

MASTER'S PROGRAMME
INTERNATIONAL BUSINESS LAW
FACULTY OF LAW
VRIJE UNIVERSITEIT AMSTERDAM

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This report was finalized on 17/05/2018.

REPORT ON THE MASTER'S PROGRAMME INTERNATIONAL BUSINESS LAW OF THE VRIJE UNIVERSITEIT AMSTERDAM

This report takes the NVAO's Assessment Framework for Limited Programme Assessments as a starting point (19 December 2014).

ADMINISTRATIVE DATA REGARDING THE PROGRAMME

Master's programme International Business Law

Name of the programme:	International Business Law
CROHO number:	60072
Level of the programme:	master's
Orientation of the programme:	academic
Number of credits:	60 EC
Specializations or tracks:	Regulatory Profile Transactions Profile
Location(s):	Amsterdam
Mode(s) of study:	full time
Language of instruction:	English
Expiration of accreditation:	25/03/2020

The visit of the assessment panel Law to the Faculty of Law of the Vrije Universiteit Amsterdam took place on 08/11/2017 - 10/11/2017.

ADMINISTRATIVE DATA REGARDING THE INSTITUTION

Name of the institution:	Vrije Universiteit Amsterdam
Status of the institution:	publicly funded institution
Result institutional quality assurance assessment:	positive

COMPOSITION OF THE ASSESSMENT PANEL

The NVAO has approved the composition of the panel on 7 August 2017. The panel that assessed the master's programme International Business Law consisted of:

- Em. prof. mr. I.F. (Ige) Dekker, professor emeritus in International Institutional Law at the University of Utrecht [chair];
- Prof. dr. mr. P.P.T. (Paul) Bovend'Eert, professor of Constitutional Law at the Radboud University Nijmegen [vice-chair];
- Em. prof. dr. mr. T.A. (Theo) de Roos, professor emeritus in Criminal Law at Tilburg University;
- Prof. dr. P.H.J. (Peter) Essers, professor in Tax Law at Tilburg University and former member of the Senate (Eerste Kamer) of the Dutch Parliament;
- Prof. dr. mr. A.L.B. (Aurelia) Colombi Ciacchi, professor in Law and Governance at the Law Faculty of the University of Groningen;
- Dr. mr. W.H.F.M. (Wouter) Cortenraad, senior judge at the Civil and Commercial Division of the Amsterdam Court of Appeals;
- Prof. dr. mr. G.E. (Gerrit) van Maanen, professor emeritus in Private Law, European Tort Law and Property Law at Maastricht University;
- R.P.M.G. (Robert) van den Boorn, master student of Dutch Law, specialisation Commercial and Company Law, at Maastricht University [student member];

- Prof. dr. mr. L.J. (Larissa) van den Herik, vice-dean and professor of Public International Law at the University of Leiden [referee on International Security].

The panel was supported by drs. José van Zwieten, who acted as secretary.

Appendix 1 contains the curricula vitae of the panel members.

WORKING METHOD OF THE ASSESSMENT PANEL

The Law Assessment

The master's programme International Business Law at the Faculty of Law of the Vrije Universiteit Amsterdam were assessed as part of the Law cluster assessment. Between October of 2017 and March 2018, three panels assessed a total of 92 programmes at eleven universities. Upon consultation with the NVAO, it was decided that for the assessment within the umbrella group Domain of Law, three subclusters (henceforth: clusters) of institutions would be created:

Cluster I	University of Amsterdam, Vrije Universiteit Amsterdam, Erasmus University Rotterdam, Nyenrode Business Universiteit;
Cluster II	Leiden University, Tilburg University, Utrecht University;
Cluster III	Maastricht University, Open University, Radboud University Nijmegen, University of Groningen.

Each cluster was assessed by a separate panel. The panels consisted of the following members:

Cluster I

- Em. prof. mr. I.F. (Ige) Dekker (voorzitter)
- Prof. dr. mr. P.P.T. (Paul) Bovend'eert (vice-voorzitter)
- Em. prof. dr. mr. T.A. (Theo) de Roos
- Prof. dr. P.H.J. (Peter) Essers
- Prof. dr. mr. A.L.B. (Aurelia) Colombi Ciacchi
- Dr. mr. W.H.F.M. (Wouter) Cortenraad LLM
- Prof. dr. mr. G.E. (Gerrit) van Maanen
- V.A. (Veerle) van Waarde LLB
- R.P.M.G. (Robert) van den Boorn LLB
- D.H. (Danielle) Arnold LLB
- Prof. mr. dr. P. (Peggy) Valcke
- Prof. dr. L.J. (Larissa) van den Herik

Cluster II

- Em. prof. dr. mr. R. (Roel) Fernhout (voorzitter)
- Prof. mr. J. (Jan) Struiksmā (vice-voorzitter)
- Em. prof. mr. G.P.M.F. (Gerard) Mols
- Prof. dr. B.E. (Barbara) Reinhartz
- Prof. dr. M.G. (Michael) Faure
- Prof. mr. R.G. (Rainer) Prokisch
- Prof. dr. mr. A.A.H. (Aukje) van Hoek
- Prof. mr. M.B.M. (Marco) Loos
- Prof. mr. J.B. (Hanneke) Spath
- V.A. (Veerle) van Waarde LLB
- R.P.M.G. (Robert) van den Boorn LLB
- D.H. (Danielle) Arnold LLB
- Prof. mr. A.A. (Antoon) Quaedvlieg

Cluster III

- Em. prof. mr. A.F.M. (Adriaan) Dorresteyn (voorzitter)

- Prof. mr. E. (Elies) van Sliedregt (vice-voorzitter)
- Prof. dr. R.A. (Ramses) Wessel
- Prof. dr. mr. A.J.C. (Adrienne) de Moor-van Vugt
- Em. prof. mr. L.C. (Laurens) Winkel
- Em. prof. mr. drs. H.P.A.M. (Henk) van Arendonk
- Dr. D. (Dominique) Sluijsmans
- V.A. (Veerle) van Waarde LLB
- R.P.M.G. (Robert) van den Boorn LLB
- D.H. (Danielle) Arnold LLB
- Prof. M. (Manuel) Desantes Real
- Prof. mr. A.A. (Antoon) Quaadvlieg
- Prof. dr. Y. (Yves) Jorens
- Dr. mr. S.A. (Sonja) Kruisinga
- Prof. mr. H.N. (Harriët) Schelhaas

A subpanel was composed for every site visit in a cluster, based on expertise, availability and independence of the panel members. The panel assessing the Faculty of Law of the Vrije Universiteit consisted of the following members:

- Em. prof. mr. I.F. (Ige) Dekker (chair)
- Prof. dr. mr. P.P.T. (Paul) Bovend'eert (vice chair)
- Em. prof. dr. mr. T.A. (Theo) de Roos
- Prof. dr. P.H.J. (Peter) Essers
- Prof. dr. mr. A.L.B. (Aurelia) Colombi Ciacchi
- Dr. mr. W.H.F.M. (Wouter) Cortenraad
- Prof. dr. mr. G.E. (Gerrit) van Maanen
- R.P.M.G. (Robert) van den Boorn
- Prof. dr. L.J. (Larissa) van den Herik

Coordination and secretaries

Dr. Fiona Schouten acted as executive coordinator of the Law assessment, drs. Linda te Marvelde as supervisor and Marcella van Schie MA as project assistant. Drs. José van Zwieten (University of Amsterdam, Vrije Universiteit Amsterdam) and dr. Marianne van der Weiden (Erasmus University Rotterdam, Nyenrode Business Universiteit) acted as secretaries in cluster I; Adrienne Wieldraaijer-Huijzer MA (Leiden University) and dr. Floor Meijer (Tilburg University, Utrecht University) in cluster II; and drs. Renate Prenen (Maastricht University, Open University, Radboud University Nijmegen, University of Groningen) in cluster III. Due to parallel sessions in the site visit schedules, Fiona Schouten acted as additional secretary during the visits to Erasmus University Rotterdam, the University of Amsterdam, Maastricht University and Radboud University Nijmegen. She also acted as additional secretary during the visit to the University of Groningen due to planned name changes of various programmes.

Consistency and calibration

In order to assure the assessments took place consistently within and between clusters, various measures were taken:

1. The QANU coordinator was present at the start of all site visits as well as at the panel discussion leading to the preliminary findings at every site visit;
2. The coordinator was present at the first site visit of every cluster;
3. Calibration meetings took place on 8 December 2017 and 6 April 2018. During these meetings, the panel chairs, vice chairs, student members and QANU coordinator discussed the working method and the assessments;
4. The chairs attended at least one site visit outside their own cluster as a spectator;
5. The student members of the panels rotated: they took part in at least one site visit per cluster;
6. Prior to the site visits, on 29 August 2017, coordinator and secretaries held a meeting to discuss their working method.



Preparation

On 23 March 2017, the panel chairs were briefed by QANU on the working method, assessment frameworks and planning of the Law assessment. They also discussed mutual coordination and communication. This led to a shared directive on the selection of theses and to a description of the nature and number of courses to be selected as study material during each site visit.

A preparatory meeting was organised on 19 June 2017 for the members of the three panels. During this meeting, the panel members received instruction on the assessment frameworks and the planning of the site visits. They reflected upon the content and use of the domain-specific framework of reference (see appendix 2).

In preparing the site visit to the Vrije Universiteit, the coordinator and the panel chair made a selection of theses of the programmes under assessment. These were chosen from a list of graduates between 01/09/2015 and 31/08/2017. The selection followed the NVAO guideline for the assessment of theses and took the range of thesis subjects, tracks, supervisors and grades into account. The panel studied the selected theses and the assessment forms.

In consultation with the contact persons from the Faculty of Law, the coordinator drafted a programme for the site visit (see appendix 5). The Faculty of Law selected representative discussion partners for the interviews. The panel and coordinator agreed with this selection.

Upon receiving the critical reflections, the coordinator checked their quality and content before sending them to the panel. The panel members studied the documents and formulated questions and preliminary findings. These were collected by the secretary, who arranged them according to subject matter.

Site visit

The site visit to the Vrije Universiteit took place on 08/11/2017 - 10/11/2017. During the visit, the panel studied documents provided by the contact person of the Vrije Universiteit (cf. appendix 6). The panel interviewed programme management, students, staff members, alumni and representatives of the programme committee and the board of examiners. The panel also offered staff members and students the opportunity to speak to the panel confidentially upon prior request. No requests were received for this consultation hour.

At the end of the site visit, the panel held an internal meeting to formulate its preliminary findings. The panel chair concluded the site visit with a public presentation of the panel's findings.

Report

After the site visit, the secretary produced a draft version of the report based on the panel's findings. The coordinator sent this to the panel members. After their commentary was processed, the coordinator sent the report to the Vrije Universiteit to check for factual errors. The response of the university was discussed with the panel chair; changes to the report were made based on his request. The report was then finalised and sent to the Faculty of Law and the Vrije Universiteit.

Decision rules

In accordance with the NVAO's Assessment framework for limited programme assessments, the panel used the following definitions for the assessment of both the standards and the programme as a whole.

Generic quality

The quality that can reasonably be expected in an international perspective from a higher education bachelor's or master's programme.

Unsatisfactory

The programme does not meet the current generic quality standards and shows serious shortcomings in several areas.

Satisfactory

The programme meets the current generic quality standards and shows an acceptable level across its entire spectrum.

Good

The programme systematically surpasses the current generic quality standard.

Excellent

The programme systematically well surpasses the current generic quality standard and is regarded as an international example.

SUMMARY JUDGEMENT

Master's programme International Business Law

Intended learning outcomes

The panel established that the aims of the IBL programme are in line with the demands of the growing professional field of international business law. The programme distinguishes itself to an extent by combining public and private aspects of international business law, but a more in-depth national and international benchmark could further develop the programme's profile in comparison to other relevant master's programmes. The intended learning outcomes match its level and orientation.

Teaching-learning environment

The panel considers the curriculum of International Business Law to be clearly designed. The curriculum offers a convincing mix of public and private legal aspects of international business. However, the panel concludes that the tracks could pay more attention to the broad character of this programme: the combination and integration of public and private law. The course content of both IBL tracks is up to standard. The curriculum clearly has an academic approach. Students practise their writing and presentation skills frequently. The Research Seminar course acquaints them with research methodology and IBL topics and prepares them for their individual thesis project. The thesis trajectory provides students with the support and structure they need to successfully complete their individual research project. The teaching methods employed in the programme enable and promote active participation of the students and leave ample room for in-class debates. Students are taught by good-quality teaching staff with a solid background in both research and the work field. They experience the programme as challenging, but they receive good support and feedback from teachers, and benefit from the stimulating environment of a truly international classroom. The panel advises the programme to enhance the selection procedure as some non-EU students seem to struggle with their writing skills, despite the intensive training they receive.

Assessment

According to the panel, assessment within International Business Law is up to standard. Assessment practices and policies are in line with faculty policy ('Nota Toetsbeleid', 2013). Examiners are appointed according to clear criteria. IBL assessment is varied and consists of written and oral examinations as well as papers. The panel concludes that within IBL, there is room for substantial improvement of the assessment of master's theses. The Examination Board has a clear view of its tasks and responsibilities. It carries out its tasks in a proactive manner and is in control of safeguarding assessment quality.

Achieved learning outcomes

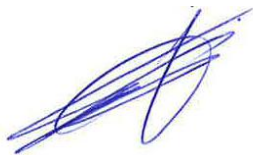
The panel concluded from the theses it studied that IBL students realise the intended learning outcomes. The level of the theses was adequate but varied widely. Not all students succeeded in realising a high academic level, nor in writing a thesis in good English, which may be explained by their different academic backgrounds. The panel established that alumni succeed in obtaining a professional position that matches their degree level.

The panel assesses the standards from the *Assessment framework for limited programme assessments* in the following way:

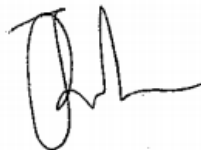
Standard 1: Intended learning outcomes	satisfactory
Standard 2: Teaching-learning environment	satisfactory
Standard 3: Assessment	satisfactory
Standard 4: Achieved learning outcomes	satisfactory
General conclusion	satisfactory

The chair and the secretary of the panel hereby declare that all panel members have studied this report and that they agree with the judgements laid down in the report. They confirm that the assessment has been conducted in accordance with the demands relating to independence.

Date: 17/05/2018



Em. prof. mr. I.F. (Ige) Dekker



Drs. J. (José) van Zwieten

DESCRIPTION OF THE STANDARDS FROM THE ASSESSMENT FRAMEWORK FOR LIMITED PROGRAMME ASSESSMENTS

The master's programme International Business Law (IBL) of the Vrije Universiteit Amsterdam (VU) is one of eleven programmes organised by the Faculty of Law. Seven have been assessed in the Law cluster assessment (2017-2018). All programmes have a director, who is responsible for the curriculum, quality assurance and organisation of the programme. IBL also has a programme coordinator. Together, the programme director and coordinator form the programme board of IBL. The directors of the eleven programmes are members of the Educational Advisory Board, which is chaired by the faculty's Associate Dean of Education. This Board advises the Faculty Board on matters that go beyond the interests of one programme. Education in the faculty is organised by six departments. Most of these are involved in the IBL programme. There is a faculty-wide Examination Board. IBL has its own programme committee.

Standard 1: Intended learning outcomes

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

Explanation:

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

Findings

The master's programme International Business Law of the Vrije Universiteit Amsterdam aims to train students in understanding the wider context of international business law and in reflecting independently on academic and practical legal problems, as well as coming up with creative and innovative solutions. The growing complexity of international regulations requires specialist expertise but, as stated in the critical reflection, a lawyer must retain a broad horizon in order to be able to solve legal problems. The programme therefore aims to teach students the latest theoretical knowledge and research in the field and to equip them with the basic legal practice skills, so that they are prepared for an international legal profession related to cross-border business activities. The panel considers these objectives to be well aligned with the demands of the professional field of international business law.

The programme addresses both public and private perspectives on international business, including such stakeholders as regulators, markets, industries and businesses. Students become acquainted with both perspectives, but choose to specialise in either the regulatory track or the transactions track. They learn to understand how the different stakeholders in international business influence each other and interact with each other, while acknowledging legal and cultural differences. Through applying comparative law methodology, students gain insight into relevant domestic laws in the context of international, European, and transnational law regimes. The international student population reinforces the presence of various cultural perspectives in the programme.

Compared to other international business law programmes, IBL at the Vrije Universiteit Amsterdam distinguishes itself through its focus on both public and private aspects of the field. There are a great number of IBL programmes throughout the Netherlands and Europe. According to the panel, it would help the VU programme to have a clearer and more explicit vision on how it wants to position itself compared to other related programmes. The critical reflection mentions that an international benchmark is only possible to a limited extent, since the IBL programmes show too much variety. The panel regrets that the programme has not attempted a more thorough international benchmark, which could be helpful in further defining its profile.

The programme translated its aims into eleven intended learning outcomes, which describe the knowledge and skills that students need to acquire. The panel observed that the intended learning outcomes reflect the key characteristics of academic law programmes as listed in the subject-specific reference framework (cf. appendix 2). IBL's intended learning outcomes (cf. appendix 3) also reflect the Dublin descriptors for master's programmes. This is demonstrated clearly by table 1 in the critical reflection, which matches the outcomes to the descriptors. The panel is satisfied with the level and orientation of the intended learning outcomes.

Considerations

The panel established that the aims of the IBL programme are in line with the demands of the growing professional field of international business law. The programme distinguishes itself to an extent by combining public and private aspects of international business law, but a more in-depth national and international benchmark could further develop the programme's profile in comparison to other relevant master's programmes. The intended learning outcomes match its level and orientation.

Conclusion

Master's programme International Business Law: the panel assesses Standard 1 as 'satisfactory'.

Standard 2: Teaching-learning environment

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

Explanation:

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

Findings

International Business Law is a one-year master's programme with two tracks: a Regulatory profile and a Transactions profile. It has an average annual intake of 20-40 students. The majority of these students have an international background: in 2015-2016, 10 of 40 students were Dutch. The curriculum of IBL is divided up into two semesters composed of three blocks each. The blocks follow the university-wide academic calendar, in accordance with university policy. The first two blocks are 8 weeks in length, the last one 4 weeks. A schematic overview of the curriculum can be found in appendix 4 of this report.

Curriculum contents and design

The panel studied the curriculum presented in the critical reflection and the online study guide. It looked at the materials and handbooks of three core courses (cf. appendix 6). It also discussed the curriculum with the programme management, teaching staff, students and alumni. It concluded that the programme's curriculum enables students to realise the intended learning outcomes. The critical reflection contains a matrix that relates the courses of both tracks to the intended learning outcomes. It shows that all learning outcomes are addressed in the core courses of the programme as well as in the track-specific courses.

According to the panel, the programme has a clear structure. It consists of two core courses on international company and contract law (18 EC), a Research Seminar (6 EC), regulatory courses and transactions courses (6 EC each), and a master's thesis (12 EC). Depending on their track, students choose three out of four regulatory courses and one transactions course, or vice versa. The regulatory courses address the public aspects of and vertical relationships in international business, i.e. those between regulating institutions and private companies. The transactions courses deal with private



aspects of and horizontal relationships between private companies. In each of these courses, an area of international business law is defined, explained, analysed, conceptualized, assessed and criticised.

The panel considers the curriculum as offering a convincing mix of international private and public law. It established that the two tracks make up coherent programmes. The combination of mandatory courses, track-specific core courses and a cross-over elective assures that students gain in-depth knowledge and understanding in a number of substantive areas of international business law. The course materials which the panel studied demonstrated an adequate level.

The panel finds the distinction between the regulations and transactions track somewhat artificial: in practice, these perspectives are interrelated. The programme aims to demonstrate the coherence between these two perspectives, but the division into two tracks seems to contradict this. Additionally, students who choose the transactions track gain only limited insights into public aspects of international business law. They choose only one course in this area, and both core courses are on international private law. It advises the programme to look into ways to offer the tracks in a more integrated manner.

The panel regrets that, despite the recommendations of the previous assessment panel, the course on financial markets has been removed rather than made mandatory. The programme management explained this by pointing out that the lecturer of this course left the university and that no substitute is available. The panel considers the course's subject to be very relevant for students of both tracks. It urges the programme to look for opportunities to reintroduce a course on financial markets. It suggests making this possible by looking for co-funding or lecturers in the proximity of the university: many internationally operating companies, law firms and international organisations are close to the Vrije Universiteit Amsterdam. This should offer opportunities to organise such a course.

The panel observed that the curriculum of IBL combines a professional, practice-based orientation with a clearly academic approach. The programme places a lot of emphasis on the development of academic, legal skills. Students are trained to develop knowledge and understanding of a wide variety of topics related to international business activities. They write several papers and practise oral presentations. The panel appreciates the fact that the programme puts a lot of effort into training students with varying backgrounds in academic writing and critical reflection. It shares the enthusiasm of students and lecturers about the Research Seminar. This course prepares students in an early stage of the programme for their master's thesis. It consists of theoretical lectures on legal methodology and an overview of the research that is done at the faculty, as well as practical training in reading, writing and presentation skills. Students are guided in writing a research plan, and receive feedback from their teacher and peers based on a presentation of this plan.

As mentioned before, the programme aims to train students in comparative law methodology. The panel found that attention is paid to comparative law in two mandatory courses: International Company Law and International Contract Law. In the first course, students work in small intercultural teams on a series of assignments, in which they compare aspects of their domestic company law with other major legal systems. In the second, a comparative textbook is used, different legal systems are compared in class and intercultural teams work on oral presentations. In spite of these comparative elements, the panel noticed in the theses it studied that comparative approaches were scarce. It therefore recommends the programme to increase instruction and training in comparative law methodology in the programme.

Students can choose to include an internship as part of their programme. They can obtain 6 EC when the internship meets the programme's requirements, but these are extra-curricular. Only a few students per cohort opt for this possibility. They need to obtain permission from the programme coordinator, who also assesses the internship based on feedback from the supervisor as well as a report written by the student. The panel is pleased that this option is offered by the programme, which allows students to gain experience in the professional field.

Teaching methods

IBL courses contain several teaching methods: lectures, tutorials, workshops, seminars, excursions and guest lectures. Students were very positive about their classes. They praised the manner in which IBL lecturers engaged them in discussion in class. In the tutorials, ample time is reserved for students to debate and discuss the themes and questions raised by the lectures, both among themselves and with the lecturers. The panel found confirmation of the variety of activating elements in the course materials it studied.

Students and lecturers also pointed out that the tutorials were enhanced by the fact that the student population of IBL is very international. Students discuss legal practices from their own backgrounds with their peers and professors. In doing so, they gain a sense of the cultural dimension of legal norms and differences between national systems. The panel agrees: the combination of student activation and an international student body is a contributing factor to the programme's profile.

Teaching staff

The panel looked at the list of teaching staff provided in the critical reflection and interviewed a small selection of IBL faculty. It concluded that the quality of IBL staff is good. Most lecturers have a PhD degree, which stimulates research-based teaching. Some of the staff members combine their academic work with a position in the professional field. Half of the staff members who are involved in IBL teaching hold a basic teaching qualification (BKO), and two are working on completing the senior qualification (SKO) trajectory. The Faculty also organises education-themed lunches and an annual education day, during which staff members are informed about and discuss topics such as assessment quality, ICT in education and diversity. The panel established that IBL staff possess the necessary didactic skills.

During the site visit, the panel met a selection of lecturers of the programme. It was impressed with the commitment and dedication they demonstrated concerning their teaching responsibilities. The praise of students and alumni for the accessibility and involvement of their teachers is particularly high. They confirmed the panel's impression that the commitment of staff members to their students is an important asset of the programme.

The student-staff ratio for the programmes is between 20 and 27 to 1, depending on the annual intake. IBL students mentioned that their lecturers are busy, in part because they combine their position with other functions, such as that of lawyer. However, they do not report any negative effects on the learning environment and state that they always receive enough attention and feedback. The panel concludes that staff quantity is sufficient to successfully run the programme.

Feasibility

The IBL master's programme aims for students to acquire insight into the setup and mechanics of a complex and layered field of law, and to anticipate, analyse and address legal problems that may arise in international business. The scope of the programme is therefore quite broad, and the academic requirements are high. Most courses combine written exams with a series of assignments. Students and alumni stated that they experienced the programme as challenging. Some mentioned that they struggled with the course load, in particular in the first semester of the programme. The feasibility of the programme seems affected by IBL's ambitious aims and design.

Feasibility is further challenged by the differences between the students entering the programme. IBL is accessible to any student holding a national or international bachelor's degree in law. Non-EU students who have not received training in EU law are admitted upon completing an extra-curricular introductory course in EU law of 6 EC. Students are also asked to demonstrate their proficiency in English and writing. The programme has minimum criteria for their scores on an IELTS or TOEFL test. Based on its experience with students coming from outside the EU, the programme management made a list of recommended literature that these students can study in order to reach the required level of knowledge on the relevant disciplines in EU and international law.



The panel agrees with the programme's staff that a thorough selection of students coming from other academic traditions is necessary. The programme also puts a lot of effort into academic training. Nevertheless, some (non-EU) students do not seem to acquire the intended level: they fail to deliver a satisfactory master's thesis or write one in poor English. The panel advises the programme to enhance the selection procedure, in order to select students with sufficient English language skills.

The panel found that the programme has taken adequate measures to limit the impact of these challenges to feasibility. To begin with, various measures are in place to support IBL students. They can turn to the programme coordinator for study-related concerns, and to the international office of the university with practical questions. Students with personal or study problems can talk to the Faculty's study counsellors. These types of student support as well as clear written information seem to contribute to the good organisation of the programme. During the site visit, the panel learned that information on the programme and facilities is adequate. Students and staff are very satisfied with how information is made available through VUNet and the Canvas sites of the programme. The panel studied course information on Canvas and was pleased to see that for each course, the learning goals, teaching methods, content, the relationship with the intended learning outcomes of the programme and assessment methods are explained. It praises the organisation of student support.

Furthermore, the programme has followed the advice of the programme committee to reduce the number of papers that students need to write in the first block: as of 2017, the International Contract Law course has two instead of three essay assignments. The panel agrees with the programme that it was necessary to limit the number of students struggling at the start and to allow them to ease into the programme.

Students, alumni and staff members pointed out to the panel that the feasibility of IBL is enhanced by additional factors. The first is the programme's 'international classroom', which brings together students from various nationalities and backgrounds and increases the quality of education by drawing on their experiences and perspectives in class. Students work closely together in international cohorts. This collaboration strengthens the group identity of IBL students and works as a motivator. The second factor contributing to feasibility and study success according to students and alumni is the assistance and supervision of the teaching staff. IBL staff members are very accessible and always ready to answer questions and provide the students with extensive feedback. Students writing their thesis reported that their supervisors made time for them whenever the process required it. The panel praises the programme for creating such a supportive and stimulating study climate.

The thesis trajectory also contributes to the programme's feasibility. The students follow a defined time path, with scheduled deadlines for the research plan, a draft introduction and thesis structure, a draft thesis and the final thesis, as well as an oral defence. The thesis trajectory is laid down in the IBL thesis manual. Students start in December at the latest by approaching a possible supervisor, based on the topic they want to work on. Those who encounter problems defining a topic can discuss this with the Programme Board. They hand in a research plan in February, which needs to be approved by the supervisor. The two final periods of the programme are dedicated entirely to the master's thesis, which must be submitted in June. Students are also supported in their thesis trajectory by the Research Seminar in period 1, where they are trained in research skills. Students write and present a research proposal in this course. Most students use this proposal as a starting point for their master's thesis.

IBL students and teaching staff were very positive about the thesis trajectory during the site visit interviews. Students consider the strict deadlines a positive stimulus, while at the same time stressing the flexibility of their supervisors. Students coming from abroad (the majority) are particularly happy to finish the programme on schedule. The programme has a high success rate: dropout is almost non-existent, and the majority of students manage to finish their programme within one year (cohort 2014: 87%). Some 95% obtains their degree within 2 years after entering the

programme. All in all, the panel considers the thesis trajectory to provide IBL students with the support and structure they need to successfully complete the programme.

Considerations

The panel considers the curriculum of International Business Law to be clearly designed. The curriculum offers a convincing mix of public and private legal aspects of international business. However, the panel concludes that the tracks could pay more attention to the broad character of this programme: the combination and integration of public and private law. The course content of both IBL tracks is up to standard. The curriculum clearly has an academic approach. Students practise their writing and presentation skills frequently. The Research Seminar course acquaints them with research methodology and IBL topics and prepares them for their individual thesis project. The thesis trajectory provides students with the support and structure they need to successfully complete their individual research project. The teaching methods employed in the programme enable and promote active participation of the students and leave ample room for in-class debates. Students are taught by good-quality teaching staff with a solid background in both research and the work field. They experience the programme as challenging, but they receive good support and feedback from teachers, and benefit from the stimulating environment of a truly international classroom. The panel advises the programme to enhance the selection procedure as some non-EU students seem to struggle with their writing skills, despite the intensive training they receive.

Conclusion

Master's programme International Business Law: the panel assesses Standard 2 as 'satisfactory'.

Standard 3: Assessment

The programme has an adequate assessment system in place.

Explanation:

The tests and assessments are valid, reliable and transparent to the students. The programme's examining board safeguards the quality of the interim and final tests administered.

Findings

Assessment within International Business Law follows the policy of VU as documented in the 'Handboek Onderwijskwaliteit'. The faculty operationalised this in the 'Nota Toetsbeleid' (2013) after consulting the Examination Board. According to this document, assessment must meet quality requirements regarding reliability, validity, transparency and learning effect. The Examination Board produced a 'Nota Kwaliteitsbewaking tentamens Faculteit der Rechtsgeleerdheid' (updated in 2017) which describes the manner and frequency of assessment of the quality of exams by the Examination Board.

The assessment system of the faculty includes an assessment plan for each programme. This plan is prepared by the programme director. It describes when and how the final qualifications are assessed in the various courses. Exams are prepared by at least two staff members, under the responsibility of the course coordinator. He or she is obliged to use some kind of assessment justification, preferably an assessment matrix. The programme director establishes the alignment of the assessment formats with the assessment plan. This is part of the assessment dossier of the course, which also includes the assignments/exams, an overview of the grades, and the students' evaluation of the course. Theses are assessed by the supervisor and a second assessor. They perform their assessment independently using the marking form that indicates the different assessment criteria. Finally, the Examination Board established criteria for three separate qualification levels of examiners: course coordinator, bachelor's thesis supervisor and master's thesis supervisor.

The faculty invests in the enhancement of assessment expertise. Workshops and training sessions are organised for staff members to raise awareness of and expertise in this topic. Assessment is also part of the training programmes for the BKO and SKO qualification.



The panel is impressed with the faculty's assessment system and the adequate measures that are in place to stimulate and safeguard the quality of assessment. The assessment plans are well-structured and give a clear overview of the modes and frequency of assessment. The assessment dossiers that the panel studied weren't complete in all cases, but their format is good, and the Examination Board is encouraging course coordinators to complete them. From its conversations with the management, staff and students of the programmes, the panel concluded that these stakeholders are satisfied with the assessment system.

However, the panel observed some irregularities that indicate a less strict interpretation of the assessment procedures. They concern the assessment of master's theses. Two of the theses the panel studied were not accompanied by a marking form. Most of the available forms were filled out quite minimally and did not provide students with adequate feedback. Finally, the standard of one of the theses was inadequate (see Standard 4). This forces the panel to conclude that the assessment of master's theses within the IBL programme leaves room for substantial improvement. The panel was pleased to learn that IBL holds oral presentation sessions at the end of the thesis trajectory. Such sessions constitute a good learning opportunity, and the panel assumes that they provide students with ample feedback.

Students are positive about the transparency of assessments. They are aware of the expectations and deadlines in the courses, including the thesis trajectory. The panel suggests formulating performance standards for theses with a team of thesis supervisors: what do they expect from students in order to earn a 6, 7 or 8? This can further improve the calibration of the grading while stimulating and challenging students at the same time, since they will have a clearer perspective on what is expected in a good thesis.

IBL assessment takes the form of written examinations, papers and oral presentations. Most courses are assessed by a combination of assignments. Papers are written in all mandatory courses and most of the track-specific courses. They usually take the form of essays, combined with a written exam. Oral examination is a part of the core courses International Company Law, Research Seminar and the master's thesis. The tutorials contain formative assessments, such as oral presentations and mock examinations. Some course coordinators publish the highest graded assignment, with consent and anonymously, in order for students to compare their work with a good example. Students also receive formative feedback on their research plan and their thesis. The panel is satisfied with this variety of assessment formats.

Examination Board

The quality of assessment within IBL is safeguarded by an Examination Board appointed for all programmes within the Faculty of Law. The Examination Board has six members. Five of them are members of the faculty's teaching staff. The sixth is an external member and an expert in assessment. The Board is assisted by two secretaries. Members of the Examination Board have received training in their tasks and responsibilities.

The panel interviewed members of the Examination Board. It concluded that they have a clear view of their tasks and responsibilities and that they work hard to guarantee a faculty-wide quality of assessment. The Board has developed its own analysis tool, which enables it to establish the reliability of test items immediately after the exam takes place. When this analysis gives rise to doubts concerning the reliability of an item, the grading can be altered before the test results are published. The Examination Board uses this instrument when it looks at a sample of tests, upon request, or whenever evaluations or results indicate that the quality of the exam is not up to standard. It discusses its findings with the lecturers of the course. In the experience of the Board, this instrument has enhanced the quality of assessment within the faculty, raising awareness and providing insight into the factors that influence the quality of exam items. The Examination Board also evaluates the assessment dossiers of courses biannually, as well as a sample of master's theses.

The panel concludes that the Examination Board has a clear view of its role and responsibilities. Its members work hard to safeguard assessment quality within the faculty. The panel appreciates the ambition of the Examination Board to supervise assessment quality in a proactive and thorough manner, while at the same time exercising the necessary restraint in placing demands upon staff members in order to avoid taking time away from education.

Considerations

According to the panel, assessment within International Business Law is up to standard. Assessment practices and policies are in line with faculty policy ('Nota Toetsbeleid', 2013). Examiners are appointed according to clear criteria. IBL assessment is varied and consists of written and oral examinations as well as papers. The panel concludes that within IBL, there is room for substantial improvement of the assessment of master's theses. The Examination Board has a clear view of its tasks and responsibilities. It carries out its tasks in a proactive manner and is in control of safeguarding assessment quality.

Conclusion

Master's programme International Business Law: the panel assesses Standard 3 as 'satisfactory'.

Standard 4: Achieved learning outcomes

The programme demonstrates that the intended learning outcomes are achieved.

Explanation:

The level achieved is demonstrated by interim and final tests, final projects and the performance of graduates in actual practice or in post-graduate programmes.

Findings

Prior to the site visit, the panel studied a selection of 10 IBL theses and the accompanying assessment forms. In general, the theses demonstrated that IBL graduates acquired the ability to formulate a legal research question, select relevant academic literature and other legal documents, reflect on these sources and draw conclusions. The panel did not observe systematic over- or under-grading. In some cases, the level of English and writing was poor. The panel also remarked that not all students use recent literature, nor do they always apply academic standards regarding the bibliography of their thesis. The panel recommends training students better in these aspects so that their work measures up to academic standards. It assumes that the varying level of the theses is caused by the students' different academic backgrounds.

One thesis was of much lower quality and should not have passed, in the opinion of the panel. The student hardly used any academic literature and summarised a rather superficial overview of online sources without a clear line of reasoning. The English was very poor. The panel discussed this with the coordinator of this master's programme and one of the examiners of the thesis. They informed the panel about the causes of this situation and about the measures taken as a result of it, which included ending the appointment of one of the supervisors as a thesis examiner.

The critical reflection describes the outcomes of an alumni survey, held in 2012. The majority of the respondents are employed or self-employed (88%) and had found a job within two months. Most of them work in commercial legal practices. The panel also had a conversation with a sample of IBL alumni. They were convinced that the programme had prepared them well for the labour market. Some students pointed out that they would have appreciated receiving more guidance and opportunities for them to pursue a position in the Netherlands. The performance of alumni and the quality of the theses led the panel to believe that IBL graduates have acquired a skill set and level which render them attractive to the professional field.



Considerations

The panel concluded from the theses it studied that IBL students realise the intended learning outcomes. The level of the theses was adequate but varied widely. Not all students succeeded in realising a high academic level, nor in writing a thesis in good English, which may be explained by their different academic backgrounds. The panel established that alumni succeed in obtaining a professional position that matches their degree level.

Conclusion

Master's programme International Business Law: the panel assesses Standard 4 as 'satisfactory'.

GENERAL CONCLUSION

The master's programme International Business Law has a relevant profile and attracts a growing and international student population. According to the panel, an international benchmark could help the programme to establish a more distinctive profile. The programme is designed in two clear and coherent tracks. Cross-over between public and private international law is part of these tracks, but the panel concludes that this could be enhanced to increase the realisation of the programme's ambition to give students a broad and comprehensive overview of the field. Courses are topical and research-based. The panel concludes that academic skills are addressed frequently in the programme: most courses include practice in writing and presentation skills. The programme is taught by good-quality staff members who create an activating and motivating climate. IBL is perceived as challenging, but the panel concluded that adequate measures have been taken to keep the programme feasible, including a transparent and well-structured thesis trajectory. Students receive good feedback on their work. Assessment is up to standard, although there is room for substantial improvement in the assessment of master's theses, and the Examination Board is clearly in control of assessment quality. The quality of the IBL theses varied. They demonstrate sufficient research skills, but the different academic backgrounds of the students are reflected in the thesis quality and writing skills. The panel sees this as an indication that selection criteria concerning English-language writing skills could and should be stricter.

Conclusion

The panel assesses the *master's programme International Business Law* as 'satisfactory'.

APPENDICES

APPENDIX 1: CURRICULA VITAE OF THE MEMBERS OF THE ASSESSMENT PANEL

Em. prof. mr. I.F. (Ige) Dekker (chair) is professor emeritus of International Institutional Law at Utrecht University. Upon finishing his studies in 1974, he held various positions at the University of Groningen, VU University in Amsterdam, the University of Twente and Utrecht University. He was academic director at the universities of Twente and Utrecht, and was chair of the Department of Law at Utrecht University for six years. Since his retirement in 2015, he has been active in an administrative and advisory role for Utrecht University and the Open University in Heerlen. He specialises in international and European law, with a focus on institutional and economic law, international organisations, the law of war and institutional legal theory. Among his publications are books and articles on the legal meaning of violence and aggression, the European Union as a legal entity, the jurisdiction and liability of international organisations and international investment law.

Prof. dr. mr. P.P.T. (Paul) Bovend'Eert (vice-chair) studied Dutch Law at the Catholic University in Nijmegen, where he obtained his PhD in 1988. In 1999, he was appointed professor of Constitutional Law at that same institution, by then renamed as Radboud University. He is a lecturer in the master's programme Politics and Parliament in the Faculty of Arts, and teaches at the Academy for Legislation in The Hague. Between 1995 and 2001 and between 2008 and 2010, he was vice-dean of education and from 2010 until 2014 he was dean at the Faculty of Law in Nijmegen. His research focuses on institutional and constitutional law issues concerning the government, parliament, the judicial system and the constitutional position of the King. He was a part of several research projects on the legislative process in the Dutch parliament and the US Congress. In 2017, he joined an advisory committee dealing with developments concerning the King's income. He has published many articles and has (co-)written several books, including a handbook on constitutional law.

R.P.M.G. (Robert) van den Boorn LLB (student member) is a master student in Dutch Law, specialisation Commercial and Company Law, at Maastricht University. He obtained his bachelor's degree in Dutch Law at the same university in 2017. Robert van den Boorn acts as student member of the Programme Committee Dutch Law, as member of the Student Council of the Maastricht Faculty of Law, and as a student-tutor. He is also working as a court clerk to the Limburg court, both locations, sector Private Law.

Prof. dr. mr. A.L.B. (Aurelia) Colombi Ciacchi studied law at the universities of Trieste (Italy) and Kiel (Germany). She received her PhD from the Universities of Trieste and Bergamo (1998) and Bucerius Law School (Germany) in 2004. She has held research positions at the University of Kiel (Germany), the University of Oxford (United Kingdom) and at the Centre of European Law and Politics (ZERP) of the University of Bremen. Since 2010, she has been full professor at the Law Faculty of the University of Groningen, Endowed Chair 'Law and Governance', and academic director of the Groningen Centre for Law and Governance. Professor Colombi Ciacchi specialises in EU law, comparative law, the horizontal effect of fundamental rights and European law of obligations, and has (co-)written many books as well as articles which have been published in international journals. She is editor-in-chief of the *European Journal of Comparative Law and Governance*.

Dr. mr. W.H.F.M. (Wouter) Cortenraad, LL.M., studied law at the University of Toronto (Canada) and Maastricht University, where he also obtained his PhD in 1999. He worked as legal counsel for Royal Dutch Shell (1991-1995) and was attorney at law for the law firm Allen & Overy in Amsterdam (1995-2000). In 2000 he was appointed judge for the District Court of Utrecht. In 2005 he became judge for the Amsterdam Court of Appeals (Civil Division), where he was promoted to senior judge in 2009. As a judge he oversees various types of cases, from labour and consumer law to private and financial law. Cortenraad also works as an arbitrator for the Netherlands Arbitration Institute in Rotterdam.



Prof. dr. P.H.J. (Peter) Essers became an adjunct tax inspector at the Ministry of Finance in The Hague upon graduating in fiscal economics at Katholieke Universiteit Brabant in Tilburg (currently named Tilburg University). In 1984, he became a lecturer in tax law at that same institution, obtaining his PhD in 1989. In 1991, he was appointed professor and chair of the department of tax law and between 1998 and 2002, he was dean of the Faculty of Law. From 2003 until 2015 he was a member of the Dutch Senate on behalf of the CDA, acting as chair of the Financial Committee. He is currently chair of the Academic Committee of European Association of Tax Law Professors and a member of the Executive Committee of this organisation. As of May 2017, he is chair of the Association for Tax Sciences (Vereniging voor Belastingwetenschap).

Prof. dr. L.J. (Larissa) van den Herik studied law at Vrije Universiteit Amsterdam, where she obtained her PhD in 2005. Since then, she has held various positions at the Faculty of Law of Leiden University. She is currently vice-dean and professor of Public International Law at the Grotius Centre for International Legal Studies. Her areas of research and expertise include international peace and security law with a focus on UN sanctions and terrorism, international criminal law and particularly the law on genocide and crimes against humanity, the role of domestic courts and questions of corporate responsibility and natural resources. She is chair of the ILA Study Group on UN Sanctions and International Law. She also holds the position of vice-chair of the Advisory Committee on Public International Law Issues to the Netherlands Government, and has advised the government in that capacity, inter alia, on drones, cyber warfare, humanitarian assistance, and autonomous weapon systems. She is editor for the *Cambridge Studies in International and Comparative Law*.

Em. prof. dr. mr. G.E. (Gerrit) van Maanen is emeritus and honorary professor in Private Law at Maastricht University. He studied law and philosophy at the University of Groningen, where he also obtained his PhD in 1986. In 1989, he was appointed professor in Private Law at Maastricht University. He has been involved in the development and evaluation of education at the Faculty of Law, first as chair of the programme committee in Dutch Law and later as academic director. Gerrit van Maanen specialises in private law and focuses on property law, tort law and governmental liability law. From 2002 to 2011 he was editor-in-chief of *Het Nederlands Tijdschrift voor Burgerlijk Recht*. Currently, he works as an honorary judge in the Court of Appeal in Den Bosch and as an independent advisor to various organisations.

Em. prof. dr. mr. T.A. (Theo) de Roos is professor emeritus of Criminal Law at Tilburg University. He studied at VU University in Amsterdam worked as lecturer at Sociale Academie De Horst in Driebergen upon graduating in 1972. He obtained his PhD at Utrecht University in 1987. Between 1977 and 2010, he worked as a lawyer at De Roos & Pen in Amsterdam. He was also professor in Criminal Law at Maastricht University (1990-1997), Leiden University (1995-2005) and Tilburg University (2005-2013). From 2013 onwards, he has been working as an honorary judge at the Court of Appeal in Den Bosch. He currently teaches law at the Netherlands Bar, the Academie voor de Rechtspraak, the Training and Study Centre for the Judiciary and OSR Judicial Education. He is also active as a member of several committees in the field of law.

APPENDIX 2: DOMAIN-SPECIFIC FRAMEWORK OF REFERENCE

Introduction

This document outlines the Subject-specific Reference Framework for Law. The framework sets out the basic principles that degree programmes must use when setting their curricula. It indicates what may be expected in terms of the content and the level of the programmes, what they aim to achieve and what wider society can thus expect from a law graduate at Bachelor's and Master's level. The framework has been written explicitly for university Bachelor's and Master's programmes which are part of the Quality Inspections Group for Law (*Visitatiegroep Rechtsgeleerdheid*) by virtue of the final attainment levels they themselves have chosen, or which wish to join it in the context of the initial accreditation process for new programmes (*Toets nieuwe opleiding*).

The framework does not provide an exhaustive list of areas of law or legally relevant areas of focus to which the programmes must restrict themselves. Equally, it does not seek to offer rankings, answers to discussions of methodology or instructions on how programmes should meet professional requirements. It is up to each individual programme to provide an indication of where it considers itself to be on the global map of law. In formal terms, a programme achieves this by means of its academic and examination regulations and in materials included in the documents submitted to independent quality inspection committees when applying to be assessed for the purposes of accreditation.

What this framework does attempt to offer is a blueprint of what the academic world and wider society can expect from a graduate, academically-qualified lawyer – and therefore also from a programme in Law – in terms of knowledge, attitudes and skills. The fact that the framework has been revised in no way implicates that programmes offered in accordance with the old framework are outdated. On the contrary, since even the previous framework urged programmes to be open to new developments such as the globalization and digitization of society. However, the new framework places greater emphasis on describing the knowledge, attitudes and skills that relate to contemporary developments and challenges programmes to demonstrate these in their objectives and final attainment levels.

By publishing this Subject-specific Reference Framework, the Consultation Body for Law (*Disciplineoverleg Rechtsgeleerdheid*) hopes on the one hand to have provided independent quality inspection committees that will need to conduct programme assessments within the Quality Inspection Group in the years ahead with an effective basis for doing so. On the other hand, the framework offers the essential room for manoeuvre for the separate programmes offered within the Quality Inspection Group for Law to adopt their own distinctive approach.

Utrecht, December 2015

On behalf of the Council of Law Deans

Professor dr. A.M. Hol,
Chairperson



Realization

On 18 December 2015, the consultative body of the Council of Law Deans (abbreviated in Dutch to RDR) agreed to this Subject-specific Reference Framework for programme assessments within the Quality Inspection Group for academic programmes in Law. It offers a joint framework of subject-specific requirements for all Bachelor's and Master's programmes offered by the Law faculties at Dutch universities. This Subject-specific Reference Framework supersedes its predecessor, agreed by the then Council of Law Deans, in December 2009.

In the rest of this document, the term 'programme' is exclusively intended to mean a degree programme that is included in the Netherlands Central Register of Higher Education Study Programmes (*Centraal Register Opleidingen Hoger Onderwijs*, CROHO). Any references to the term 'lawyer' refer to academically-qualified lawyers, unless otherwise specified.

1. Law programmes and professions in the wider social context

Bachelor's and Master's programmes in Law aim to educate and train lawyers who are competent in the discipline and engaged in wider society, have a critical, academic mind, and are capable of analysing problem scenarios independently in order to formulate a solution. To achieve this, they not only need to apply analysis and critical evaluation to their thinking: they also need to be capable of synthetic, abstract thought. It is essential that the academic level and relevance to society of the programme is guaranteed. Communication, information and research skills all play an essential role in the programmes and there must be sufficient emphasis on current developments in terms of their social background. As such, the academic programme leading to the qualification of lawyer must be seen in context, so to speak.

The relationship between the law and wider society is in a continuous state of flux. Society is pluralistic and globally-oriented, as a result of which it is becoming increasingly complex. This trend also applies to the law. The days when law in the Netherlands encompassed Dutch legislation and case law alone are long gone and it is now equally affected by international and European legislation and case law, in the form of policy regulations, recommendations, covenants, self-regulation, European harmonization, the influence of comparative law, etc. Citizens have become empowered, the number of legal regulations continues to increase and society is strongly influenced by a trend towards juridification. As a result of European integration and globalization, European law and international law are becoming increasingly important. The 21st-century information society and its legal problems, as well as the expectations placed on the law by society, are decreasingly affected by national borders at the same time as the traditional boundaries in the legal and social sense are regaining ground. In whatever context he or she enters employment, a graduate lawyer needs to be increasingly aware of and responsive to other countries' legal systems and cultures.

Within the Quality Inspections Group for Law, programmes are offered that meet the demand for lawyers with a broad academic training – generalists – especially for the purposes of first-line consultancy and policy preparation and in numerous other positions across the labour market. There are also specialized Master's programmes which produce graduates capable of developing into academically-trained specialists who compare favourably in their field with their academic professional counterparts anywhere in the world. Finally, there are programmes that are actually more focused on broadening the area of law covered by the programme.

Lawyers work in a wide range of positions and roles. Indeed, there are greater numbers of lawyers working outside the traditional legal professions rather than within. The Law programmes prepare graduates for these traditional professions, but increasingly also for a variety of other activities that call for an academic attitude, critical analysis, skills in writing and speaking, and where legal expertise is desirable. They, therefore, no longer focus solely on the professional requirements for the Bar, judiciary, taxation and notarial profession which are generally seen as the traditional legal professions, although these form the core of certain programmes. All programmes aim to achieve effective coordination with the labour market by maintaining strong links with the wider professional field they serve. In addition to internships and career orientation, this encompasses contacts with

professional organizations and employers, advisory councils, alumni and guest lecturers. In addition, a graduate Bachelor of Laws must be adequately equipped with the research and other skills required to gain admission to a Master's programme in Law and subsequently to a PhD programme, despite the fact that only a small portion of graduates opt for a career in research.

In the more than ten years that the Bachelor/Master system has been in place in the Netherlands, no specific career prospects for an academically-qualified Bachelor in Law have emerged and there is no clearly identifiable labour market for graduates equipped only with an academic Bachelor's degree in Law (LL.B). Many LL.B graduates work in an environment where knowledge of law is relevant, but so far no specific requirements for professional skills from a Bachelor's programme have emerged as a result of this. The labour market for academically-qualified lawyers still shows a preference for lawyers who have qualified to Master's level. As a result, a large majority of students studying Law at university opt to complete a Master's programme after the Bachelor. This is not only because of the greater prospects this offers in the labour market, but also because it is a statutory requirement for access to the traditional legal professions.

Nevertheless, Bachelor's programmes still also aim to prepare students for their future life as lawyers. This can be achieved by including aspects of that professional practice in the content and composition of the curriculum, but also by means of extracurricular activities and career preparation.

With the advent of higher professional education (HBO) programmes in areas of the law, a lawyer is no longer necessarily someone with a university certificate that qualifies them for the traditional legal professions (prosecuting lawyers and the judiciary; the Bar; the notarial profession, tax consultants); a Master of Laws (*meester in de rechten, mr.*). Although lawyers qualified to HBO level are entitled to use the title of Bachelor of Laws (LL.B), there is a distinct difference between the HBO programmes and the academic programmes in Law. What distinguishes them is that the academic programmes lay the foundations for mastering the legal research method, as expressed in the final attainment levels of the programmes. This is mainly reflected in the content of the programme, its depth and its approach to the law. Academic Bachelor's and Master's programmes focus on educating lawyers who have learned how to think independently and critically, who not only learn to find answers to questions, but also continue to question the answers they find. Access to the traditional legal professions is regulated by statute and requires both an academic Bachelor's degree (LL.B) and the Master of Laws degree (LL.M).¹

In the Netherlands, lawyers with the LL.M qualification will generally use the equivalent Dutch title *meester in de rechten (mr.)*, especially when working in the traditional legal professions.

2. Possibilities for national and international comparison

Globally and within Europe, programmes in Law are characterized by their highly varied context and structure, together with significant differences in terms of admission and the duration of study. In addition, all countries have separate regulations governing graduate lawyers' access to the Bar, the judiciary, tax law and the notarial profession, which have an influence on both the orientation and the intended final level. Of course, it is possible to compare the curricula of different programmes, but a serious international benchmark for objectives, level and orientation for programmes in Law currently remains impossible.

The German CHE benchmark organization is not open to programmes in Law in other countries, despite the fact that this is possible for other disciplines.² The EU project Tuning Sectoral Framework for Social Sciences also failed to reach a harmonized set of final attainment levels for programmes

¹ The professional requirements for the Bar, the judiciary and the notarial profession were changed by Royal Decree on 18 September 2008 (Netherlands Bulletin of Acts and Decrees 2008, 383) when, in the context of admission to regulated legal professions, the HBO degree of Bachelor obtained at a university of applied sciences (*hogeschool*) was equated with a Bachelor's degree in Law obtained at an academic university, if the HBO programme in Law was completed by means of a bridging programme. The bridging programme contains course components in Law offered by a university or the Open University, with a total study load of at least 60 credits.

² Gemeinnütziges Centrum für Hochschulentwicklung: www.che.de.



in Law.³ In other countries, several national benchmarks for programmes in Law do exist, including the Benchmarks for Law in the United Kingdom, which stipulates the knowledge, skills and attitude required by Bachelor's and Master's graduates for quality assessment and accreditation of programmes there.⁴ In any case, these are only of limited use for programmes in continental Europe because of the major differences between the common law and civil law legal systems.

There is no doubt that the Bologna and Lisbon Agreements had a harmonizing impact on the content of legal education in the EU. As part of the accession process to the EU, new EU member states have frequently based their programmes on the Bachelor/Master structure in advance, and the old member states are still in the process of reforming and harmonizing their education systems. In this, they sometimes opt for solutions that actually hamper comparability between different countries, as in the example of Germany, which is moving towards a more varied assortment of programmes.⁵

All of this would suggest that a serious international comparison of the objectives, level and orientation of programmes in Law remains impossible or at least of little use.

With regard to the comparison of programmes in the Netherlands itself, it is possible to say that there is a lot of sharing of information and coordination between the faculties of Law in the Netherlands, including on such areas as educational renewal, research, the interpretation of accreditations and the configuration of professional requirements. There is regular national consultation between the Deans in the RDR, as an offshoot of which those responsible for education and the directors of operations meet when necessary to discuss education-related, organizational and financial subjects and share experiences and information. Finally, there are regular national consultations and coordination at administrative level in the National Policy-workers Consultation Body (*Landelijk Overleg Beleidsmedewerkers*). In addition, the RDR and separate faculties also take advantage of good practice examples identified by the panels conducting independent quality inspections and included in their assessment reports to the NVAO (Accreditation Organization of the Netherlands and Flanders). The RDR also engages in discussion with representatives from the varied professional field it serves. For example, it consults with the Council for the Judiciary (*Raad voor de Rechtspraak*) and the Netherlands Bar Association (*Nederlandse Orde van Advocaten*) in order to determine a standard to define the applicable statutory provisions for the so-called civil effect of programmes in Law. This takes the form of a covenant.

As such, it is possible to argue that some kind of national benchmarking does take place, generally of an informal nature, except in the case of national independent quality inspections and the restrictions relating to the aforementioned covenant. In that context, the Discipline Consultation Body also undertakes formal duties.

3. Professional requirements

Access to the judiciary, the Bar and the notarial profession is regulated by and in accordance with statute. In practical terms, this means that requirements are set for the organization of Bachelor's and Master's programmes intended to enable admission to higher programmes that prepare for positions in the judiciary, the Bar, the notarial profession and tax law.

The programmes that opt to prepare for these higher programmes stipulate this in their academic and examination regulations by emphatically including within them the statutory professional requirements and the further definition of these in the covenant described above. The examination

³ Excerpt from the 2012 final report: 'Consequently, even the proto list of the competences required by students and future practitioners of law are still at this stage no more than embryonic.' Tuning Sectoral Framework for Social Sciences – Final Report, 2008, p. 45. See also the country lists in Annex 4 of the report (<http://tuningacademy.org/sqf-social-sciences/?lang=en>).

⁴ A draft of a revised version has been published: Subject Benchmark Statement: Law (Draft for Consultation, March 2015) (<http://www.gaa.ac.uk/en/Publications/Documents/SBS-consultation-Law-15.pdf>).

⁵ Neue Wege in der Juristenausbildung, Essen, 2010, http://www.stifterverband.info/wissenschaft_und_hochschule/lehre/juristenausbildung/.

boards for these programmes will issue specific statements to this effect, on the basis of which the higher programmes can determine whether a programme fulfils the intended requirements.

4. Final attainment levels for Bachelor's and Master's programmes

Every Law programme makes choices when setting its final attainment levels based on national and relevant international comparisons of final attainment levels and in an attempt to achieve the best possible match with what is a very diverse professional field. These final attainment levels are included in the academic and examination regulations of each separate programme. They include at least three categories.

A. Knowledge and understanding

The graduate lawyer is proficient in the key tenets of the area or areas of law on which the programme focuses. This applies equally to their material and formal and the historical and theoretical aspects.

However, one-dimensional knowledge alone is not sufficient. Programmes therefore aim to develop a 'genuine understanding of the law' in their students, in an academic environment in which 'why' questions are allowed to flourish. This means that, alongside the subject-specific knowledge referred to above, methods are also taught which enable students to keep abreast of the latest relevant developments and changes. The education can also encompass an understanding of the differences between major legal families (such as those between common law and civil law), of the historical and philosophical evolution of the law and, insofar as the nature of the programme requires or permits it, also of comparative law methodology. This means that the graduate lawyer must always be capable of updating his or her legal knowledge on a permanent basis and possibly also specialize in new areas.

B. Academic and legal skills

The above assumes an increasing focus on acquiring academic and legal skills: lifelong learning and the acquisition of an international attitude. It also assumes that the graduate lawyer is capable of reflecting on the law and translating issues in society into the language that the law uses to solve such issues. During the programme, students are encouraged to search for questions and problems as well as answers and solutions; they are given an opportunity to develop capacities of analysis and learn to think, write and present in a critical way.

The ability to formulate and solve a legal case is also essential. To achieve this, the graduate lawyer must be able to effectively collect, process and evaluate the relevant facts and evidence, and apply the rules of law to them. The lawyer is expected to be capable of legally interpreting a problem in society and outlining potential solutions.

In addition, a lawyer must be capable of conveying his or her legal knowledge and legal judgment both orally and in writing to other lawyers and in other professional environments. This means that language is the lawyer's main working tool. Effective and clear verbal and written proficiency in the Dutch language (or in English if that is the language of instruction for the programme or part of it) is essential. For this, students must have an opportunity during their programme, if relevant for the specific programme, to acquire knowledge of English legal terminology in the current social context.

c. Academic citizenship/attitude

During the programme, the prospective lawyer should become fully acquainted with the legal culture or cultures. He or she should be enabled to develop an ethical professional attitude and be aware of the social context in which the law operates and, related to that, his or her responsibility within society. The teaching and educational environment assists the student in this. It is important for education to be structured in such a way that it sparks an interest in wider society and evokes a natural curiosity for legal issues and legal thinking, as well as for the role that law plays in society.



5. Final level

Programmes need to be transparent regarding how students are able to reach the final level and how they can demonstrate that they have reached it. Test results, assignments and presentations form the primary basis for this.

For Bachelor's programmes in Law, the final level achieved is also reflected in the thesis, dissertation or final project. Responding to a legal question with the help of recognized legal methods and reporting on the underlying research conducted form the main basis for this.

The Bachelor's thesis or its equivalent does not aim to demonstrate that the final attainment levels of the Bachelor's programme have been reached. Some important skills, such as communication, are not tested and neither is the student's understanding of all areas of the law that are of relevance to the Bachelor's programme. Moreover, most Bachelors' programmes in Law award only relatively few credits for this final assignment. In Bachelor's programmes in Law, the acquisition of research skills, in the form of methodology and technique courses, does not generally play a central role. Acquiring research skills is part of the general academic education of lawyers and primarily occurs through the handling of the separate areas of the law. Programmes are at liberty to emphasize certain areas in order to reflect the distinctive appeal of a particular programme, which in turn will be expressed in the final assignment.

The same applies for the Master's thesis, although it differs in generally placing greater emphasis on the development of research skills, if only in view of the fact that achieving any Master's degree in Law in principle enables access to a PhD programme. Alongside the regular Master's programmes, specialist research Master's programmes also exist, which place specific emphasis on the acquisition of research skills. The further in-depth study required for other areas of academic professional practice is in any case only really achieved in the Master's phase. This is expressed in the position played in the curriculum by the Master's thesis, the greater number of credits generally set aside for the final assignment in the Master's programme and the requirements set with regard to its contents.

6. General characteristics and objectives of Bachelor's and Master's programmes

It has already been pointed out above that the range of programmes is varied, in terms of their number, the chosen specializations and their emphasis. This does not detract from the fact that programmes in Law have, and must have, characteristics in common. These characteristics need not necessarily be present to the same extent in each programme, but they must at least be reflected at the core of each programme. The specific approach adopted by programmes in this regard is stipulated in the academic and examination regulations for the programme .

In Bachelor's programmes in Law, the following characteristics play a central role:

- a. the social function of the law;
- b. the core concepts in the most important areas of law: private law, constitutional law, administrative law, criminal law, European law, international law and, for tax-related and notarial programmes, tax law;
- c. the law as a coherent system;
- d. the theoretical basic principles and historical development of the law and, for tax-related and notarial programmes, the economic aspects of the law.

Master's programmes in Law involve further in-depth study of knowledge relating to one or several areas of the law or specific subjects within them. Key characteristics include:

- e. the social function of the area covered by the programme, its boundaries and related areas;
- f. more intensive or extensive study of core concepts in one or several areas of the law (private law, constitutional law, administrative law, criminal law, European law and international law);
- g. the position of the area of the law covered within the system of the law as a whole;
- h. the theoretical basic principles and historical development of the law and, for tax-related and notarial programmes, the economic aspects of the law.

Academic programmes in Law also aim to achieve the following:

- i. the acquisition of knowledge and understanding of the law, in which law is considered also in its European, international and comparative law context;
- j. reflecting on the boundaries of the law as well as its related areas;
- k. acquiring academic and legal skills. In this context, this is understood to mean:
 - 1. the capacity to think about the law as an academic;
 - 2. the ability to communicate with fellow lawyers and non-lawyers based on the knowledge and understanding acquired, making use of an analytical attitude and outstanding speaking and writing skills;
 - 3. the ability to apply a relevant set of academic tools;
 - 4. the ability to participate in an academic debate;
 - 5. the ability to gather, evaluate, process and apply knowledge;
 - 6. the ability to apply specific knowledge of an area of the law in a wider academic, historical, philosophical, ethical and socio-cultural context;
 - 7. the ability to deal critically with the rules of law and case law, and seek out and find new solutions;
 - 8. the ability to keep abreast of and explore new developments and new areas of the law;
 - 9. the ability to deal with the increasing globalization, Europeanization and internationalization of the law;
- l. the development of academic citizenship that includes an understanding of a professional ethical attitude and awareness of the social context in which the law operates, as well as the social responsibility that this implies for the academically-qualified lawyer.



APPENDIX 3: INTENDED LEARNING OUTCOMES

Dublin descriptors	Intended Learning Outcomes (ILOs)
<p>A) Knowledge and understanding</p> <p>The IBL graduate has thorough knowledge and understanding of the main areas of international business law, such as contract law, EU internal market law, international company law, intellectual property rights law and international tax law. The knowledge acquired by students in a previous degree course which provides access to the IBL programme is here extended and deepened. Thanks to a critical attitude towards jurisprudential research and broad academic skills, the IBL graduate is able to present creative solutions to complex problems [see B) Application of knowledge and understanding].</p>	<ol style="list-style-type: none"> 1. The IBL graduate has thorough knowledge and understanding of the strategically chosen disciplines of the IBL programme. 2. The IBL graduate explains the relationship between the disciplines of international business law and recognizes the legal issues under discussion. 3. The IBL graduate recognizes the actors of the international business law environment and how they interact with each other, while acknowledging legal and cultural differences. The Master's graduate analyzes the role of governments and the horizontal economic relationships between them, the vertical relationship between them and private business and, finally, the horizontal relationships between private companies. Consequently, the graduate discerns the legal position of various parties and understands how the conduct of these parties can influence legal positions.
<p>B) Application of knowledge and understanding</p> <p>The IBL graduate is able to apply knowledge and understanding in a professional and integrated manner; is able to solve complex problems within the specialist field and prepare and conduct independent jurisprudential research of some scope.</p>	<ol style="list-style-type: none"> 4. The IBL graduate applies critically the acquired knowledge to concrete legal problems. 5. The IBL graduate evaluates practical problems and synthesizes them into legally manageable solutions. 6. The IBL graduate researches and evaluates scholarly literature, case law and legal and policy documents. 7. The IBL graduate applies, synthesizes and critically evaluates existing theories and case-law. 8. The IBL graduate independently applies research methodologies and researches and writes a jurisprudential study of some size. The IBL graduate evaluates the value of research findings, synthesizes and compares research results to theoretical debates within particular fields of law.
<p>C) Handling complexity and formulating judgements</p> <p>The IBL graduate is able to compile and interpret relevant literature and legal sources in an efficient manner and make a critical judgement of the results of legal research in the field of international business law.</p>	<ol style="list-style-type: none"> 9. The IBL graduate analyzes complex issues in relation to international business and recommends useful legal solutions. An IBL graduate formulates an independent and well-substantiated opinion on complex legal issues and evaluates the existing debates on various international business law topics.
<p>D) Communication</p> <p>The IBL graduate can communicate their conclusions, knowledge and rational underpinning thereof to specialist and non-specialist audiences clearly and unambiguously.</p>	<ol style="list-style-type: none"> 10. The IBL graduate describes and demonstrates in a critical manner both orally and in writing the design, the research methods and methodologies, the theoretical foundations and conclusions of their research to lawyers and non-lawyers. The IBL graduate has an effective and clear verbal and written proficiency in English legal terminology.

E) Learning skills

The IBL graduate is able to evaluate its own learning process, can steer and plan this learning process and is able to acquire new specialist knowledge autonomously. The IBL graduate is able to conduct independent jurisprudential research [see B) Application of knowledge and understanding] and has the knowledge, understanding and skills to operate to academic standards as a lawyer in the international business sector.

11. The IBL graduate has a self-critical attitude that enables her/him to independently acquire new knowledge and to improve the analytical, critical and creative thinking, the research and communicative skills.

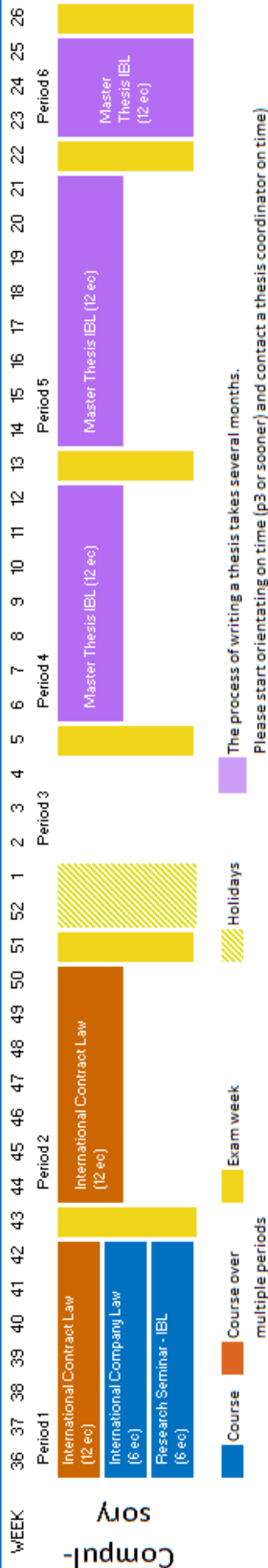


APPENDIX 4: OVERVIEW OF THE CURRICULUM

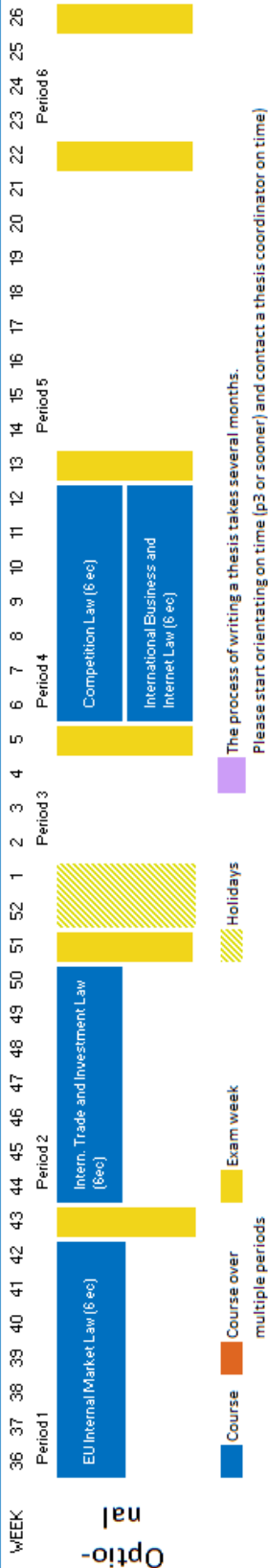
SCHEDULE INTERNATIONAL BUSINESS LAW 2017-2018

Regulatory Profile

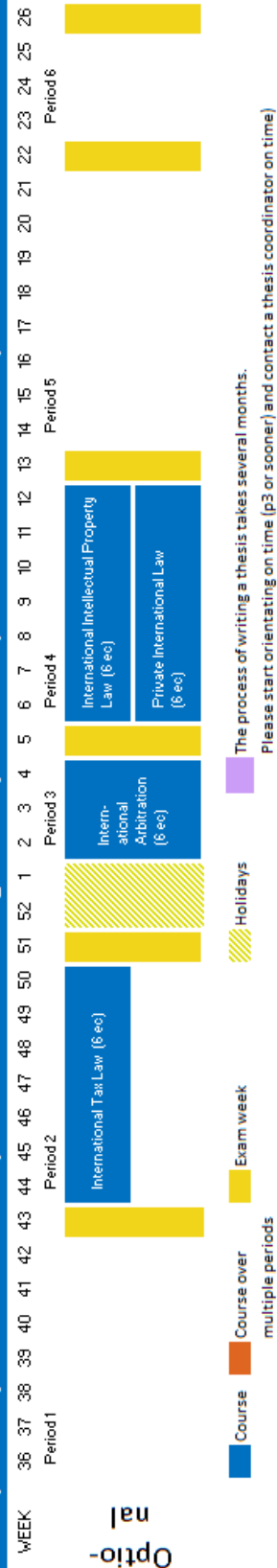
General Compulsory Courses



Compulsory Courses for Specialisation: Regulatory Profile (choose 3 out of 4)



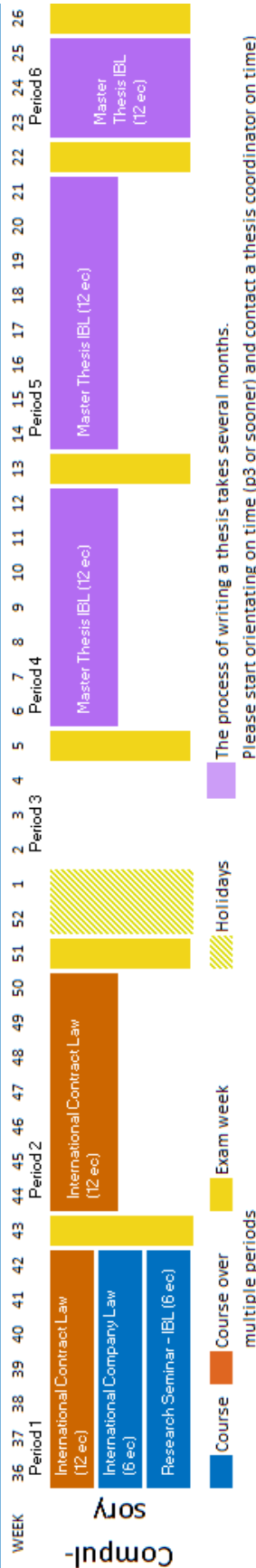
Compulsory Courses for Specialisation: Regulatory Profile (choose 1 out of 4)



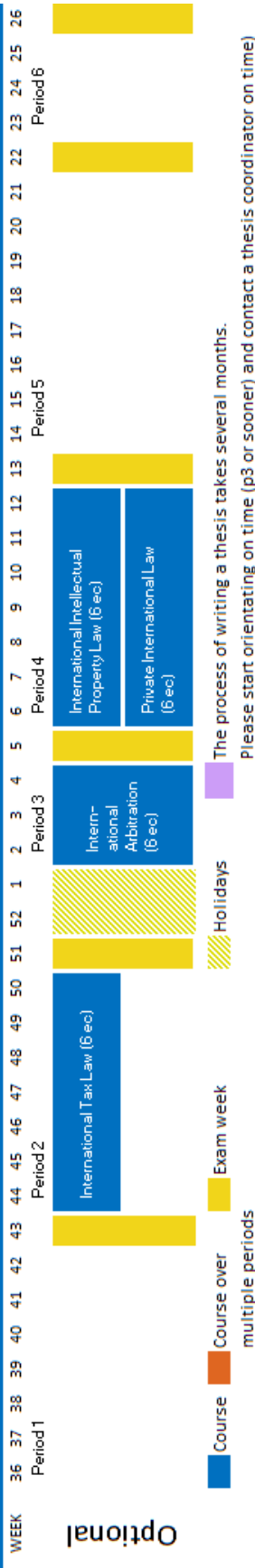
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Transactions Profile

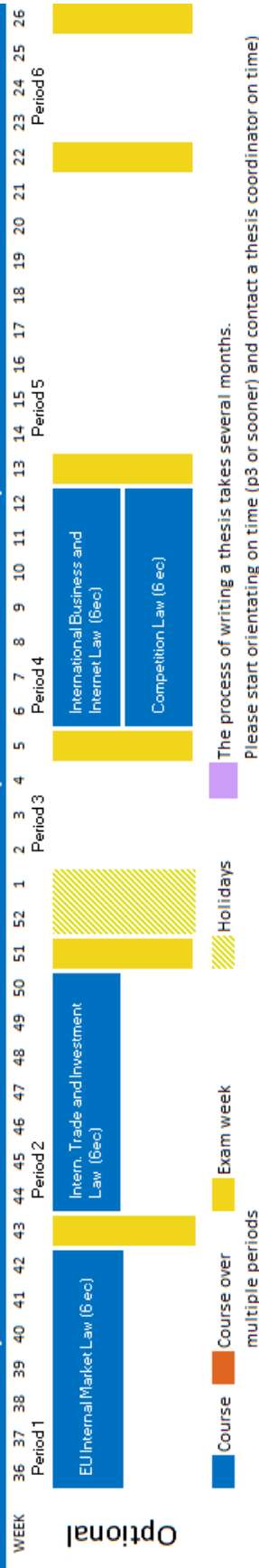
General Compulsory Courses



Restricted Electives for Specialisation: Transactions Profile (choose 3 out of 4)



Courses for Specialisation: Transactions Profile (choose 1 out of 4)



APPENDIX 5: PROGRAMME OF THE SITE VISIT

Wednesday 8 November 2017		
9.30	10.00	Arrival and welcome
10.00	12.00	Preparatory meeting and review of available information
12.00	12.30	Interview with faculty management
12.30	13.00	Lunch
13.00	14.00	Interview with management of all programmes
14.00	14.45	Interview with students B Rechtsgeleerdheid
14.45	15.15	Panel discussion/break
15.15	16.00	Interview with students B and M Notarieel recht
16.00	16.45	Interview with teaching staff B Rechtsgeleerdheid, B and M Notarieel recht
16.45	17.00	Break
17.00	17.45	Interview with members programme committee Notarieel recht
17.45	18.30	Interview with alumni Notarieel recht
Thursday 9 November 2017		
9.00	10.30	Preparatory meeting and review of available information; office hour (10.00-10.30)
10.30	11.30	Interview with students M Rechtsgeleerdheid, M Fiscaal recht
11.30	12.00	Interview with students M International Business Law
12.30	13.00	Interview with students M Law and Politics of International Security
12.30	13.00	Lunch
13.00	14.00	Interview with teaching staff M Rechtsgeleerdheid, M Fiscaal recht
14.00	14.30	Interview with teaching staff M International Business Law
14.30	15.00	Interview with teaching staff M Law and Politics of International Security
15.00	15.30	Break
15.30	16.15	Interview with members programme committees B and M Rechtsgeleerdheid
16.15	17.00	Interview with members examination board
17.00	17.15	Break
17.15	17.45	Interview with M Rechtsgeleerdheid and M Fiscaal recht
17.45	18.15	Interview with M International Business Law and M Law and Politics of International Security
Friday 10 November 2017		
9.00	10.00	Final interview with faculty management
10.00	10.30	Tour
10.30	12.30	Formulation preliminary findings
12.30	13.00	Break and lunch
13.00	16.00	Formulation preliminary findings
16.00	16.30	Preparation of presentation preliminary findings
16.30	17.00	Presentation of preliminary findings

APPENDIX 6: THESES AND DOCUMENTS STUDIED BY THE PANEL

Prior to the site visit, the panel studied a selection of 10 IBL theses. The student numbers of these theses are available upon request.

During the site visit, the panel studied, among other things, the following documents (partly as hard copies, partly via the institute's electronic learning environment):

- Course materials, sample exams and answer models of the following IBL courses:
 1. International Contract Law
 2. International Company Law
 3. International Trade and Investment Law
- Annual reports and annual strategy of the faculty (2014-2020)
- Annual reports examination board and programme committee (2014-2017)
- Annual reports programmes and study adviser (2014-2016)
- Minutes examination board
- Assessment policy of the faculty
- Assessment dossier contents 10 March 2017
- Report on appointment of examiners
- Strategic plan quality assurance exams
- Examination board Thesis check 2017 sample
- Examination rules
- assessment plans, matrices, internship and thesis guidelines of all programmes
- Facultaire Nota toetsbeleid 2013 en 2017
- RCH quality assurance framework 2016 en 2017
- NSE 2017
- Report teaching methods RCH and Not.
- Position Paper Law in Action
- Regulations Faculty of Law
- Advisory committee Cornelisse skills master's programmes RCH
- Report ICT in Education 2016-2017
- Report Talent Education 2016
- Academic juridical education December 2012 versie 2 0 RCH and Not
- 2016 and 2017 Educational Vision Faculty of Law
- Report Career Office 2.0 and annual reports 2016-2017
- information and report Diversity
- Analysis and results course evaluations 2016-2017
- Minor evaluations
- Programme Onderwijsdag (2014-2017)
- Graduates per master's track (2015-2017)
- Midterm review Fiscaal Recht, February 2015

