network* which aims at uniting students and faculty from universities in different parts of the world.

CEU PU is also engaged in consortia and networks, for example CIVICA. Especially relevant for CEU PU's work in human rights education is its participation in the Association of Human Rights Institutions (AHRI). According to information provided during the site visit, the talks concerning a potential cooperation with the Ludwig Boltzmann Institute for Human Rights at the University of Vienna will be finalized in the near future. As part of the projected co-operation, a seminar series on constitutional and human rights issues is envisioned.

Additionally, CEU PU collaborates with a number of NGOs in Budapest, which contribute significantly to the students' preparation for the moot court exercises. As CEU PU transfers its campus from Budapest to Vienna, programme representatives have reached out to NGOs in Austria - further details of potential co-operation agreements with these institutions will be negotiated as soon as the program is accredited.

In addition to formal co-operations, the programme benefits from a wide network of alumni working for national or international human rights institutions as well as from faculty members' contacts with human rights organizations, such as the Council of Europe (COE), including the European Court of Human Rights (ECtHR), the Organisation for Cooperation and Security in Europe (OSCE), the Fundamental Rights Agency (FRA), the United Nations, including the UN Treaty Bodies, allowing students to approach experts and carry out research visits to these institutions.



The experts consider the criterion to be **fulfilled**

## Summary and final evaluation

### **Development and quality assurance of the degree programme:**

Already operating previously in Budapest, all programmes are reviewed every five years. This resulted in the introduction of a Capstone Track aimed at enhancing practical skills. Self-assessment as well as student evaluation are taken into account.

### **Degree programme and degree programme management:**

Initially accredited for the Budapest campus in 2001, the programme aims at training future legal scholars who would contribute to the development of human rights and training established legal scholars and professionals to incorporate human rights considerations into their work, including also non-European questions. The curriculum and the associated pedagogy is suited to both critical thinking and practical skills. There are seven modules reflecting this multiple focus. Students are encouraged to choose topics akin to their professional interests. Reading, researching and group exercises are well balanced. The two tracks (thesis or capstone) are well articulated. Grading is clearly explained and structured.

Students are accepted strictly on merit, they have to have completed undergraduate studies sufficient to take up the local bar exam. 20 students per year are accepted from a very wide application pool. Each application is individually assessed in multiple, well organised stages. Around 100 countries are represented in the student body.

### **Staff:**

While full time faculty teaches core courses, part-time faculty is in fact full-time at CEU (in other departments), visiting professors adding diversity in approach and topics. The library counts 22 staff members (including Budapest). Interdisciplinarity is largely ensured. All faculty have at least a doctoral degree from accredited universities. Professor-student ratio is 1 to 7. 12 pre-contracts for full-time faculty to be based in Vienna are in the course of hiring. Visiting faculty include not only academics, but also practitioners. Trainers are brought in for moot court.

### **Funding:**

The master programmes are funded through both the overall budget and tuition fees. A substantial number of students are getting a partial or full tuition waiver.

Funding is assured through different sources, of which the Open Society Foundation will provide the main part (58 million € per year), guaranteeing stability over the next years, tuitions remaining at a relatively low percentage. CEU commits to paying competitive salaries to its employees after relocation to Vienna.

### **Infrastructure:**

The CEU Vienna occupies a fully renovated building of 19.516 square meters by August 2020. The facilities encompass classrooms, administration, student services, meeting rooms, a library space of 1.300 square meters (aimed at comprehending finally up to 45.000 volumes), mainly English, but in the future also non-English data-bases are available.



**Research and development:**

Like all other programmes, the LLM programme in human rights is committed to research based teaching. CEU PU provides a research concept showing that all faculty is involved in CEU's research and development activities.

**Co-operation:**

The programme has numerous bilateral agreements for student exchange with other Universities, which is due to be further developed also with Austrian institutions like the Ludwig Boltzmann Institute. Additionally, CEU collaborates with a number of NGOs in Budapest contributing significantly to moot court exercises. It also benefits from an extended network of alumni, allowing students to approach experts and visit institutions.

The experts **recommend to the Board of the AQ Austria that the master programme in Human Rights (LLM) be accredited.**

Documents reviewed

- Application of the Central European University Private University
- Financial documents provided by the CEU PU during the site-visit
- CEU PU's website

| MA Human Rights – HR MA                       |                              |
|---|------------------------------|
| Information on the accreditation application  |                              |
| Name of the degree programme                  | Human rights                 |
| Type of the degree programme                  | Master programme             |
| ECTS credits                                  | 60                           |
| Normal period of studies                      | 1 academic year (3 terms)    |
| Number of study places                        | Approx. 20                   |
| Academic Degree                               | Master of Arts (MA)          |
| Organisational form                           | full time                    |
| Language used                                 | English                      |
| Site at which the degree programme is offered | Wien, 10.Quellenstraße 51-55 |
| Tuition fees                                  | € 13.000 (per year)          |

## 6 Review and assessment based on the assessment criteria stipulated in the PU-AkkVO – “Human Rights” MA programme

### Assessment criterion § 17 (1) 1 to 2: Development and quality assurance of the degree programme

#### Development and quality assurance of the degree programme

*1. The degree programme was developed using a predefined procedure for the development and establishment of degree programmes and involving the relevant stakeholder groups.*

CEU PU's doctoral and master programmes in law have been operating in Budapest for a considerable time period, with remarkable continuity. Hence, the situation differs from the typical initial accreditation of a new programme.

The MA programme in Human rights was established even before the LLM programme in Human Rights (see above). CEU realised that there was a need for non-lawyers for legal education in the field of human rights. The MA programme is more practical oriented, hence more practical skills are included in the curriculum.

According to the accreditation documents and as confirmed in the site visit, all programmes should be reviewed strategically every five years. The programme underwent the last such review in 2014-5. This process involved the relevant stakeholder groups by making use of (1) self-assessment techniques involving staff, students and alumni, and (2) an external evaluation by scholars. In response to the findings of this process, the Department developed an Action Plan with program-level recommendations. The recommendations were endorsed by the Senate Academic Quality Assurance Committee (now: Senate Curriculum and Academic Quality Assurance Committee, SeCur) and the senior academic leadership of the University and its Senate.

For all masters' programmes, this resulted in the introduction of a Capstone Track in order to expand curricular elements designed to enhance practical professional skills. This is also evident in the Human Rights MA academic requirements. The CEU PU Action Plan called for highlighting of thematic specializations showcasing faculty research and expertise drawing on multiple disciplines and expanding curricular elements focusing on the development of practical professional skills. The new required capstone experience and internship option reflects the outcome of a process of institutional learning and self-reflection. Moreover, as confirmed in the site visit, the curriculum revised in AY 2018-2019 demonstrates an effort to have a more global orientation reaching beyond the initial focus on Europe, catering to the needs of the truly international student body with a significant cohort of students from Africa, South-East Asia and the Americas.

The experts consider the criterion to be **fulfilled**.

#### Development and quality assurance of the degree programme

2. *Following its accreditation, the degree programme is incorporated into the private university's quality management system.*

CEU PU has a comprehensive policy on quality management as documented by the documents the experts have been provided with: "Institutional Assessment and Quality Assurance (IAQA) Policy" and the "Quality Assurance at the Department of Legal Studies". These guidelines mandate annual and the afore-mentioned strategic reviews, apart from extraordinary reviews in special circumstances. There is an annual report produced at the programme level, which provides the programme director and the department head with sufficient information in order to monitor the programmes. Past performance shows that these documents are taken seriously. The programme to be accredited is covered by these policies policy.

According to the application document, quality assurance in the Human Rights MA Programme is assured through processes that follow the University's general rules. These include self-assessment on the program's performance in the Department's annual report, individual faculty members' academic activity reports, anonymous student evaluations on courses and thesis supervision, as well as town-hall style meetings with students (Human Rights MA Proposal, p. 2). The site visit confirmed reliance on student evaluations and regular town-hall style meetings with students; such performance reports are made available within the CEU PU community.

The experts consider the criterion to be **fulfilled**.

### Assessment criterion § 17 (2) 1 to 11: Degree programme and degree programme management

*Taking into account a heterogeneous student body, the following criteria shall apply. In the case of degree programmes with special profile elements, the descriptions shall furthermore address the characteristics defining the profile. Special profile elements are, for example, compulsory vocational practice, organisational forms which are offered alongside professional activity, distance-learning degree programmes, joint degree programmes or jointly offered degree programmes etc.*

### Degree programme and degree programme management

- 1. The degree programme is oriented towards the profile and the objectives of the private university and is clearly in line with the development plan.*

According to accreditation documents, the programme was initially accredited in the United States in 1998 for the Budapest campus. The programme had four aims: to train future scholars who would contribute to the development of human rights in the region; to train scholars and teachers who wished to incorporate a human rights dimension into their work; to improve interdisciplinarity at the University; and to offer human rights education to doctoral students from the Department of Legal Studies or other academic units. Since the initial accreditation, the scope of the programme has evolved to include treatment of contemporary human rights challenges and to move towards a treatment of non-European regions.

The CEU PU Action Plan called for highlighting of thematic specializations showcasing faculty research and expertise drawing on multiple disciplines and expanding curricular elements focusing on the development of practical professional skills (such as problem-oriented project work and group work). The review of the curriculum revised in AY 2018-2019 and discussions during the site visit demonstrates a global orientation reaching beyond the initial focus on Europe, catering to the needs of the truly international student body with a significant cohort of students from Africa, South-East Asia and the Americas.

According to the accreditation proposal and confirmed through a review of the programme's curriculum, the curriculum of the MA in Human Rights programme infuses legal aspects to the exploration of human rights problems. The programme exposes students to select core rights, such as freedom of expression, freedom of religion, political rights, and fair trial rights, and special attention is devoted to equality and the rights of vulnerable groups. The curriculum draws on faculty expertise in different regional and international human rights regimes, including the Inter-American and the African human rights regimes. Courses provide insight into institutional frameworks, procedures as well as recent developments and current challenges. The foundational courses are tailored to the needs of students who do not have a legal background.

The curriculum primarily caters to the needs of future human rights practitioners wishing to pursue a career in domestic/international human rights institutions or civil society organizations. Accordingly, the skill-building components are emphasized through experiential learning, such as moot courts and the Model United Nations and the inclusion of advocacy courses. According to the experts there is a balance between the treatment of human rights issues in theory as well as practice.

The experts consider the criterion to be **fulfilled**.

**Recommendations:** 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.

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.

#### Degree programme and degree programme management

*2. The profile and the intended learning outcomes of the degree programme have been clearly defined. They include scientific as well as artistic, personal, and social competences, they meet the professional requirements and are in accordance with the respective level of the National Qualification Framework. As regards regulated professions, the private university shall describe, if and under which preconditions access to those professions can be ensured.*

According to the accreditation proposal, the general learning goals for students in the Master's programme in human rights are:

- Ability to benefit from a substantial knowledge of the protection of particular human rights on national and supranational levels;
- Ability to benefit from a substantial knowledge of the institutional and procedural frameworks of human rights enforcement on national, international and regional level;
- Ability to recognize, understand and critically approach theories relevant for analyzing human rights issues in a comparative perspective;
- Ability to approach human rights problems in their broader theoretical, political and societal context from a comparative, international and inter- / multidisciplinary perspective;
- Ability to analyze contemporary human rights issues and challenges in their theoretical and practical context, in a policy relevant manner;
- Ability to generate new ideas and advocacy strategies that provide genuine solutions to human rights problems using comparative arguments and inter-disciplinary insights;
- Ability to design a research project independently;
- Ability to generate structured, logical, plausible and persuasive argumentation, evaluate its strength and weaknesses, connect, compare and contrast, use inductive, deductive, analogical reasoning in writing;
- Ability to summarize, present and discuss ideas and arguments orally in a clear, effective and engaging way.

The National Qualification Framework level of the program is VII.

In the mind of the experts, the existing curriculum programme and associated pedagogy is well suited to these learning outcomes. There is a strong emphasis on critical thinking, analysis and discussion. Moreover, the site visit confirmed that each course in the programme identified clear learning outcomes for students, which were transmitted at the beginning of each term.

The experts consider the criterion to be **fulfilled**.

**Recommendations:** The experts consider that the learning outcomes are well articulated. Given that there is now a capstone requirement for the program and 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.

**Degree programme and degree programme management**

*3. The name of the degree programme and the academic degree correspond to the degree programme's profile.*

The MA in Human Rights Program title reflects the degree programme's content and structure.

The experts consider the criterion to be **fulfilled**.

**Degree programme and degree programme management**

*4. The contents and structure of the curriculum ensure that the intended learning outcomes are achieved, while combining research (research and development and/or advancement and appreciation of the arts) and teaching.*

The curriculum of the programme is divided into 7 modules, the course content of which are outlined in the program proposal, along with associated aims and learning outcomes. Course syllabi were provided and generally correspond to the intended learning outcomes of each module. The experts were impressed by the module curricular framework. The seven required modules are:

**Mandatory Foundational Courses Module.** The Mandatory Foundational Courses Module ensures that students with no legal background are provided with a level playing field: students are introduced to key legal concepts and terms and the basics of public international law. Furthermore, the Module offers a broad and critical understanding of human rights and familiarizes students with the basic features of the European and Inter-American regional human rights regimes.

**Civil and Political Rights Module.** The module covers select civil and political rights from a comparative constitutional law and international human rights law perspective. Courses offer a theoretical background to the protection of freedom of expression, freedom of assembly, freedom of religion and belief, right to privacy, freedom from torture and the right to life, and the scope of protection is primarily examined through a case-based approach covering various domestic and regional jurisdictions.

**Global Rule of Law Module.** The module introduces students to national and international rule of law practices and policies and provides them with critical insights into the threats the rule of law faces in different contexts.

**Justice and Equality Module** The module addresses dilemmas of social justice, equality and procedural fairness by offering a unique selection of courses exploring the legal and policy answers to problems such as the fulfilment of social and economic needs, or the protection of women against domestic violence.

**Theoretical Perspectives Module** Courses in the module seek to introduce the theoretical foundations of rights from the formal concept to analytical and structural theories, and through examples examine the substantial contents and legitimacy of rights. The focused courses allow students to understand the interplay between human rights and different cultural perceptions.

**Elective Courses Module** The Elective Courses Module offers courses covering a wide range of human rights topics allowing students to explore areas of their interest or to further specialize in an area of study.

**Thesis / Capstone Module** These mandatory courses (Thesis Seminar, Capstone Seminar) are tailored to the expected outcome (thesis or capstone project) of the respective track: they

assist students with designing their research / project, provide guidance on how to set the scope, which methodological or disciplinary approach to use, how to gather materials and select the relevant ones, and how to frame and effectively communicate the arguments both orally and in writing. Students on the Thesis Track are further assisted by the Comparative Legal Research Methodology course.

The experts consider the criterion to **be fulfilled**.

**Recommendations:** 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.

#### Degree programme and degree programme management

*5. The didactic conception of the degree programme's modules shall ensure that the intended learning outcomes can be achieved and promotes the students' active contribution in the learning process.*

The accreditation documents and the site visit confirmed that the taught curriculum is delivered through interactive classes that draw on the Socratic Method and require active student participation in each class. The pedagogy emphasises critical thinking, oral communication, disciplined reasoning, project work and peer-to-peer teaching. The international and multi-cultural composition of the students fosters advanced critical thinking and cultural awareness. Several courses involve individual research exercises that develop independent research, advanced critical thinking as well as applied advanced writing skills.

Practical skill-building and experiential learning components are integrated into the curriculum throughout the academic year, they feature in all mandatory and in key mandatory elective courses. These include exercises in drafting moot court submissions, resolutions, position papers, etc., diverse forms of group work (including in-class moot courts, multi-party negotiation etc.), oral presentation and oral advocacy opportunities. The experts were positively impressed by the integration of these activities within the programme.

According to the documents and interviews with faculty and students, over the course of the academic year, students are increasingly encouraged to select themes or topics for course papers that are closest to their own professional interests

The experts consider the criterion to be **fulfilled**.



#### Degree programme and degree programme management

*6. The workload related to the individual modules ensures that the intended learning outcomes can be achieved within the stipulated duration of studies, and in case of part-time degree programmes takes into account any professional activity. The ECTS is applied correctly.*

Interviews with faculty and students during the site visit confirmed that the workload allowed students to complete their degree programme over one year of intensive course study.

Course requirements were clear and well structured. Faculty coordinate weekly readings so that students are not unduly burdened by readings, especially relevant given that many of the students are not native speakers of English.

Student assignments involved a balance of reading and individual and group exercises. Additional supports such as the "open door policy" of faculty provided students with additional academic support on an as-need basis.

The experts consider the criterion to be **fulfilled**.

#### Degree programme and degree programme management

*7. The private university has adopted examination rules. The examination methods are suitable to assess whether and to what extent the intended learning outcomes have been achieved.*

According to programme documents, in order to fulfill all requirements for the MA in Human Rights degree programme, students must earn 60 ECTS over 3 Terms and:

- Achieve a total Grade Point Average of at least 2.66 (corresponds to a letter grade between C+ and B-);
- Fulfill the credit requirements of the respective track.

There are two tracks in the MA Program at CEU PU: the Thesis track and the Capstone track. The coursework and written/project requirements for each track is carefully detailed in program documents and correspond with the learning outcomes of the MA Human Rights Program.

According to programme documents, final course grades combine the results of multiple, diverse assessment items throughout the course (e.g. short written assignment, mind-map, advocacy exercise, group work culminating in an in-class presentation, in-class mini-moot, etc.). Terms of evaluation for various assessment items are set out in the course syllabi. Elements of team work are carefully balanced with individual assessment items to enable individualized assessment of performance. In classes larger than 12 students a grading curve is applied to determine final grades. In the view of the experts, these assessment requirements strike a positive balance between formative and summative approaches, and ensure a diversity of assessment approaches that enable learners with different strengths to demonstrate achievement.

The Department follows the CEU PU rules on examination (see CEU PU Policy on Students Rights, Rules and Regulation). The Department's grading policy and the evaluation criteria applied for the final submissions (thesis / capstone thesis) are detailed in the Department's Information Booklet.

The experts consider the criterion to be **fulfilled**.

**Degree programme and degree programme management**

*8. A "Diploma Supplement" that complies with the requirements laid down in Annex 1 to § 6 of the University and Higher Education Statistics and Education Documentation Decree (Universitäts- und Hochschulstatistik- und Bildungsdokumentationsverordnung, UHSBV), original version: F. L. G. II no. 216/2019, will be issued.<sup>5</sup>*

CEU PU has supplied the experts with the diploma supplements it plans to issue to its graduates. These supplements comply with the legal requirements.

The experts consider the criterion to be **fulfilled**.

**Degree programme and degree programme management**

*9. The admission requirements have been clearly defined. In terms of the qualification level, they correspond at least to the provisions provided by the Universities Act (UG).*

The admission requirements are clearly defined and consistent with the Universities Act (UG). These requirements, taken from the program documents, are presented below:

Programme admission requirements, including eligibility, educational background, prior educational achievements, and other criteria.

1) General requirements:

Students applying to the MA in Human Rights Program are required to hold or complete prior to enrolment a Bachelor's degree in any discipline.

As per CEU PU's general requirements, applicants are required to submit their diploma and full transcripts for all relevant underlying degrees.

2) Language requirements:

Applicants must demonstrate proficiency in English. Those applicants whose first language is not English must submit standardized English language test scores, e.g., the Test of English as a Foreign Language (TOEFL).

3) Academic writing submission:

As an "Academic writing submission" applicants for the "Thesis Track" are required to submit an original 2000-word research proposal. Research proposals constitute part of the application package and are evaluated during the admissions process. Proposals submitted by successful applicants will form the basis of their thesis research guided by their academic supervisor throughout the academic year. A research proposal for the MA in Human Rights is expected to address a clearly identified human rights problem with directions for comparative and interdisciplinary analysis.

As an "Academic writing submission" applicants for the "Capstone Track" are required to submit a 1500-word essay answering the program-specific question(s) posted prior to admissions. The essay is evaluated together with the rest of the application package, but it will not commit successful applicants to a specific area of study upon acceptance to the MA in Human Rights Program.

<sup>5</sup> In der PU-Akkreditierungsverordnung 2019 wird noch auf die Anlage 2 das UniStEV 2004 verwiesen. Diese Verordnung wurde geändert und deshalb wurde der Text des Beurteilungskriteriums im Gutachten entsprechend angepasst.

#### 4) Full professional resume:

Applicants are required to submit a full professional resume with details on their educational backgrounds and professional experiences (including employment as well as volunteer experiences). The Department's website contains detailed guidance on the expected content of the resume.

#### 5) Reference letters (recommendations):

The Department requests reference letters from two academic referees or one academic and one professional referee, if the candidate has more than three years of work experience.

The experts consider the criterion to be **fulfilled**.

#### Degree programme and degree programme management

*10. The admission procedure has been clearly defined and ensures a fair and transparent selection of the applicants according to the admission requirements and the required competences.*

According to interviews conducted during the site visit, approximately 15-20 students per year are accepted into the MA Human Rights Program, from an application pool that is typically over 100 candidates. Students are accepted on the basis of merit only. The diversity of the accepted students reflects the wider pool of applicants.

The admission process is clearly defined in programme documents and was confirmed in the site visit. This process is presented below.

Applications are processed through CEU PU's online admissions system. Each application is assessed individually, in multiple stages:

Step 1: A review of formal eligibility is conducted by a faculty member with the assistance of staff in the CEU PU Admissions Office. If necessary, further documents are requested and the veracity of electronic submissions is verified;

Step 2: Each eligible applicant's full application package (containing academic records, professional resume, reference letters and an academic writing submission) is assessed by a faculty member.

The written submission is assessed for its originality, creativity, overall academic, professional and intellectual qualities.

Step 3: Promising applicants are invited to an oral interview over skype or telephone with a faculty member.

The interview covers the applicant's interest in the program in light of their professional experiences and aspirations, follow-up questions on the written submission as well as questions on a constitutional case made available to the applicant shortly before the interview.

In addition to documented extracurricular academic achievements in the field of human rights (such as student publications, workshops and conferences, summer schools), the Human Rights MA Program values professional experience (employment or volunteer) with human rights civil society organizations, government, national human rights institutions.

Application packages and subsequent interviews are scored on a program-specific standardized score sheet that takes into account academic, professional, intellectual and individual achievements and qualities. The Program Chair uses the accumulated scores to compile a merit-based list of applicants for admission.

The score sheet is reviewed by the faculty each year to maintain the overall fairness of the process as well as to ensure the comparability of scores by different faculty members.

The experts consider the criterion to be **fulfilled**.

#### Degree programme and degree programme management

*11. The recognition procedures for higher education competences and, if applicable, competences acquired outside higher education in terms of crediting towards examinations or parts of a degree programme have been clearly and transparently defined. When recognising or crediting higher education competences, the Convention on the Recognition of Qualifications concerning Higher Education in the European Region (Lisbon Recognition Convention) shall be considered.*

As mentioned above, students applying to the MA in Human Rights Program are required to hold or complete prior to enrolment a Bachelor's degree in any discipline.

As per CEU PU's general requirements applicants are required to submit their diploma and full transcripts for all relevant underlying degrees. The revised admission criteria take into account the Lisbon Recognition Convention.

The experts consider the criterion to be **fulfilled**.

### Assessment criterion § 17 (3) 1 to 5: Staff

#### Staff

*1. The private university shall provide for sufficient scientific and/or artistic staff as well as sufficient non-academic staff for operating the degree programme.*

The review of program documents and interviews carried out in the site visit revealed the following information about current faculty staffing at CEU PU:

- Permanent, full-time faculty are teaching core courses. During the site visit, the experts were informed that the FTE of the current positions will be maintained during the transition.
- Part-time faculty are actually full-time at CEU but either jointly appointed between departments or 'shared' (and thus appearing as 'part-time') in program faculty profiles. There are no adjuncts in the Law Department.
- Visiting faculty (meaning short-term visits of one week to 10 days, for example) further adds to this diversity. Visiting professors expose students to additional themes and perspectives. Typically, there are approximately 20 visiting professors a year. Some of these visiting professors have been engaged with the department for decades. Trainers are brought in for the Moot Court.

Two new faculty are being hired in the Legal Department. One is in the area of International Business Law (beginning in March) and the other is in human rights and political rights (as of the fall). Future, bilateral cooperation – e.g. with the Boltzmann Institute - might result in some joint teaching, for instance, in relation to any future mid-career certificate program.

All courses currently including in the Programme of Study will continue to be offered.

In terms of support staff, in the current academic year there are 4 FTE administrative staff in the Legal Department, which is considered to be sufficient for the program. As of the 2020-21 academic year, there will be 3 FTE with one staff person (Events Coordinator) being relocated

to the CEU's central administrative support unit. This person will continue to support events in the Legal Department.

In total the CEU library (Vienna & Budapest) has 22.5 FTE (26) staff members. The media-lab and the audio-lab in Vienna will – if approved by the CEU on 24/01/2020 – be serviced by 1 fulltime, respectively 0,5 part-time technically knowledgeable administrative staff member(s).

According to the Rector, there are over 100 countries represented in the student body (statistics on the CEU website), and over 40 countries represented by the faculty. The Law Department is aware and interested in having more diversity among staff and could point to some faculty in this area.

The experts consider the criterion to be **fulfilled**.

**Recommendations:** 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 study body.

**Staff**

*2. The relation between scientific and/or artistic staff in primary occupation at the private university and students shall be in accordance with the profiles of the respective degree programmes. Primary occupation here means working at least 50% of one's total working hours in salaried employment at the private university.*

All teaching staff full time at CEU PU, though may be shared across different departments. The Department employs 13 full-time professors in Budapest. The professor-student ratio is 1:7. Currently the CEU PU has entered into 12 pre-contracts for full-time faculty in the department to be based in Vienna, which should suffice in order to cover the broad range of both content and method.

The experts consider the criterion to be **fulfilled**.

**Staff**

*3. The subject-specific core competences of the degree programme are covered by professors in primary occupation at the private university*

According to faculty interviews, the interdisciplinarity of the curriculum is ensured in part by the expertise of faculty members and partly by the inter-departmental course offering. Permanent faculty members have a background in major legal families and faculty expertise covers all major regional and international human rights regimes. The experts understand that it is not realistic to have faculty with backgrounds or experiences that cover all of the geographic diversity represented by the students. Faculty use their legal, human rights, policy and methodological expertise and skills in their respective areas to work with students in refining research questions and carrying out their analysis and feel confident in their ability to do so.

The programme benefits from the continuing engagement of recurrent visiting faculty who are on campus for 1-2 weeks, and include internationally recognised academics as well as practitioners (judges, advocates, NGO / IGO professionals, activists).

The experts consider the criterion to be **fulfilled**.

**Staff**

*4. The scientific staff or the artistic staff, respectively, is qualified according to the requirements of the activities provided for in the degree programme.*

According to the profiles provided for the teaching staff in the MA programme, all of the faculty have doctoral degrees from accredited universities. Additional qualifications include professional experience in the field, scholarly contributions, other academic affiliations. All teaching staff have demonstrated practical experience in human rights, including legal, policy and research activities in or with regard to national and international institutions.

The experts consider the criterion to be **fulfilled**.

**Staff**

*5. The prioritisation of the teaching, research, and administrative activities of the scientific or artistic staff in primary occupation at the private university ensures adequate participation in teaching in degree programmes and leaves sufficient time for research and development or the advancement and appreciation of the arts.*

The CEU PU has delivered an Academic Staff Handbook. Chapter V of the Handbook outlines the details and preconditions for the workload of full-time employees, and short- and long- term research leave for the same category. Full time staff not on leave is expected to be resident in Vienna during three terms of the academic year. The workload is normally divided according to the following approximate percentages: teaching (including supervision) 30-50%; research (including research management) 30-50%; other administration 20-40%. In order to stimulate research full-time resident faculty members who have **fulfilled** their full-time equivalency workload (including teaching, research and administration, as described in his or her contract) for at least three academic years may apply to be considered for a six-month research leave with full pay, or a twelve-month leave, after seven years of teaching.

The degree of administrative responsibilities can be affected year to year by, for example, appointment to leadership positions (e.g., program chair) within the department. There is also a policy that junior faculty will be given a relatively lighter teaching and administrative load when they are first hired so that they have more time to prepare for teaching. In the past few years, addressing 'local challenges' in Budapest, re-accreditation in the U.S. and application for institutional accreditation in Austria, plus proposals for program accreditation, have taken away time for research.

The experts consider the criterion to be **fulfilled**.

## Assessment criterion § 17 (4): Funding

**Funding**

*The degree programme's funding is secured. Provisions have also been made to fund expiring degree programmes.*

CEU's master programmes are funded through both the overall budget and through tuition fees. In general, tuition fees do not cover a large part of the programme's cost, especially as a substantial number of students get a full or partial tuition waiver.

The overall budget of the legal department for the academic year 2020/21 will amount to approximately €1.9 million, of which approximately two thirds are used to cover personnel expenses. For the following year similar funding will be available to the legal department. Overall, these financial means are adequate to secure the doctoral programme 's and the legal masters programmes' funding and will be sufficient to moderately increase academic staff.

CEU's overall budget for 2020/21 will amount to approximately €60 million (recurring expenses), will grow by approximately 30% in the following year and will remain stable thereafter. Primary source for funding are recurring grants by the Open Society Foundation of approximately €58 million per year, while additional funding will be provided by returns of the CEU endowment fund and other forms of finance. The nominal value of the endowment fund will be protected and will remain stable at some €500 million over the next years. Tuition fees will only cover approximately 5% of revenues. The University plans to raise the percentage of university-raised finance, e.g. tuition income, in order to lessen the dependence on just one source of funds.

The OSF has committed to cover the additional costs of the move to Vienna (approximately €193 million). In that vein, CEU commits to pay competitive salaries to its employees after relocation to Austria. Additionally, OSF has committed to endow the University with additional €550 million over the next 12 years, which allows CEU to protect its endowment fund through lowering withdrawals from €38 Million to €5 million annually. OSF's commitments are non-revocable. On the basis of these figures, CEU's long-term viability seems to be ensured. Generally, CEU's leadership expects a substantial budget increase over the next couple of years due to various additional initiatives by CEU's founder.

The experts consider the criterion to be **fulfilled**.

## Assessment criterion § 17 (5): Infrastructure

### Infrastructure

*Quantitatively and qualitatively adequate facilities and equipment are provided for the degree programme. In the case that the private university draws on external resources, their authorisation to use them has been contractually secured.*

According to the application documents, corroborated by the site visit, until August 2025, the institution occupies a fully renovated building with a surface area of 19.516 square meters, of which approx. 12.000 square meters are currently available (23/01/2020) and the remaining part will be made available this summer (01/08/2020). The building is accessible for persons with a disability and overall very transparent, i.e., in line with general CEU policy.

Apart from rectorate offices and offices for administrative staff including student services, the space (which has Wi-Fi everywhere, including through eduroam) consists of an income hall (with reception), 18 classrooms (1 large auditorium, 2 medium size classrooms (e.g., a tiered classroom of 70), and 15 smaller classrooms), a glass hall (e.g., for receptions), 2 computer labs (of 28 spaces and 15 spaces, respectively), 3 PhD Labs, 15 meeting rooms, 21 touch-down offices for teaching/research staff, 1 prayer/relax room, 1 shower room, 1 parenting room, a medium-large cafeteria and bike storage (both on ground floor), lockers on each floor, 12 copy/scan machines spread over 3 floors, all accessible to students (scanning is free of cost, while copying is not), men's/women's and gender-neutral restrooms, as well as 2 restrooms on the ground floor for persons with disabilities, a number of kitchenettes, some of which are also accessible to students, 1 medium size lounge with comfortable seating and 1 large co-working

lounge for students and staff. Once the 2 remaining floors will be renovated and refurbished, permanent teaching staff will (probably) be occupying single person offices.

All classrooms and meeting rooms contain state-of-the-art smartboards and IT equipment (to show movies, power points, prezi, etc.), comfortable chairs, and – mostly – removable tables. The meeting rooms and touch-down offices can either be booked online by students/staff, or used ad hoc if not occupied. Meeting rooms and touch-down offices are equally equipped with comfortable chairs and IT/AV connections.

The library space (1.300 square meters) within the CEU building contains: (1) a collection of print volumes (20.000 volumes, for the moment being divided over the CEU library premises in Vienna, Budapest and a CEU storage facility in Budapest: while next year there should be 45.000 volumes physically available on the Vienna premises, the entire physical library collection will be 'reunited' in the mid-long term, i.e., following a next move of CEU in 2025; the books in the Vienna premises are stored in easy accessible, not high bookshelves (which are therefore also accessible for persons with disabilities); (2) a collection of e-books and e-journals (easily accessible through in-house PCs and one's laptop/PCs outside CEU premises); (3) a sizable English-language legal database collection; (4) a media lab (for teaching staff, etc., to make movies) and an audio-lab (to make podcasts); (5) a large number of desks with PCs and some standing desks (for persons with back problems); (6) 7 library co-labs with state-of-the-art smartboards and IT equipment (where students/staff can meet in private, interview a person, etc., to be booked in advance or ad hoc if empty).

The library collection is reviewed every year to detect gaps. New purchases preferably relate to e-books and e-journals rather than physical versions. Books can be ordered by staff through a designated online tool, and arrive shortly thereafter (in the case of e-books/e-journals of course almost immediately).

The CEU library (Vienna & Budapest) has 22 staff members. The CEU Vienna library has broad opening hours: 9-21h during weekdays and 12-18h during weekends. Books can be taken out by students/staff for (renewable periods of) 1 month. The library hosts an inter-library loan service (books can be easily reserved online), serviced by 3 administrative staff. Books available in CEU's Budapest premises and requested by staff/students are brought to Vienna 3 times/week. CEU students can on request receive a library card from the University of Vienna to consult and access legal databases at the University of Vienna. Researchers can also request financial support to visit foreign legal libraries. The media-lab and the audio-lab will – if approved by the CEU on 24/01/2020 – be serviced by 1 fulltime, respectively 0,5 part-time technically knowledgeable administrative staff members). Newly arriving students/teaching/research staff receive an info session on the use of the library, its collections and services.

Students obtain free access to reading and other materials through an online learning platform.

The experts consider the criterion to be **fulfilled**.

**Recommendations:** 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.

The experts consider the criterion to be **fulfilled**.



## Assessment criterion § 17 (6) 1 to 2: Research and development and/or the advancement and appreciation of the arts

### Research and development and/or the advancement and appreciation of the arts

*1. The scientific and/or artistic staff in primary occupation at the private university assigned to the degree programme is involved in the private university's relevant research and development activities.*

As all programs at the Department of Legal Studies, the MA programme in Human Rights is also committed to research-based teaching.

CEU PU provided the experts with a list of scientific staff including full-time, part-time and visiting faculty. In the provided Research Concept CEU PU demonstrates that all involved teaching staff is also involved in CEU PU's relevant research and development activities.

The experts consider the criterion to be **fulfilled**.

### Research and development and/or the advancement and appreciation of the arts

*2. The (planned) research performance of the scientific or artistic staff in primary occupation at the private university assigned to the degree programme are in accordance with the university's approach and the respective subject culture.*

According to programme documents, the university has provided a research concept for the overall research of the Department and the mission of the University.

In order to strengthen the research environment and maintain its high quality, the importance of external research funding is important. During the site visit it was made clear that the Department and individual researchers can rely on the infrastructure and support provided by the University when applying for national, European and international research funding. There is a university-wide policy on research ethics and a research ethics committee. Taking into the consideration the encouraged interdisciplinary engagement this is important also for the LLM Comparative Constitutional Law programme.

The experts consider the criterion to be **fulfilled**.

## Assessment criterion § 17 (7): Co-operation

### Co-operation

*The private university has envisaged co-operation projects with higher education partners and, if applicable, partners outside the higher education area in Austria and abroad which match the degree programme's profile and furthermore promote the mobility of students and staff.*

CEU PU understands itself as an international university with a strong focus on international co-operations. Therefore, CEU PU co-operates with numerous national and international universities and institutions, "with the aim of developing joint research and education activities and fostering the exchange between professors and students" (Application materials).

Currently, most of the collaborations are centred on European and North American counterparts, with some exemptions, including Myanmar and China:

The programme has a number of bilateral agreements with higher education partners for student exchanges. Long-term exchange partners in North America include Benjamin N. Cardozo



School of Law, Yeshiva University, Cornell University Law School, Columbia University School of Law, Brigham Young University, University of Toronto as well as Bard College (through a university arrangement). Furthermore, CEU PU fosters exchange partnerships with Andrassy University Budapest and - through Erasmus agreements - with Riga University and Tilburg University. Furthermore, SFU and University of Salzburg may become, according to program representatives, higher education partners in the future. The Legal Department's membership in the China-EU School of Law (CESL) consortium adds to the student body's diversity as a dozen students arrive each year to take classes in the Spring Term in all three of CEU PU's LL.M. programs. Additionally, CEU PU's leadership aims at broadening the spectrum of higher education partners to the global south.

As announced on January 23rd, 2020 CEU PU will also benefit from the newly founded *Open Society University Network* which aims at uniting students and faculty from universities in different parts of the world.

CEU PU is also engaged in consortia and networks, for example CIVICA. Especially relevant for CEU PU's work in human rights education is its participation in the Association of Human Rights Institutions (AHRI). According to information provided during the site visit, the talks concerning a potential cooperation with the Ludwig Boltzmann Institute for Human Rights at the University of Vienna will be finalized in the near future. As part of the projected co-operation, a seminar series on constitutional and human rights issues is envisioned.

Moreover, CEU PU collaborates with a number of NGOs in Budapest, which contribute significantly to the students' preparation for the moot court exercises. As CEU PU transfers its campus from Budapest to Vienna, programme representatives have reached out to NGOs in Austria - further details of potential co-operation agreements with these institutions will be negotiated as soon as the program is accredited.

In addition to formal co-operations, the programme benefits from a wide network of alumni working for national or international human rights institutions as well as from faculty members' contacts with human rights organizations, such as the Council of Europe (COE), including the European Court of Human Rights (ECtHR), the Organisation for Cooperation and Security in Europe (OSCE), the Fundamental Rights Agency (FRA), the United Nations, including the UN Treaty Bodies, allowing students to approach experts and carry out research visits to these institutions.

The experts consider the criterion to **be fulfilled**.

## Summary and final evaluation

### **Development and quality assurance of the degree programme:**

Already operating previously in Budapest for a considerable time, all programmes are reviewed every five years. The MA programme in human rights was established even before the LLM programme in human rights. CEU realised that there was a need for non-lawyers for legal education in this ambit. The MA programme is more practically oriented. This resulted in the introduction of a Capstone Track aimed at enhancing practical skills. Self-assessment as well as student evaluation are taken into account. The revised curriculum shows an effort to reaching beyond Europe to Asia, Africa and the Americas.

CEU has a comprehensive policy on quality management, asserted to documents the panel was provided with. Quality assurance follows the University's general rules.



### **Degree programme and degree programme management:**

Initially accredited for the Budapest campus in 1998, the programme aims at training future legal scholars who would contribute to the development of human rights, scholars and teachers wishing to incorporate a human rights dimension, improving interdisciplinarity, offer human rights education to doctoral students from Legal Studies Department as well as from other Units. The Action Plan called on interdisciplinary and a global orientation. The curriculum and the associated pedagogy is suited to both critical thinking and practical skills. There are seven modules reflecting this multiple focus. Students are encouraged to choose topics akin to their professional interests. Reading, researching and group exercises are well balanced. The two tracks (thesis or capstone) are well articulated. Grading is clearly explained and structured

The general learning goals are clearly presented and in conformity with the general aim of the programme. Interactive classes draw on Socratic Method and foster critical thinking, oral communication and disciplined reasoning. The workload is designed in order to allow students to fulfil the requirements for the diploma.

Students are admitted strictly on merit, the criteria are clearly set in the relevant documents. A bachelor degree in any discipline is required, proficiency in English and the submission of an essay (different according to the choice of "academic writing" or capstone respectively), a full professional resume and letters of reference. 15-20 students per year are accepted from a very wide application pool. Each application is individually assessed in multiple, well organised stages. Around 100 countries are represented in the student body. Each application is individually assessed in several steps.

### **Staff:**

While full time faculty teaches core courses, part-time faculty is in fact full-time at CEU (in other departments), visiting professors adding diversity in approach and topics. The library counts 22.5 staff members (including Budapest). Interdisciplinarity is largely ensured. All faculty have at least a doctoral degree from accredited universities. Professor-student ratio is 1 to 7. 12 pre-contracts for full-time faculty to be based in Vienna are in the course of hiring. Visiting faculty include not only academics, but also practitioners. Trainers are brought in for moot court.

### **Funding:**

The master programmes are funded through both the overall budget and tuition fees. A substantial number of students are getting a partial or full tuition waiver.

Funding is assured through different sources, of which the Open Society Foundation will provide the main part (58 million € per year), guaranteeing stability over the next years, tuitions remaining at a relatively low percentage. CEU commits to paying competitive salaries to its employees after relocation to Vienna.

### **Infrastructure:**

The CEU Vienna occupies a fully renovated building of 19.516 square meters by August 2020. The facilities encompass classrooms, administration, student services, meeting rooms, a library space of 1.300 square meters (aimed at comprehending finally up to 45.000 volumes), mainly English, but in the future also non-English data-bases are available.

### **Research and development:**

Like all other programmes, the LLM programme in human rights is committed to research based teaching. CEU PU provides a research concept showing that all faculty is involved in CEU's research and development activities.

### **Co-operation:**

The programme has numerous bilateral agreements for student exchange with other Universities, which is due to be further developed also with Austrian institutions like the Ludwig Boltzmann Institute. Additionally, CEU collaborates with a number of NGOs in Budapest contributing significantly to moot court exercises. It also benefits from an extended network of alumni, allowing students to approach experts and visit institutions. CEU will also benefit from the newly founded Open Society University Network aiming at uniting students and faculty from different parts of the world.

The experts **recommend to the Board of the AQ Austria that the master programme in Human Rights (MA) be accredited.**

### Documents reviewed

- Application of the Central European University Private University
- Additional Financial Documents provided by the CEU PU during the site-visit
- CEU PU's website

## LLM International Business Law – IBW LLM

### Information on the accreditation application

|   |                              |
|---|------------------------------|
| Name of the degree programme                  | International Business Law   |
| Type of the degree programme                  | Master programme             |
| ECTS credits                                  | 60                           |
| Normal period of studies                      | 1 academic year (3 terms)    |
| Number of study places                        | Approx. 20                   |
| Academic Degree                               | Master of Laws (LLM)         |
| Organisational form                           | full time                    |
| Language used                                 | English                      |
| Site at which the degree programme is offered | Wien, 10.Quellenstraße 51-55 |
| Tuition fees                                  | € 13.000 (per year)          |

## 7 Review and assessment based on the assessment criteria stipulated in the PU-AkkVO – “International Business Law” LLM programme

### Assessment criterion § 17 (1) 1 to 2: Development and quality assurance of the degree programme

#### Development and quality assurance of the degree programme

*1. The degree programme was developed using a predefined procedure for the development and establishment of degree programmes and involving the relevant stakeholder groups.*

CEU PU's doctoral and master programmes in law have been operating in Budapest for a considerable time period with remarkable continuity. Hence, the situation differs from the typical initial accreditation of a new programme.

According to the accreditation documents and as confirmed in the site visit, all programmes should be reviewed strategically every five years. The programme underwent the last such review in 2014-5. This process involved the relevant stakeholder groups by making use of (1) self-assessment techniques involving staff, students and alumni, and (2) an external evaluation by scholars. In response to the findings of this process, the Department developed an Action Plan with program-level recommendations. The recommendations were endorsed by the Senate Academic Quality Assurance Committee (now: Senate Curriculum and Academic Quality Assurance Committee, SeCur) and the senior academic leadership of the University and its Senate. In response to the findings of this process, the Department developed an Action Plan with program-level recommendations.

For all masters' programmes, this resulted in the introduction of a Capstone Track in order to expand curricular elements designed to enhance practical professional skills, which is in line

with the results of the review procedure. Additionally, the programme has been revised in some aspects for the accreditation procedure. This has resulted in some changes as to courses taught. Hence, CEU uses the external accreditation process, at least to some extent, in order to improve its programmes.

The annual report on programme level guarantees a proper ongoing evaluation of the programmes and provides the programme director and the department head with sufficient information in order to monitor the programmes.

The experts consider the criterion to **be fulfilled**.

#### Development and quality assurance of the degree programme

2. Following its accreditation, the degree programme is incorporated into the private university's quality management system.

CEU PU's doctoral and master programmes in law have been operating in Budapest for a considerable time period with remarkable continuity. Hence, the situation differs from the typical initial accreditation of a new programme.

According to the accreditation documents and as confirmed in the site visit, all programmes should be reviewed strategically every five years. The programme underwent the last such review in 2014-5. This process involved the relevant stakeholder groups by making use of (1) self-assessment techniques involving staff, students and alumni, and (2) an external evaluation by scholars. In response to the findings of this process the Department developed an Action Plan with program-level recommendations. The recommendations were endorsed by the Senate Academic Quality Assurance Committee (now: Senate Curriculum and Academic Quality Assurance Committee, SeCur) and the senior academic leadership of the University and its Senate. In response to the findings of this process the Department developed an Action Plan with program-level recommendations.

For all masters' programmes, this resulted in the introduction of a Capstone Track in order to expand curricular elements designed to enhance practical professional skills. The CEU PU Action Plan called for highlighting of thematic specializations showcasing faculty research and expertise drawing on multiple disciplines and expanding curricular elements focusing on the development of practical professional skills. The new capstone experience and projects reflect the outcome of a process of institutional learning and self-reflection. Moreover, as confirmed in the site visit, the curriculum revised in AY 2018-2019 demonstrates an effort to have a more global orientation reaching beyond the initial focus on Europe, catering to the needs of the truly international student body with a significant cohort of students from Africa, South-East Asia and the Americas.

The annual report on the programme level guarantees a proper ongoing evaluation of the programmes and provides the programme director and the department head with sufficient information in order to monitor the programmes.

The experts consider the criterion to be **fulfilled**.

## Assessment criterion § 17 (2) 1 to 11: Degree programme and degree programme management

*Taking into account a heterogeneous student body, the following criteria shall apply. In the case of degree programmes with special profile elements, the descriptions shall furthermore address the characteristics defining the profile. Special profile elements are, for example, compulsory*

*vocational practice, organisational forms which are offered alongside professional activity, distance-learning degree programmes, joint degree programmes or jointly offered degree programmes etc.*

#### Degree programme and degree programme management

*1. The degree programme is oriented towards the profile and the objectives of the private university and is clearly in line with the development plan.*

According to its mission statement, CEU aims at excellence in the mastery of established knowledge, courage to pursue the creation of new knowledge in, inter alia, law. It strives to be a globally competitive institution of advanced research and higher learning committed to attaining the highest level of academic excellence, offering transformative education and unique student experience through its programmes. It emphasises civic commitment and leadership.

The English-language International Business Law programme, taught in Hungary for more than 20 years, fits the university's general profile. It focuses on contemporary challenges in business law and deals with them on a comparative Basis.

The experts consider the criterion to be **fulfilled**.

#### Degree programme and degree programme management

*2. The profile and the intended learning outcomes of the degree programme have been clearly defined. They include scientific as well as artistic, personal, and social competences, they meet the professional requirements and are in accordance with the respective level of the National Qualification Framework. As regards regulated professions, the private university shall describe, if and under which preconditions access to those professions can be ensured.*

The programme's profile is clear and distinctive: the programme focuses on business law in an international setting. In line with the institution's emphasis on civic commitment, it contains modules on human rights and business law, which distinguishes its programmes from those of most other universities. Undoubtedly, this enriches the more traditional contents of similar programmes, but can also be criticised as blurring the programme's profile. Different participants of the site visit have emphasised one aspect or the other. This indicates that CEU PU should monitor the issue closely and especially juxtapose it with the graduate's professional requirements.

The programme's learning outcomes have been clearly defined, both at the programme level and for different tracks and specialisations. At the programme level, they include acquiring knowledge, being able to apply it in practice and communicate it and the ability to conduct research. Apart from the more than adequate scientific (scholarly) competences, the programme also focuses on building personal and social skills, e.g. in the Entrepreneurship and Innovation Clinic (drafting client memos), in moot courts (advocacy and drafting legal briefs) or, more generally, the overall design of the Capstone Track. Hence, the general outline of the programme meets the professional requirements and also those of the applicable level VII of the National Qualification Framework.

The programme does not strive for providing graduates with access to regulated professions in Austria.

The experts consider the criterion to be **fulfilled**.

#### Degree programme and degree programme management

*3. The name of the degree programme and the academic degree correspond to the degree programme's profile.*

The name of the degree programme, International Business Law, corresponds to the programme's profile in the sense that it deals with the law applicable to international business. However, the programme also includes a number of issues of international law in the technical sense of the word, apart from the programme's general comparative approach.

The academic degree awarded (Master of Laws, LL.M.) corresponds to the profile of a postgraduate law Programme.

The experts consider the criterion to be **fulfilled**.

#### Degree programme and degree programme management

*4. The contents and structure of the curriculum ensure that the intended learning outcomes are achieved, while combining research (research and development and/or advancement and appreciation of the arts) and teaching.*

The programme contains a well-structured curriculum with six modules, two different tracks (thesis and Capstone track) and various specialisations. A Master's Program Learning Outcomes Matrix breaks the learning outcome down into specific values and descriptors and connects these to individual courses.

The programme contains only three mandatory classes with 6 ECTS, which, however, is adequate for a post-graduate programme on business law, which should emphasize choice rather than compulsory subjects. The structure is well designed, even though the interplay of the different choices is not easy to understand at first glance.

As for contents, any programme on business law has to make hard choices as to the topics to be included. Hence, any choice is open to criticism and depends too some extent on both professional requirements and personal preferences. On that basis, CEU PU's choice is perfectly adequate. However, for CEU PU's inspiration and explicitly without making a formal recommendation, the experts would like to mention some topics, which in an ideal world could be included: international banking contracts (such as letter of credit, guarantees, etc.), law of transportation, unfair commercial practices and consumer protection. Additionally, comparative bankruptcy law seems to be given rather short shrift with 2 ECTS, especially as faculty mentioned that incoming students' knowledge in this area seems to be scant.

Apart from teaching, research is also included in the curriculum, both at the level of individual courses (e.g. Entrepreneurship and Innovation, William C. Vis International Commercial Arbitration Moot) or seminars and in the course of the (Academic or Capstone) thesis.

The experts consider the criterion to be **fulfilled**.



Degree programme and degree programme management

*5. The didactic conception of the degree programme's modules shall ensure that the intended learning outcomes can be achieved and promotes the students' active contribution in the learning process.*

Students are expected to prepare for each class and to actively participate in it; generally, the Socratic method is used for teaching. Additionally, as already mentioned skill-building and experiential learning components are an integral part of the curriculum. Additionally, the open door policy commendably mentioned by students helps to ensure that individual students achieve the intended learning outcome.

As with any programme focusing on comparative law, the IBL programme may find it hard to transmit knowledge of law to the amount that it is immediately applicable in practice (which is one of the programme's learning outcomes). This is because most issues of business law are still subject to national legislation. In some classes, the focus will probably rather be put on understanding the policy choices a legislator has and on looking at the approaches different national legislators have taken. This problem becomes even more salient if complex issues are awarded a low number of credits. CEU PU may find it worthwhile to address this issue when re-evaluating its programmes.

The experts consider the criterion to **be fulfilled**.

Degree programme and degree programme management

*6. The workload related to the individual modules ensures that the intended learning outcomes can be achieved within the stipulated duration of studies, and in case of part-time degree programmes takes into account any professional activity. The ECTS is applied correctly.*

For the International Business Law programme, CEU PU applies ECTS correctly by equalling one ECTS with 30 hours of learning activity, of which 5 hours are in-class. Moderate reading assignments are given in preparation for each class, which in total lead to an adequate workload during the term and mirror ECTS. Attendance in class is generally mandatory. According to the students' perception the workload is demanding but adequate, even during exam period at the end of the term.

At a programme level, the total number of credits is 60 ECTS. This corresponds to comparable post-graduate master programmes offered by other Austrian universities.

The experts consider the criterion to be **fulfilled**.

**Recommendations:** 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.

Degree programme and degree programme management

*7. The private university has adopted examination rules. The examination methods are suitable to assess whether and to what extent the intended learning outcomes have been achieved.*

CEU PU has adopted examination rules via its document Student Rights, Rules, and Academic Regulations. The course syllabi contain specific examination rules for the individual courses. The courses may use closed book, open book or take-home examinations. These methods are suitable to assess whether and to what extent the intended learning outcomes have been achieved.

The experts consider the criterion to be **fulfilled**.

Degree programme and degree programme management

8. A "Diploma Supplement" that complies with the requirements laid down in Annex 1 to § 6 of the University and Higher Education Statistics and Education Documentation Decree (Universitäts- und Hochschulstatistik- und Bildungsdokumentationsverordnung, UHSBV), original version: F. L. G. II no. 216/2019, will be issued.  
6

CEU PU has supplied the experts with the diploma supplements it plans to issue to its graduates. These supplements comply with the legal requirements.

The experts consider the criterion to be **fulfilled**.

Degree programme and degree programme management

9. The admission requirements have been clearly defined. In terms of the qualification level, they correspond at least to the provisions provided by the Universities Act (UG).

CEU PU accepts students to the programme if they have completed undergraduate studies in law if the degree presents sufficient academic requirements for taking the local Bar exam. This typically is a master's degree; only in very few countries a bachelor's degree will be sufficient. Additionally, applicants need to demonstrate proficiency in English. These requirements are clearly defined and are in most cases stricter than the provisions provided by the Universities Act, as according to these a bachelor's degree is sufficient for admission to a master's programme.

The experts consider the criterion to be **fulfilled**.

Degree programme and degree programme management

10. The admission procedure has been clearly defined and ensures a fair and transparent selection of the applicants according to the admission requirements and the required competences.

Candidates for admission have to provide two reference letters and complete an academic writing submission. CEU PU's faculty involved in the programme evaluates eligible applicants and decide on the final admission in a competitive admission's process via a score sheet and after a final telephone or skype interview. This procedure is based on CEU PU's Admission Policy and Procedures.

CEU PU aspires to achieve a fair selection of students especially by providing promising applicants with funding for their studies distributed on the basis of merits and need. Currently, the IBL programme has the financial means to provide full funding for some 35% of its students. During the site visit, students mentioned this as a huge advantage. The experts would like to stress that this is an important indicator for CEU PU's commendable commitment to higher education for promising students.

The experts would like to mention that transparency of selection criteria could be improved by introducing at least some indication on CEU PU's website.

The experts consider the criterion to be **fulfilled**.

<sup>6</sup> In der PU-Akkreditierungsverordnung 2019 wird noch auf die Anlage 2 das UniStEV 2004 verwiesen. Diese Verordnung wurde geändert und deshalb wurde der Text des Beurteilungskriteriums im Gutachten entsprechend angepasst.

#### Degree programme and degree programme management

*11. The recognition procedures for higher education competences and, if applicable, competences acquired outside higher education in terms of crediting towards examinations or parts of a degree programme have been clearly and transparently defined. When recognising or crediting higher education competences, the Convention on the Recognition of Qualifications concerning Higher Education in the European Region (Lisbon Recognition Convention) shall be considered.*

As mentioned above, students applying to the LLM programme in International Business Law are required to hold or complete prior to enrolment a Bachelor's degree in any discipline.

As per CEU PU's general requirements, applicants are required to submit their diploma and full transcripts for all relevant underlying degrees. The revised admission criteria take into account the Lisbon Recognition Convention.

The experts consider the criterion to be **fulfilled**.

### Assessment criterion § 17 (3) 1 to 5: Staff

#### Staff

*1. The private university shall provide for sufficient scientific and/or artistic staff as well as sufficient non-academic staff for operating the degree programme.*

The review of program documents and interviews carried out in the site visit revealed the following information about current faculty staffing at CEU PU:

- Permanent, full-time faculty are teaching core courses. During the site visit, the experts were informed that the FTE of the current positions will be maintained during the transition.
- Part-time faculty are actually full-time at CEU but either jointly appointed between departments or 'shared' (and thus appearing as 'part-time') in program faculty profiles. There are no adjuncts in the Law Department.
- Visiting faculty (meaning short-term visits of one week to 10 days, for example) further adds to this diversity. Visiting professors expose students to additional themes and perspectives. Typically, there are approximately 20 visiting professors a year. Some of these visiting professors have been engaged with the department for decades. Trainers are brought in for the Moot Court.

Two new faculty are being hired in the Legal Department. One is in the area of International Business Law (beginning in March) and the other is in human rights and political rights (as of the fall). Future, bilateral cooperation - for example with the Boltzmann Institute - might result in some joint teaching, for example, in relation to any future mid-career certificate program.

All courses currently including in the Programme of Study will continue to be offered.

In terms of support staff, in the current academic year there are 4 FTE administrative staff in the Legal Department, which is considered to be sufficient for the program. As of the 2020-21 academic year, there will be 3 FTE with one staff person (Events Coordinator) being relocated to the CEU's central administrative support unit. This person will continue to support events in the Legal Department.

In total the CEU library (Vienna & Budapest) has 22.5 FTE (26) staff members. The media-lab and the audio-lab in Vienna will – if approved by the CEU on 24/01/2020 – be serviced by 1 fulltime, respectively 0,5 part-time technically knowledgeable administrative staff member(s).

According to the Rector, there are over 100 countries represented in the student body (statistics on the CEU website), and over 40 countries represented by the faculty. The Law Department is aware and interested in having more diversity among staff and could point to some faculty in this area.

The experts consider the criterion to be **fulfilled**.

**Recommendations:** 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 study body.

**Staff**

*2. The relation between scientific and/or artistic staff in primary occupation at the private university and students shall be in accordance with the profiles of the respective degree programmes. Primary occupation here means working at least 50% of one's total working hours in salaried employment at the private university.*

All teaching staff full time at CEU PU, though may be shared across different departments. The Department currently employs 13 full-time professors in Budapest. The professor-student ratio is 1:7. Currently the CEU PU has entered into 12 pre-contracts for full-time faculty in the department to be based in Vienna, which should suffice in order to cover the broad range of both content and method.

The experts consider the criterion to be **fulfilled**.

**Staff**

*3. The subject-specific core competences of the degree programme are covered by professors in primary occupation at the private university*

According to faculty interviews, the interdisciplinarity of the curriculum is ensured in part by the expertise of faculty members and partly by the inter-departmental course offering. Permanent faculty members have a background in major legal families and faculty expertise covers all major regional and international human rights regimes. The experts understand that it is not realistic to have faculty with backgrounds or experiences that cover all of the geographic diversity represented by the students. Faculty use their legal, human rights, policy and methodological expertise and skills in their respective areas to work with students in refining research questions and carrying out their analysis and feel confident in their ability to do so.

The experts consider the criterion to be **fulfilled**.

**Staff**

*4. The scientific staff or the artistic staff, respectively, is qualified according to the requirements of the activities provided for in the degree programme.*

According to the profiles provided for the teaching staff in the MA programme, all of the faculty have doctoral degrees from accredited universities. Additional qualifications include professional experience in the field, scholarly contributions, other academic affiliations.

The experts consider the criterion to be **fulfilled**.

#### Staff

*5. The prioritisation of the teaching, research, and administrative activities of the scientific or artistic staff in primary occupation at the private university ensures adequate participation in teaching in degree programmes and leaves sufficient time for research and development or the advancement and appreciation of the arts.*

The CEU PU has delivered an Academic Staff Handbook. Chapter V of the Handbook outlines the details and preconditions for the workload of full time employees, and short- and long- term research leave for the same category. Full time staff not on leave is expected to be resident in Vienna during three terms of the academic year. The workload is normally divided according to the following approximate percentages: teaching (including supervision) 30-50%; research (including research management) 30-50%; other administration 20-40%. In order to stimulate research full-time resident faculty members who have **fulfilled** their full-time equivalency workload (including teaching, research and administration, as described in his or her contract) for at least three academic years may apply to be considered for a six-month research leave with full pay, or a twelve-month leave, after seven years of teaching.

The degree of administrative responsibilities can be affected year to year by, for example, appointment to leadership positions (e.g., program chair) within the department. There is also a policy that junior faculty will be given a relatively lighter teaching and administrative load when they are first hired so that they have more time to prepare for teaching. In the past few years, addressing 'local challenges' in Budapest, re-accreditation in the U.S. and application for institutional accreditation in Austria, plus proposals for program accreditation, have taken away time for research.

The experts consider the criterion to be **fulfilled**.

## Assessment criterion § 17 (4): Funding

#### Funding

*The degree programme's funding is secured. Provisions have also been made to fund expiring degree programmes.*

CEU's master programmes are funded through both the overall budget and through tuition fees. In general, tuition fees do not cover a large part of the programme's cost, especially as a substantial number of students get a full or partial tuition waiver.

The overall budget of the legal department for the academic year 2020/21 will amount to approximately €1.9 million, of which approximately two thirds are used to cover personnel expenses. For the following year similar funding will be available to the legal department. Overall, these financial means are adequate to secure the doctoral programme 's and the legal masters programmes' funding and will be sufficient to moderately increase academic staff.

CEU's overall budget for 2020/21 will amount to approximately €60 million (recurring expenses), will grow by approximately 30% in the following year and will remain stable thereafter. Primary source for funding are recurring grants by the Open Society Foundation of approximately €58 million per year, while additional funding will be provided by returns of the CEU endowment fund and other forms of finance. The nominal value of the endowment fund will be protected and will remain stable at some €500 million over the next years. Tuition fees will only

cover approximately 5% of revenues. The University plans to raise the percentage of university-raised finance, e.g. tuition income, in order to lessen the dependence on just one source of funds.

The OSF has committed to cover the additional costs of the move to Vienna (approximately €193 million). In that vein, CEU commits to pay competitive salaries to its employees after relocation to Austria. Additionally, OSF has committed to endow the University with additional €550 million over the next 12 years, which allows CEU to protect its endowment fund through lowering withdrawals from €38 Million to €5 million annually. OSF's commitments are non-revocable. On the basis of these figures, CEU's long-term viability seems to be ensured. Generally, CEU's leadership expects a substantial budget increase over the next couple of years due to various additional initiatives by CEU's founder.

The experts consider the criterion to be **fulfilled**.

## Assessment criterion § 17 (5): Infrastructure

### Infrastructure

*Quantitatively and qualitatively adequate facilities and equipment are provided for the degree programme. In the case that the private university draws on external resources, their authorisation to use them has been contractually secured.*

According to the application documents, corroborated by the site visit, until August 2025, the institution occupies a fully renovated building with a surface area of 19.516 square meters, of which appr. 12.000 square meters are currently available (23/01/2020) and the remaining part will be made available this summer (01/08/2020). The building is accessible for persons with a disability and overall very transparent, i.e., in line with general CEU policy.

Apart from rectorate offices and offices for administrative staff including student services, the space (which has Wi-Fi everywhere, including through eduroam) consists of an income hall (with reception), 18 classrooms (1 large auditorium, 2 medium size classrooms (e.g., a tiered classroom of 70), and 15 smaller classrooms), a glass hall (e.g., for receptions), 2 computer labs (of 28 spaces and 15 spaces, respectively), 3 PhD Labs, 15 meeting rooms, 21 touch-down offices for teaching/research staff, 1 prayer/relax room, 1 shower room, 1 parenting room, a medium-large cafeteria and bike storage (both on ground floor), lockers on each floor, 12 copy/scan machines spread over 3 floors, all accessible to students (scanning is free of cost, while copying is not), men's/women's and gender-neutral restrooms, as well as 2 restrooms on the ground floor for persons with disabilities, a number of kitchenettes, some of which are also accessible to students, 1 medium size lounge with comfortable seating and 1 large co-working lounge for students and staff. Once the 2 remaining floors will be renovated and refurbished, permanent teaching staff will (probably) be occupying single person offices.

All classrooms and meeting rooms contain state-of-the-art smartboards and IT equipment (to show movies, power points, prezi, etc.), comfortable chairs, and – mostly – removable tables. The meeting rooms and touch-down offices can either be booked online by students/staff, or used ad hoc if not occupied. Meeting rooms and touch-down offices are equally equipped with comfortable chairs and IT/AV connections.

The library space (1.300 square meters) within the CEU building contains: (1) a collection of print volumes (20.000 volumes, for the moment being divided over the CEU library premises in Vienna, Budapest and a CEU storage facility in Budapest: while next year there should be

45.000 volumes physically available on the Vienna premises, the entire physical library collection will be 'reunited' in the mid-long term, i.e., following a next move of CEU in 2025; the books in the Vienna premises are stored in easy accessible, not high bookshelves (which are therefore also accessible for persons with disabilities); (2) a collection of e-books and e-journals (easily accessible through in-house PCs and one's laptop/PCs outside CEU premises); (3) a sizable English-language legal database collection; (4) a media lab (for teaching staff, etc., to make movies) and an audio-lab (to make podcasts); (5) a large number of desks with PCs and some standing desks (for persons with back problems); (6) 7 library co-labs with state-of-the-art smartboards and IT equipment (where students/staff can meet in private, interview a person, etc., to be booked in advance or ad hoc if empty).

The library collection is reviewed every year to detect gaps. New purchases preferably relate to e-books and e-journals rather than physical versions. Books can be ordered by staff through a designated online tool, and arrive shortly thereafter (in the case of e-books/e-journals of course almost immediately).

The CEU library (Vienna & Budapest) has 22 staff members. The CEU Vienna library has broad opening hours: 9-21h during weekdays and 12-18h during weekends. Books can be taken out by students/staff for (renewable periods of) 1 month. The library hosts an inter-library loan service (books can be easily reserved online), serviced by 3 administrative staff. Books available in CEU's Budapest premises and requested by staff/students are brought to Vienna 3 times/week. CEU students can on request receive a library card from the University of Vienna to consult and access legal databases at the University of Vienna. Researchers can also request financial support to visit foreign legal libraries. The media-lab and the audio-lab will – if approved by the CEU on 24/01/2020 – be serviced by 1 fulltime, respectively 0,5 part-time technically knowledgeable administrative staff members). Newly arriving students/teaching/research staff receive an info session on the use of the library, its collections and services.

Students obtain free access to reading and other materials through an online learning platform.

The experts consider the criterion to be **fulfilled**.

**Recommendations:** 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.

## Assessment criterion § 17 (6) 1 to 2: Research and development and/or the advancement and appreciation of the arts

### Research and development and/or the advancement and appreciation of the arts

*1. The scientific and/or artistic staff in primary occupation at the private university assigned to the degree programme is involved in the private university's relevant research and development activities.*

As all programs at the Department of Legal Studies, the LL.M. programme in International Business Law is also committed to research-based teaching.

CEU PU provided the experts with a list of scientific staff including full-time, part-time and visiting faculty. In the provided Research Concept CEU PU demonstrates that all involved teaching staff is also involved in CEU PU's relevant research and development activities.

The experts consider the criterion to be **fulfilled**.

Research and development and/or the advancement and appreciation of the arts

2. *The (planned) research performance of the scientific or artistic staff in primary occupation at the private university assigned to the degree programme are in accordance with the university's approach and the respective subject culture.*

According to programme documents, the university has provided a research concept for the overall research of the Department and the mission of the University.

In order to strengthen the research environment and maintain its high quality, the importance of external research funding is important. During the site visit it was made clear that the Department and individual researchers can rely on the infrastructure and support provided by the University when applying for national, European and international research funding. There is a university-wide policy on research ethics and a research ethics committee. Taking into the consideration the encouraged interdisciplinary engagement this is important also for the LLM Comparative Constitutional Law programme.

The experts consider the criterion to be **fulfilled**.

## Assessment criterion § 17 (7): Co-operation

Co-operation

*The private university has envisaged co-operation projects with higher education partners and, if applicable, partners outside the higher education area in Austria and abroad which match the degree programme's profile and furthermore promote the mobility of students and staff.*

The programme has a number of bilateral agreements with higher education partners for student exchanges. Long-term exchange partners in North America include Benjamin N. Cardozo School of Law, Yeshiva University, Cornell University Law School, Columbia University School of Law, Brigham Young University, University of Toronto as well as Bard College (through a university arrangement). Furthermore, CEU PU fosters exchange partnerships with Andrassy University Budapest, and - through Erasmus agreements - with Riga University and Tilburg University. The Legal Department's membership in the China-EU School of Law (CESL) consortium adds to the student body's diversity as a dozen students arrive each year to take classes in the Spring Term in all three of CEU PU's LL.M. programs. As announced on January 23rd, 2020 CEU PU will also benefit from the newly founded *Open Society University Network* which aims at uniting students and faculty from universities in different parts of the world.

Concerning co-operation projects with partners outside the higher education area, the program co-operates with a number of law firms in Budapest (Schönherr, OLP, Baker McKenzie). Additionally, the cooperation with the Vienna office of the international law firm Baker McKenzie is to start in the academic year 2019/2020 for CEU in Budapest, including the law firm offering internship position as part of the Capstone project. As CEU PU transfers its campus from Budapest to Vienna, further opportunities for co-operation will be sought, after the programme accreditation.

The experts consider the criterion to be **fulfilled**.



## Summary and final evaluation

### **Development and quality assurance of the degree programme:**

Already operating previously in Budapest for a considerable time, all programmes are reviewed every five years. Self-assessment as well as student evaluation are taken into account. CEU has a comprehensive policy on quality management, asserted to documents the panel was provided with. Quality assurance follows the University's general rules.

### **Degree programme and degree programme management:**

The English-language International Business Law programme, taught in Hungary for more than 20 years, fits the university's general profile. It focuses on contemporary challenges in business law and deals with them on a comparative basis. The programme's profile is clear and distinctive. It contains modules on human rights and business law, clearly distinct from those of most other universities.

The programme's learning outcomes have been clearly defined, They include acquiring relevant knowledge and the ability to apply it in practice. Apart from scholarly competences, the programme also focuses on building personal and social skills, e.g. in the Entrepreneurship and Innovation Clinic (drafting client memos), in moot courts (advocacy and drafting legal briefs) or, more generally, the overall design of the Capstone Track. The programme contains a well-structured curriculum with six modules, two different tracks and various specializations.

Students are expected to prepare for each class, Socratic teaching method is used. Concerning its comparative scope, further reflection on how to transmit relevant knowledge with respect to highly different local contexts will be undertaken.

CEU correctly applies ETCS, its total number being 60, which corresponds to post-graduate master programme. CEU has adopted examination rules and supplied the diploma supplements.

Students are accepted if they have completed undergraduate studies in Law with sufficient requirements to taking the local bar exam. CEU strives to achieve a fair selection of applicants, providing funding for 35% of its students. The Lisbon Recognition Convention is applied.

### **Staff:**

All teaching staff is full time at CEU PU, though some may be shared across different departments. 13 full-time professors are currently employed in Budapest. The professor-student ratio is 1:7. Currently the CEU PU has entered into 12 pre-contracts for full-time faculty in the department to be based in Vienna, which should suffice in order to cover the scope of the programme.

Interdisciplinarity of the curriculum is ensured in part by the expertise of faculty members and partly by the inter-departmental course offering.

### **Funding:**

The master programmes are funded through both the overall budget and tuition fees. A substantial number of students are getting a partial or full tuition waiver.

Funding is assured through different sources, of which the Open Society Foundation will provide the main part (58 million € per year), guaranteeing stability over the next years, tuitions remaining at a relatively low percentage. CEU commits to paying competitive salaries to its employees after relocation to Vienna.

### **Infrastructure:**

The CEU Vienna occupies a fully renovated building of 19.516 square meters by August 2020. The facilities encompass classrooms, administration, student services, meeting rooms, a library space of 1.300 square meters (aimed at comprehending finally up to 45.000 volumes), mainly English, but in the future also non-English data-bases are available.

### **Research and development:**

Like all other programmes, the LLM programme in human rights is committed to research based teaching. CEU PU provides a research concept showing that all faculty is involved in CEU's research and development activities.

### **Co-operation:**

The programme has numerous bilateral agreements for student exchange with other Universities. CEU will also benefit from the newly founded Open Society University Network aiming at uniting students and faculty from different parts of the world.

Concerning co-operation projects with partners outside the higher education area, the program co-operates with a number of law firms in Budapest (Schönherr, OLP, Baker McKenzie). Additionally, the cooperation with the Vienna office of the international law firm Baker McKenzie is to start in the academic year 2019/2020 for CEU in Budapest, including the law firm offering internship position as part of the Capstone project. As CEU PU transfers its campus from Budapest to Vienna, further opportunities for co-operation will be sought, after the programme accreditation.

The experts **recommend to the Board of the AQ Austria that the master programme in International Business Law (LLM) be accredited.**

## Documents reviewed

- Application of the Central European University Private University
- Financial documents provided by the CEU PU during the site-visit
- CEU PU's website